

BOARD OF SUPERVISORS OF LOWER NAZARETH TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA

RESOLUTION LNT-29-13

WHEREAS, under the Authority of the Act of May 1, 1933, P.L. 103, Article XI, Section 1140, as amended (53 P.S. Section 66140, as amended) and of the Act of May 1, 1933, P.L. 103, Section 1140, as amended (53 P.S. Section 66140, as amended), the Supervisors of Lower Nazareth Township in the exercise of their official duties, may from time to time accept certain dedicated roads, streets and alleys in Lower Nazareth Township as part of the public road system of said Township, and

WHEREAS, Lower Nazareth Commons, LP, a Delaware Limited Partnership, by its Indenture dated the 6th day of December, 2013, conveyed all of its right, title and interest in a certain tract of land situated in Lower Nazareth Township, County of Northampton, and Commonwealth of Pennsylvania. Said Deed of Dedication shall be recorded in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania, further bounded and described in Exhibit "A", attached hereto and made a part hereof.

NOW, THEREFORE, be it resolved that the Board of Supervisors of Lower Nazareth Township accept the aforesaid dedicated right-of-way as part of the public highway system of Lower Nazareth Township; and

FURTHER, BE IT RESOLVED, that a certain copy of this Resolution together with a draft or survey of same showing location and width thereof, be filed and recorded in the Office of the Clerk of Court of Quarter Sessions of Northampton County (now Clerk of Criminal Courts of Northampton County), Pennsylvania.


DULY PASSED AND RESOLVED This 11th day of December, 2013.

**BOARD OF SUPERVISORS
LOWER NAZARETH TOWNSHIP**

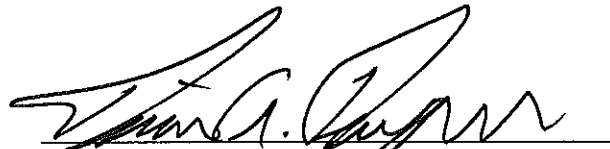
BY: 

ERIC NAGLE, Chairman

ATTEST:


TIMM TENGES, Secretary

I HEREBY CERTIFY that I am the Secretary of the Board of Supervisors of Lower Nazareth Township and that the foregoing is a true and correct copy of a Resolution passed on the 11th day of December, 2013, at a Regular Meeting of said Board.


TIMM TENGES, Secretary

DEED OF DEDICATION

THIS INDENTURE, Made this 6th day of December, 2013.

BETWEEN: LOWER NAZARETH COMMONS, LP, a Delaware Limited Partnership, with principal offices located at One Independent Drive, Suite 114, Jacksonville, Florida 33202, Party of the First Part, (hereinafter called "GRANTOR");

A N D

TOWNSHIP OF LOWER NAZARETH, Northampton County, Pennsylvania, Party of the Second Part, (hereinafter called the "GRANTEE").

W I T N E S S E T H :

That the said Grantor, for and in consideration of the advantage to it accruing well as for divers other considerations affecting the public welfare which it seeks to advance, has granted, bargained, sold, aliened, enfeoffed, released and confirmed and by these presents does grant, bargain, sell, alien, enfeoff, release and confirm unto the said Grantee, its successors and assigns:

Dryland Way
Wegmans Drive

BEING PART OF THE SAME PREMISES more particularly described in the Office for the Recording of Deeds in and for Northampton County in Volume 2008-1, Page 60964. Formerly Tax Parcel No. K8-9A-2D as depicted in Plan Book 2008-5, Page 436.

Exhibit "A"

TO HAVE AND TO HOLD the said lot or piece of ground above described unto the said Grantee, to and for the only proper use and behalf of the said Grantee, its successors and assigns forever as and for a public street and highway and for no other use or purpose whatsoever and to the same extent and with the same effect as if the said street had been opened by a Decree of the Court of Quarter Sessions of the Peace for the County of Northampton, after proceedings duly had for that purpose under and in pursuance of the Road Laws of the Commonwealth of Pennsylvania.


And the said Grantor, for itself, its successors and assigns, by these presents covenants, promises and agrees to and with the said Grantee, its successors and assigns, that neither the Grantor nor its successors and assigns, shall nor will at any time thereafter, ask, demand or recover or receive of or from the said Grantee, its successors and assigns any sum or sums of money as and for damages for or by reason of the physical grading of said street to the grade as now established by the Board of Supervisors of the Township of Lower Nazareth, Grantee, and if such grade shall not be established at the day of the date of these presents that neither the said Grantor, nor its successors and assigns, shall nor will at any time thereafter ask, demand, recover, or receive any such damage by reason of the physical grading of said street to conform to the grade as first thereafter established or confirmed by the said Board of Supervisors of the Township of Lower Nazareth, Grantee.

And the said Grantor, for itself, its successors and assigns, does by these presents further covenant, promise and agree to and with said Grantee, its successors and assigns, that the said lot of ground above described unto the said Grantee, its successors and assigns, against it, the said Grantor, its successors and assigns, and against all and any persons or person whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him or them or any of them shall and will warrant and forever defend.

This being a conveyance of a public street to a Second Class Township, pursuant to the Second Class Township Code, no realty transfer taxes apply.

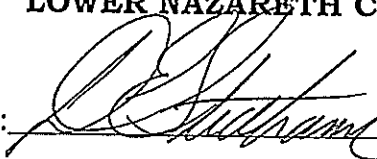
IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the day and year first above written.

WITNESS:



LOWER NAZARETH COMMONS, LP

BY:


DON STEDHAM
VICE PRESIDENT

a Delaware limited
partnership

By: Lower Nazareth
LLC, a Delaware
limited liability
company, its
General Partner

By: Regency Real
Corp, Inc., a
Florida corporation
its Member

STATE OF Virginia)
) SS:
COUNTY OF Fairfax)

On this, the 16th day of December, 2013, before me, the undersigned officer, personally appeared Don Earl Steinhilber, who acknowledged himself to be Vice President of Lower Nazareth Commons, LP, and that he, as such Vice President, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the company by himself as Don Earl Steinhilber.

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

Sarah Elizabeth Espinoza
NOTARY PUBLIC
Commonwealth of Virginia
Reg. # 299548
My Commission Expires Dec. 31, 2017

[Signature]
NOTARY PUBLIC

I HEREBY CERTIFY THAT The correct address of the Grantee is 306 Butztown Road, Bethlehem, Pennsylvania 18020-9684.

GARY NEIL ASTEAK, ESQUIRE

Wegmans Drive
Right-Of-Way Dedication to Lower Nazareth Township
Part of Lot 2 & Lot 2B, Block 9A
On Lands Now or Formerly of
Lower Nazareth Commons, LP

ALL THAT CERTAIN tract or parcel of land situate on the southerly side of Pennsylvania State Route 248, and indicated as Wegmans Drive on the Final Plan entitled "Overall Plan (Record Plan 1 of 3)", as prepared by Bohler Engineering, dated June 6, 2007, revised June 13, 2008, recorded in the Northampton County Recorder of Deeds Office in Plan Book 2008-5, Page 436 and more fully shown on the exhibit attached hereto, bounded and described as follows to wit:

BEGINNING at a point on the northerly right-of-way line of Wegmans Drive (a 60.00 feet wide street), said point being a corner in line with lands now or formerly Wegmans Food Markets, Inc.;

Thence along the northerly right-of-way line of Wegmans Drive the following two (2) courses and distances:

1. North 83 Degrees 11 Minutes 37 Seconds East, 26.09 feet to a point;
2. North 80 Degrees 43 Minutes 03 Seconds East, 72.79 feet to a point on the easterly right-of-way line of Wegmans Drive, said point being a corner in common with lands now or formerly lower Nazareth Commons, LP;

Thence along the easterly right-of-way line of Wegmans Drive the following two (2) courses and distances:

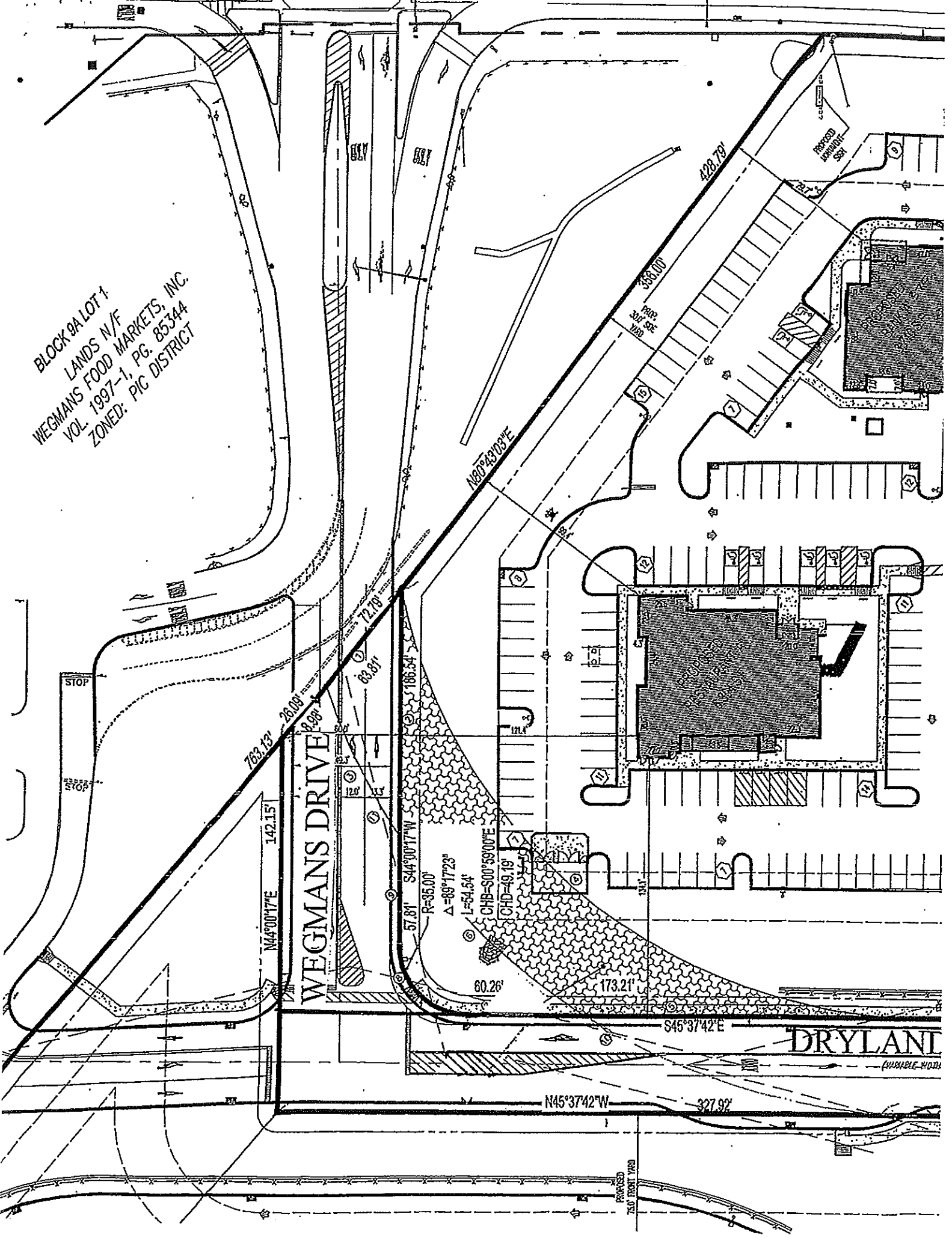
1. South 44 Degrees 00 Minutes 17 Seconds West, 186.54 feet to a point of curvature;
2. Along a curve to the left having a radius of 35.00 feet, a chord bearing of South 00 Degrees 59 Minutes 17 Seconds East, a chord length of 49.19 feet, an arc length of 54.54 feet to a point on the northerly right-of-way of Dryland Way (a 50.00 feet wide street);

Thence along the northerly right-of-way line of Dryland Way North 45 Degrees 37 Minutes 42 Seconds West, 95.00 feet to a point on the westerly right-of-way line of Wegmans Drive;

Thence along the westerly right-of-way line of Wegmans Drive North 44 Degrees 00 Minutes 17 Seconds East, 142.15 feet to a point being the place of Beginning.

Containing 11,147 square feet (0.256 acres), more or less and having a length of 180 feet.

BLOCK 9A LOT 1
LANDS N/F
WEGMANS FOOD MARKETS, INC.
VOL. 1997-1, PG. 85344
ZONED: PIC DISTRICT



WEGMANS DRIVE

DRYLANI
(UNIQUE DESIGN)

PROPOSED
35.0' FRONT YARD

Dryland Way
Right-Of-Way Dedication to Lower Nazareth Township
Part of Lot 2 & Lot 2D, Block 9A
On Lands Now or Formerly of
Lower Nazareth Commons, LP

ALL THAT CERTAIN tract or parcel of land situate on the southerly side of Pennsylvania State Route 248, and indicated as Dryland Way on the Final Plan entitled "Overall Plan (Record Plan 1 of 3)", as prepared by Bohler Engineering, dated June 6, 2007, revised June 13, 2008, recorded in the Northampton County Recorder of Deeds Office in Plan Book 2008-5, Page 436 and more fully shown on the exhibit attached hereto, bounded and described as follows to wit:

BEGINNING at a point on the westerly right-of-way line of Corriere Road (a 50.00 feet wide street), said point being a corner in common with lands now or formerly Lower Nazareth Commons, LP;

Thence along the westerly right-of-way of Corriere Road along a curve to the left having a radius of 2025.00 feet, a chord bearing of South 44 Degrees 22 Minutes 18 Seconds West, a chord length of 112.23 feet, an arc length of 112.24 feet to a point on the southerly right-of-way line of Dryland Way; said point being a corner in common with lands now or formerly Northampton Hospital Corporation;

Thence along the southerly right-of-way line of Dryland Way the following two (2) courses and distances:

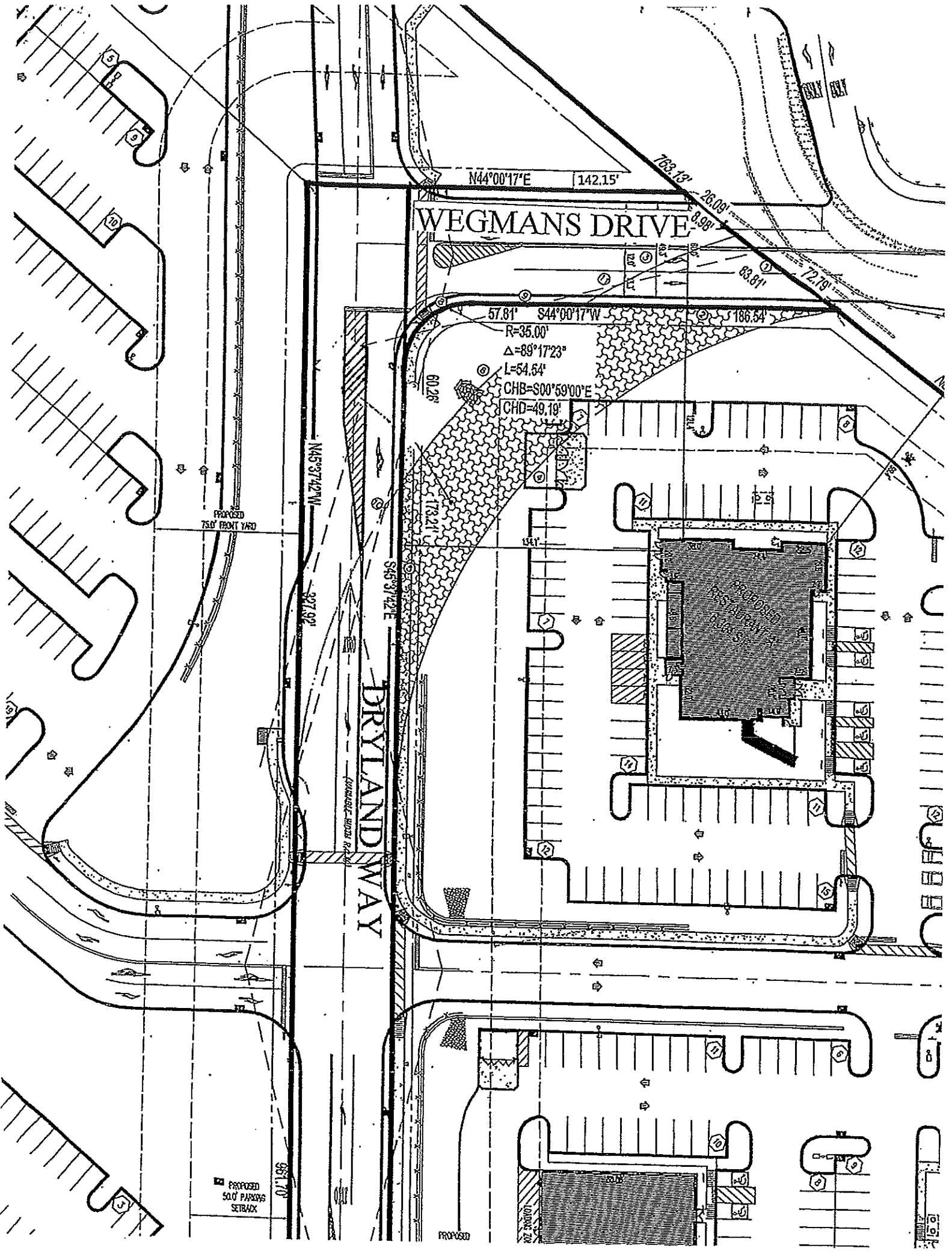
1. Along a curve to the left having a radius of 32.00 feet, a chord bearing of North 01 Degrees 25 Minutes 20 Seconds West, a chord length 44.62 feet, an arc length of 49.38 feet to a point;
2. North 45 Degrees 27 Minutes 42 Seconds West, 1,072.25 feet to a point on the westerly right-of-way line of Dryland Way, said point being a corner in common with lands now or formerly Lower Nazareth Commons LP;

Thence, along lands now or formerly Lower Nazareth Commons LP North 44 Degrees 00 Minutes 17 Seconds East, 50.00 feet to a point on the northerly right-of-way line of Dryland Way;

Thence along the northerly right-of-way line of Dryland Way the following two (2) courses and distances;

1. South 45 Degrees 27 Minutes 42 Seconds East, 1,072.79 feet to a point of curvature;
2. Along a curve to the left having a radius of 32.00 feet, a chord bearing of South 89 Degrees 50 Minutes 03 Seconds East, a chord length of 44.62 feet, an arc length of 49.38 feet to a point being the place of Beginning.

Containing 55,591 square feet (1.276 acres), more or less and having a length of 1,105 feet.



WEGMANS DRIVE

DRYLAND WAY

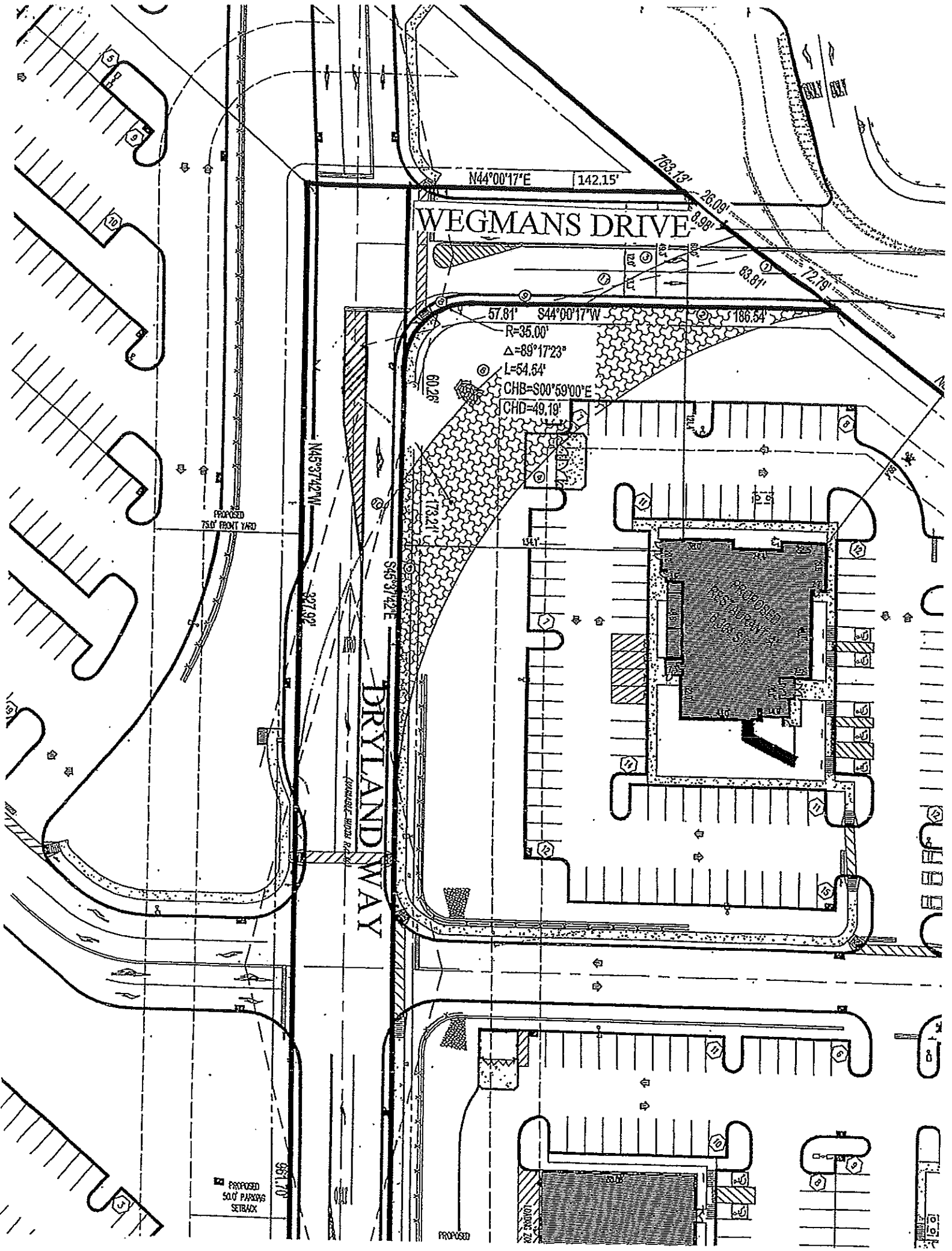
57.81' S44°00'17"W 186.54'
R=35.00'
Δ=89°17'23"
L=54.54'
CHB=S00°59'00"E
CHD=49.19'

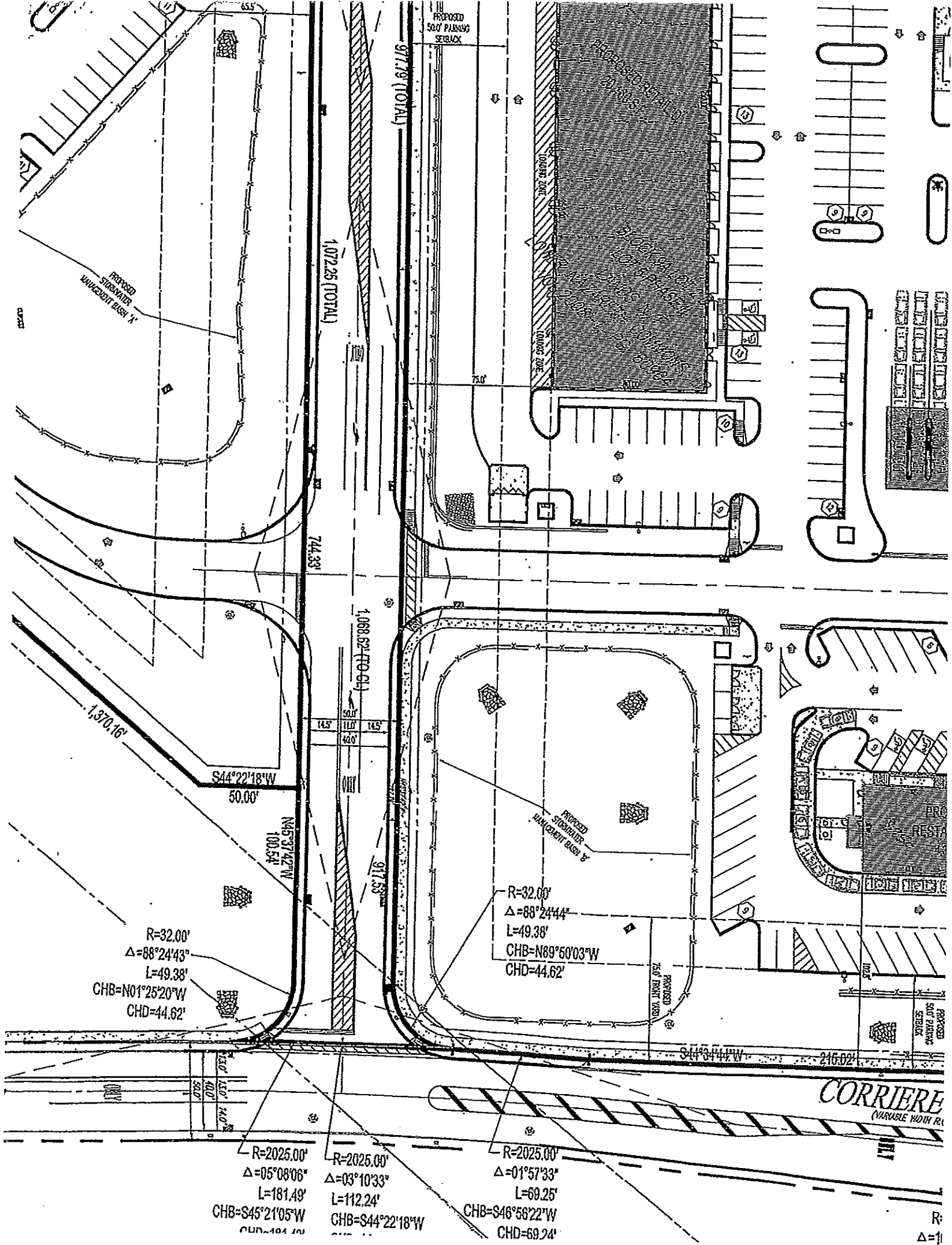
PROPOSED
73.0' FRONT YARD

PROPOSED
SOLID PARKING
SETBACK

PROPOSED

LOADING ZONE





PROPOSED
STORAGE
W/ACQUISIT EISH 'X'

PROPOSED
50' PAVING
SEALBOX

75.0'

1,072.26 (TOTAL)

971.9' (TOTAL)

744.33'

1,008.62 (TO GI)

917.53'

1,970.16'

S44°22'18"W
50.00'

N65°37'42"W
100.54'

R=32.00'
Δ=88°24'43"
L=49.38'
CHB=N01°25'20"W
CHD=44.62'

R=32.00'
Δ=88°24'44"
L=49.38'
CHB=N89°50'03"W
CHD=44.62'

75.0'
PROPOSED
FRONT YARD

100' LEAD
40.0'
50.0'

S44°22'18"W
216.02'

CORRIERE
(VARIABLE WIDTH Rd)

R=2025.00'
Δ=05°08'06"
L=181.49'
CHB=S45°21'05"W
CHD=104.70'

R=2025.00'
Δ=03°10'33"
L=112.24'
CHB=S44°22'18"W

R=2025.00'
Δ=01°57'33"
L=69.25'
CHB=S46°56'22"W
CHD=69.24'

R:
Δ=1'