



I hereby CERTIFY that this document is recorded in the  
Recorder's Office, Northampton County, Pennsylvania.

*Ann L. Gentry*

RECORDERS OFFICE  
NORTHAMPTON COUNTY  
PENNSYLVANIA  
INSTRUMENT NUMBER  
1994016328  
RECORDED ON  
APR 22, 1994  
2:52:30 PM  
STATE MALT TAX \$ 0.50  
RECORDING FEES \$ 23.00  
TOTAL \$23.50

# SCENIC AND CONSERVATION EASEMENT

## FORMER HELMS PROPERTY

### ADJACENT TO CITY OF BETHLEHEM LANDFILL

WHEREAS, the City of Bethlehem ("City") and the Township of Lower Saucon ("Township") desire to cooperate in the proper expansion of the City of Bethlehem Landfill ("Landfill") located on Applebutter Road in the Township; and

WHEREAS, the City and Township have agreed in Section III - Intergovernmental Issues, Item 4, that the City buffer land purchased on the North side of the Landfill, i.e., the former Helms property, should be protected with a conservation and scenic easement; and

WHEREAS, the City and Township have agreed that the City is allowed ingress, egress and regress over the easement area to perform groundwater testing and pollution abatement projects.

#### NOW, THEREFORE, IT IS AGREED:

1. That the consideration for this agreement is the mutual covenants and promises contained herein.
2. That the City grants to the Township a restrictive easement for scenic and conservation purposes on the tract of approximately sixty-six (66) acres as more fully described in the exhibits attached hereto and marked as Exhibits "3" and "4."
3. The City recognizes the area as identified above is zoned "RA" and will only perform those activities permitted in such zoning, and in accordance with any amendments by which the City or its successors are obligated to comply in accordance with the provisions of the Municipalities Planning Code and applicable state law. The City further agrees it will not engage in any landfill activities on the property. The City and the Township recognize, however, that the City retains the right and permission to undertake groundwater testing activities and water pollution abatement activities on this property.

Also Known As Northampton County

Uniform Parcel Identifier:

Map N8 Block 14 Lot 1

VOL: 1994-6

012081

4. The City has granted (Supplemental Agreement, City and Township, Item 14) a woodlands protection easement for approximately eight (8) acre area as attached as Exhibits "1" and "2," hereto. The woodlands protection easement provides that the woodlands shall be preserved as undisturbed woodlands, except for the removal of dead or diseased trees, and/or except for normal removal of trees for prudent forest management to allow for proper tree growth. The City shall retain the rights of ingress, egress and regress over the easement area, and the further right to perform groundwater testing and abatement in the easement area.

5. Surface mining and other extractive activities are strictly prohibited on the easement area.

6. The City of Bethlehem shall not perform any activity other than those stated in this easement agreement or any activity that may in any way be in contradiction to the guidelines and rules of the Delaware and Lehigh Canal National Heritage Corridor and State Heritage Park.

7. The City shall retain the right to exclude any member of the public from trespassing on the easement area.

8. The restrictions and easements shall constitute a covenant running with all of the property described herein and shall be binding upon the City and all other persons and parties claiming through the City herein, and for the benefit of and limitation upon all future owners of said land and premises, this declaration of restrictions being designed for the purposes of assuring the preservation of the Delaware and Lehigh Canal National Heritage Corridor and State Heritage Park; and, during such operation of the Landfill to as great a degree as possible, to preserve the original character and scenic nature of the land.

9. The Township shall have the right to assign this restrictive easement with the prior written approval of the City, which said approval shall not be unreasonably withheld.

IN WITNESS WHEREOF, the undersigned have executed this

Easement on behalf of the City and the Township, intending to legally bind the parties to its terms.

CITY OF BETHLEHEM

*William J. Delin*  
Controller  
MAR 16 1994

By: *Kenneth R. Smith*  
Kenneth R. Smith  
Mayor

TOWNSHIP OF LOWER SAUCON

*Robert D. Cardillo*  
Secretary

By: *Priscilla deLeon*  
Priscilla deLeon  
President of Council

COMMONWEALTH OF PENNSYLVANIA)

: SS:

COUNTY OF Northampton )

On this 16<sup>th</sup> day of March, 1994, before me,  
Cynthia A. Schick, the undersigned officer,  
personally appeared KENNETH R. SMITH, Mayor of the City of  
Bethlehem, Pennsylvania, known to me to be the person described  
in the foregoing instrument, and acknowledged that he executed  
the same in his official capacity therein stated and for the  
purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official  
seal.

Cynthia A. Schick

Notarial Seal  
Cynthia A. Schick, Notary Public  
Bethlehem, Northampton County  
My Commission Expires Aug. 10, 1994

COMMONWEALTH OF PENNSYLVANIA)

: SS:

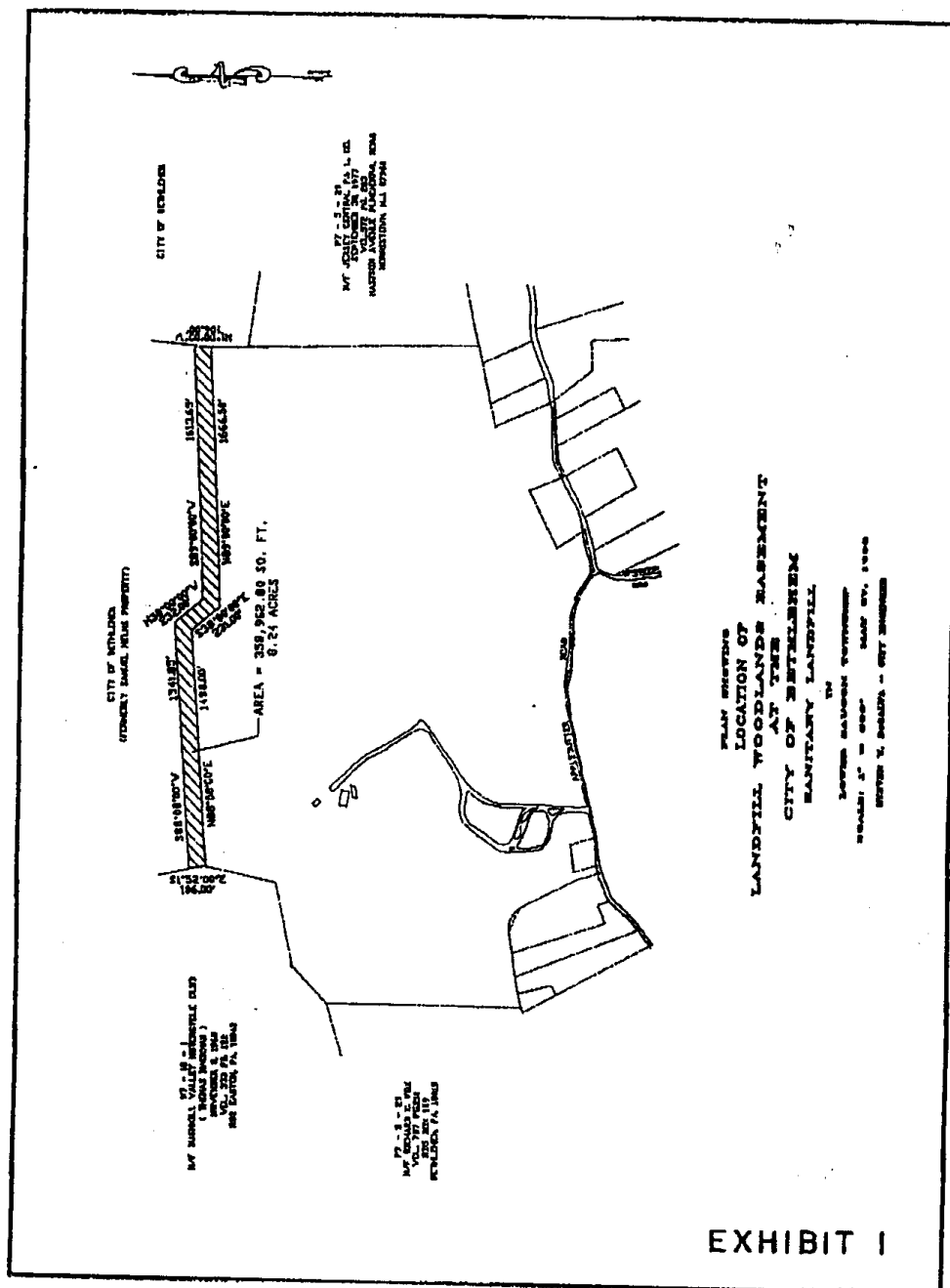
COUNTY OF )

On this 16<sup>th</sup> day of March, 1994, before me,  
Martha L. Chase, the undersigned officer,  
personally appeared PRISCILLA deLEON, President of Council of the  
Township of Lower Saucon, Pennsylvania, known to me to be the  
person described in the foregoing instrument, and acknowledged  
that she executed the same in her official capacity therein  
stated and for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official  
seal.

Martha L. Chase

Notarial Seal  
Martha L. Chase, Notary Public  
Lower Saucon Twp., Northampton County  
My Commission Expires Jan. 23, 1995  
Member, Pennsylvania Association of Notaries



DESCRIPTION OF  
LANDFILL WOODLANDS EASEMENT

All that certain portion of lot or parcel to be dedicated as a Landfill Woodlands Easement, located in Lower Saucon Township, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows to wit:

Beginning at a point along the northwardly property line of the original City of Bethlehem Landfill, being a common point between the Bushkill Valley Motorcycle Club, the former Samuel Helms property (now City of Bethlehem) and the original City of Bethlehem Landfill, thence in an eastwardly direction along the northwardly property line of the original City of Bethlehem Landfill, North Eighty-Eight Degrees Eight Minutes East (N 88°-08'-00"E) One Thousand Four Hundred Eighty-Eight Feet (1,488.00') to a point, thence South Thirty-Eight Degrees East (S 38°-00'-00"E) Two Hundred Thirty-One Feet (231.00') to a point, thence North Eighty-Nine Degrees East (N 89°-00'-00"E) One Thousand Six Hundred Sixty-Six and Fifty One-Hundredths Feet (1,666.50') to a point, thence North One Degree West (N 01°-00'-00"W) One Hundred and Six Feet (106.00') to a point, thence South Eighty-Nine Degrees West (S 89°-00'-00"W) One Thousand Six Hundred Thirteen and Sixty-Five One-Hundredths Feet (1,613.65') to a point, thence North Thirty-Eight Degrees West (N 38°-00'-00"W) Two Hundred Thirty-Two Feet (232.00') to a point, thence South Eighty-Eight Degrees Eight Minutes West (S 88°-08'-00"W) One Thousand Five Hundred Forty-One and Eighty-Five One-Hundredths Feet (1,541.85') to a point, thence South One Degree Fifty-Two Minutes East (S 01°-52'-00"E) One Hundred Six Feet (106.00') to a point, said point being the point the place of beginning; containing 358,962.80 Sq. Ft. or 8.24 Acres.

The entire One hundred and Six (106.00') Foot wide Woodland Easement is being Dedicated from the former Samuel Helms Property.

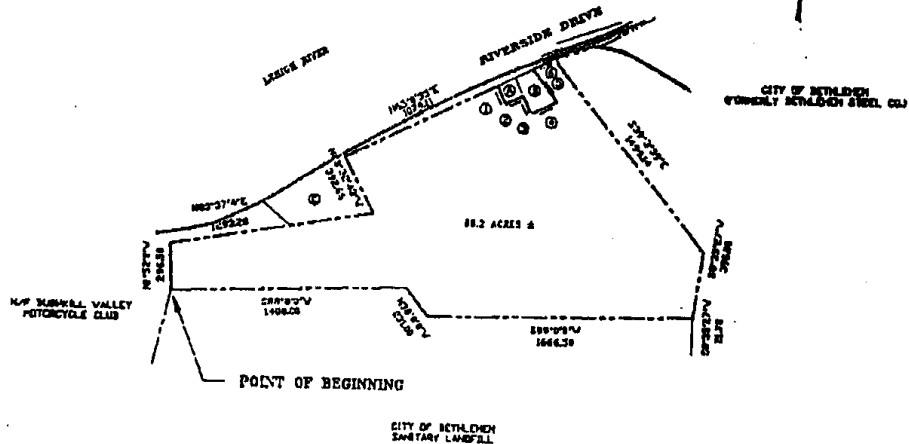
All of which is more fully shown upon the map or plan entitled " Plan Showing Location of Woodlands Easement at the City of Bethlehem Sanitary Landfill in Lower Saucon Township Scale 1" = 800' May 27, 1993 Steven W. DeSalva - City Engineer", a copy of which is on file in the office of the City Engineer of Bethlehem, Pennsylvania.

EXHIBIT 2

ADJUTING PROPERTIES

- ① N/F ROBERT BOWEN
- ② N/F CHRISTINE HAN
- ③ N/F PPA CO.

- ④ N68°41'54"E 182.00
- ⑤ N45°00'00"E 180.00
- ⑥ N24°59'25"E 102.00
- ⑦ N45°00'00"E 180.00
- ⑧ N29°00'00"W 247.43
- ⑨ N65°00'00"E 150.00



PLAN SHOWING  
SCENIC & CONSERVATION  
EASEMENT

IN  
LOWER SAUCON TOWNSHIP  
OWNED BY CITY OF BETHLEHEM  
(FORMERLY HELMS PROPERTY)

STEVEN W. DOSALYA - CITY ENGINEER  
SCALE 1" = 800'  
JUNE 28, 1993

EXHIBIT "3"

EXHIBIT "4"

DESCRIPTION OF  
SCENIC & CONSERVATION EASEMENT  
ON PROPERTY OF CITY OF BETHLEHEM  
(FORMERLY KNOWN AS THE SAMUEL HELMS PROPERTY)

All that certain lot or parcel of land to be dedicated as a Scenic & Conservation Easement, situate along the south side of Riverside Drive, in Lower Saucon Township, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows to wit:

Beginning at a point, said point being the northwest corner of the original City of Bethlehem Landfill, also being a common point between the Bushkill Valley Motorcycle Club, the original City of Bethlehem Landfill, and the southwest corner of the former Samuel Helms property (now the City of Bethlehem) the property described herein, thence in a northwardly direction North One Degree Fifty-two Minutes Zero Seconds West (N 01°52'00" W) Two Hundred Ninety-six and Fifty-eight One-Hundredths Feet (296.58') to a point, thence North Eighty Degrees Thirty-seven Minutes Four Seconds East (N 80°37'04" E) One Thousand Two Hundred Ninety-three and Twenty-eight One-Hundredths Feet (1,293.28') to a point, thence North Twenty-eight Degrees Thirty-two Minutes Forty-three Seconds West (N 28°32'43" W) Three Hundred Ninety-two and Sixty-six One-Hundredths Feet (392.66') to a point, thence North Sixty-five Degrees Zero Minutes Thirty-five Seconds East (N 65°00'35" E) One Thousand Seventy-nine and Eleven Hundredths Feet (1,079.11') to a point, thence South Twenty-six Degrees Four Minutes Fifteen Seconds East (S 26°04'15" E) One Hundred Twenty and Two One-Hundredths Feet (120.02') to a point, thence North Sixty-five Degrees Zero Minutes Twenty-five Seconds East (N 65°00'25" E) One Hundred Twenty Feet (120.00') to a point, thence South Twenty-four Degrees Fifty-nine Minutes Twenty-five Seconds East (S 24°59'25" E) One Hundred Twenty Feet (120.00') to a point, thence North Sixty-five Degrees Zero Minutes Thirty-five Seconds East (N 65°00'35" E) One Hundred Eighty and Eighteen One-Hundredths Feet (180.18') to a point, thence North Thirty-nine Degrees Three Minutes Fifty-nine Seconds West (N 39°03'59" W) Two Hundred Forty-seven and Forty-three One-Hundredths Feet (247.43') to a point, thence North Sixty-five Degrees Zero Minutes Thirty-five Seconds East (N 65°00'35" E) One Hundred Fifty Feet (150.00') to a point, thence South Thirty-nine Degrees Three Minutes Fifty-nine Seconds East (S 39°03'59" E) One Thousand Four Hundred Ninety-nine and Fourteen One-Hundredths Feet (1,499.14') to a point, thence South Eight Degrees Thirty-five Minutes Twenty-seven Seconds West (S 08°35'27" W) Three Hundred Ninety-six Feet (396.00') to a point, thence South Zero Degrees Thirty-five Minutes Twenty-seven Seconds West (S 00°35'27" W) Twenty-one and Seventy-



eight One-Hundredths Feet (21.78') to a point, thence South Eighty-nine Degrees Zero Minutes Zero Seconds West (S 89°00'00" W) One Thousand Six Hundred Sixty-six and Fifty One- Hundredths Feet (1,666.50') to a point, thence North Thirty-eight Degrees Zero Minutes Zero Seconds West (N 38°00'00" W) Two Hundred Thirty-one Feet (231.00') to a point, thence South Eighty-eight Degrees Eight Minutes Zero Seconds West (S 88°08'00" W) One Thousand Four Hundred Eighty-eight Feet (1,488.00') to a point, said point being the point the place of beginning, containing 66.2 Acres ±.

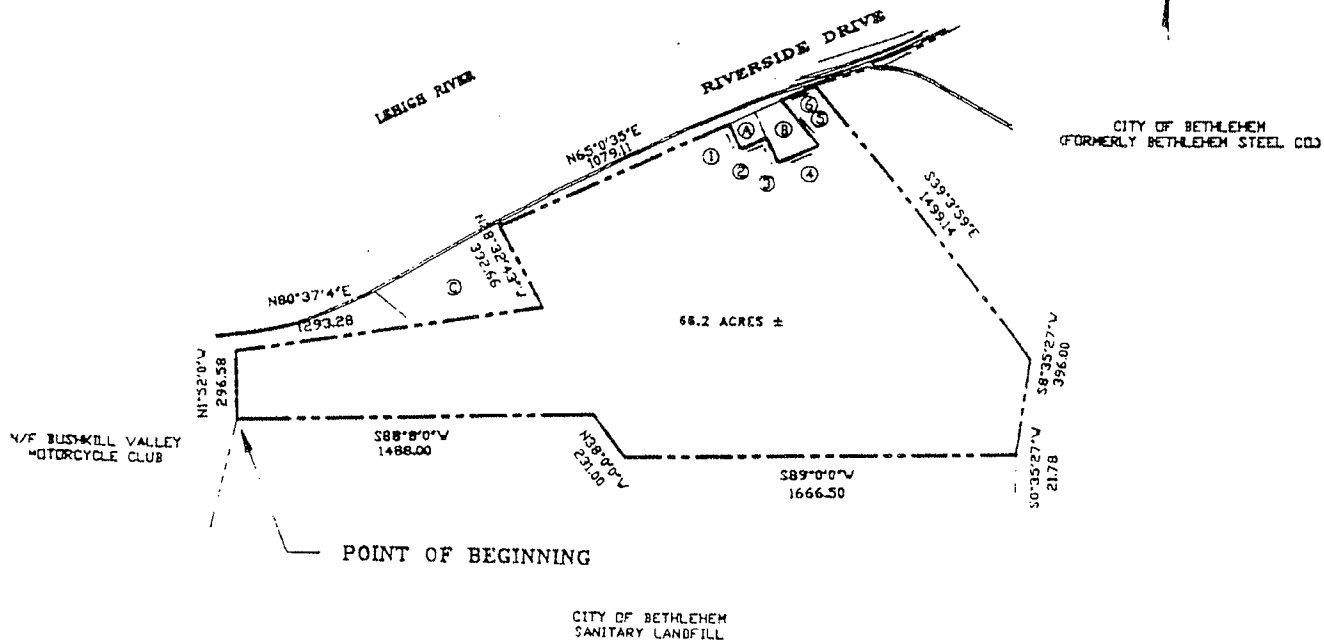
Bounded on the north by Riverside Drive, on the east by lands of City of Bethlehem (formerly Bethlehem Steel Co.), on the south by the City of Bethlehem Landfill and on the west by Bushkill Valley Motorcycle Club.

All of which is more fully shown upon the map or plan entitled "PLAN SHOWING SCENIC & CONSERVATION EASEMENT IN LOWER SAUCON TOWNSHIP OWNED BY THE CITY OF BETHLEHEM (FORMERLY HELMS PROPERTY) STEVEN W. DESALVA - CITY ENGINEER SCALE 1" = 800' JUNE 28, 1993 EXHIBIT "3", a copy of which is on file in the office of the City Engineer of Bethlehem, Pennsylvania.

ABUTTING PROPERTIES

- ① N/F ROBERT BOVEN
- ② N/F CHRISTINE HAHN
- ③ N/F PPL CO

- ① S26°41'3"E 120.02
- ② N65°0'35"E 120.00
- ③ S24°59'25"E 120.00
- ④ N65°0'35"E 180.18
- ⑤ N39°3'39"W 247.43
- ⑥ N65°0'35"E 150.00



PLAN SHOWING  
SCENIC & CONSERVATION  
EASEMENT

IN  
LOWER SAUCON TOWNSHIP

OWNED BY CITY OF BETHLEHEM  
(FORMERLY HELMS PROPERTY)

STEVEN W. DeSALVA - CITY ENGINEER

SCALE 1" = 800'

JUNE 28, 1993

EXHIBIT "3"

DESCRIPTION OF  
SCENIC & CONSERVATION EASEMENT  
ON PROPERTY OF CITY OF BETHLEHEM  
(FORMERLY KNOWN AS THE SAMUEL HELMS PROPERTY)

All that certain lot or parcel of land to be dedicated as a Scenic & Conservation Easement, situate along the south side of Riverside Drive, in Lower Saucon Township, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows to wit:

Beginning at a point, said point being the northwest corner of the original City of Bethlehem Landfill, also being a common point between the Bushkill Valley Motorcycle Club, the original City of Bethlehem Landfill, and the southwest corner of the former Samuel Helms property (now the City of Bethlehem) the property described herein, thence in a northwardly direction North One Degree Fifty-two Minutes Zero Seconds West (N 01°52'00" W) Two Hundred Ninety-six and Fifty-eight One-Hundredths Feet (296.58') to a point, thence North Eighty Degrees Thirty-seven Minutes Four Seconds East (N 80°37'04" E) One Thousand Two Hundred Ninety-three and Twenty-eight One-Hundredths Feet (1,293.28') to a point, thence North Twenty-eight Degrees Thirty-two Minutes Forty-three Seconds West (N 28°32'43" W) Three Hundred Ninety-two and Sixty-six One-Hundredths Feet (392.66') to a point, thence North Sixty-five Degrees Zero Minutes Thirty-five Seconds East (N 65°00'35" E) One Thousand Seventy-nine and Eleven Hundredths Feet (1,079.11') to a point, thence South Twenty-six Degrees Four Minutes Fifteen Seconds East (S 26°04'15" E) One Hundred Twenty and Two One-Hundredths Feet (120.02') to a point, thence North Sixty-five Degrees Zero Minutes Twenty-five Seconds East (N 65°00'25" E) One Hundred Twenty Feet (120.00') to a point, thence South Twenty-four Degrees Fifty-nine Minutes Twenty-five Seconds East (S 24°59'25" E) One Hundred Twenty Feet (120.00') to a point, thence North Sixty-five Degrees Zero Minutes Thirty-five Seconds East (N 65°00'35" E) One Hundred Eighty and Eighteen One-Hundredths Feet (180.18') to a point, thence North Thirty-nine Degrees Three Minutes Fifty-nine Seconds West (N 39°03'59" W) Two Hundred Forty-seven and Forty-three One-Hundredths Feet (247.43') to a point, thence North Sixty-five Degrees Zero Minutes Thirty-five Seconds East (N 65°00'35" E) One Hundred Fifty Feet (150.00') to a point, thence South Thirty-nine Degrees Three Minutes Fifty-nine Seconds East (S 39°03'59" E) One Thousand Four Hundred Ninety-nine and Fourteen One-Hundredths Feet (1,499.14') to a point, thence South Eight Degrees Thirty-five Minutes Twenty-seven Seconds West (S 08°35'27" W) Three Hundred Ninety-six Feet (396.00') to a point, thence South Zero Degrees Thirty-five Minutes Twenty-seven Seconds West (S 00°35'27" W) Twenty-one and Seventy-

eight One-Hundredths Feet (21.78') to a point, thence South Eighty-nine Degrees Zero Minutes Zero Seconds West (S 89°00'00" W) One Thousand Six Hundred Sixty-six and Fifty One- Hundredths Feet (1,666.50') to a point, thence North Thirty-eight Degrees Zero Minutes Zero Seconds West (N 38°00'00" W) Two Hundred Thirty-one Feet (231.00') to a point, thence South Eighty-eight Degrees Eight Minutes Zero Seconds West (S 88°08'00" W) One Thousand Four Hundred Eighty-eight Feet (1,488.00') to a point, said point being the point the place of beginning, containing 66.2 Acres  $\pm$ .

Bounded on the north by Riverside Drive, on the east by lands of City of Bethlehem (formerly Bethlehem Steel Co.), on the south by the City of Bethlehem Landfill and on the west by Bushkill Valley Motorcycle Club.

All of which is more fully shown upon the map or plan entitled "PLAN SHOWING SCENIC & CONSERVATION EASEMENT IN LOWER SAUCON TOWNSHIP OWNED BY THE CITY OF BETHLEHEM (FORMERLY HELMS PROPERTY) STEVEN W. DESALVA - CITY ENGINEER SCALE 1" = 800' JUNE 28, 1993 EXHIBIT "3", a copy of which is on file in the office of the City Engineer of Bethlehem, Pennsylvania.

COMMONWEALTH OF PENNSYLVANIA )

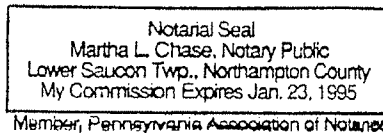
COUNTY OF )

: SS:

On this 12<sup>th</sup> day of November, 1993, before me,  
Martha L. Chase, a Notary Public, personally appeared  
Neil J. Ortwein who duly acknowledged himself to be the  
Acting President (title) of Lower Saucon Twp., and that he,  
as such Acting President (title), being authorized to do  
so, executed the foregoing instrument for the purpose therein  
contained, by signing the name of the Corporation by himself as  
Acting President (title).

WITNESS my hand and official seal.

Martha L. Chase



COMMONWEALTH OF PENNSYLVANIA )

COUNTY OF NORTHAMPTON )

: SS:

On this 12<sup>th</sup> day of November, 1993, before me,  
Cynthia A. Schick, the undersigned officer, personally appeared  
KENNETH R. SMITH, Mayor of the City of Bethlehem, Pennsylvania,  
known to me to be the person described in the foregoing  
instrument, and acknowledged that he executed the same in his  
official capacity therein stated and for the purposes therein  
contained.

IN WITNESS WHEREOF, I hereunto set my hand and official  
seal.

Cynthia A. Schick

