

**TOWNSHIP OF LOWER NAZARETH
NORTHAMPTON COUNTY, PENNSYLVANIA**

RESOLUTION NO. LNT-22-11

AUTHORIZING THE APPROPRIATION OF LANDS FROM PENNSYLVANIA INTERNATIONAL RACEWAY, INC., FOR A TWENTY-FIVE (25') FOOT WIDE DRAINAGE AND UTILITY EASEMENT AND AUTHORIZING THE FILING OF A DECLARATION OF TAKING AND ALL NECESSARY ACTION FOR THE ACQUISITION THEREOF.

WHEREAS, the Board of Supervisors of Lower Nazareth Township, pursuant to authority granted it under The Second Class Township Code, Act of May 1, 1933, P.L. 103, No. 69, Section 101, et seq., as reenacted and amended, and The Eminent Domain Code, Act of June 22, 1964, Special Session, P.L. 84, Article I, Section 101, et seq., contemplates the construction of stormwater drainage facilities as hereinafter described; and

WHEREAS, in order to carry out the construction of stormwater drainage facilities, underground and/or aboveground, it is necessary that the Township acquire a drainage and utility easement on lands owned by Pennsylvania International Raceway, Inc., as hereinafter described; and

WHEREAS, pursuant to the authority granted it under the aforementioned statutes, Lower Nazareth Township is authorized to acquire the drainage and utility easement through eminent domain proceedings.

NOW, THEREFORE, be it resolved, that the Township of Lower Nazareth, Northampton County, Pennsylvania, in accordance with authority conferred by law, selects and appropriates for the purposes of stormwater drainage facilities the following property:

All that certain tract or parcel of land more particularly described in Exhibit "A", attached hereto, and made a part hereof, being description of land, drainage and utility easement, to be acquired from Pennsylvania International Raceway, Inc., for stormwater drainage facilities, specifically the securing of an easement for the construction of stormwater drainage facilities, containing a calculated area of 17,506 square feet or 0.402 acres of land more or less and being part of property identified as Northampton County Tax Parcel No. K7-17-9, more particularly described in the Office for the Recording of Deeds in and for Northampton County in Deed Book Volume 2000-1, Page 021059.


RESOLVED, that the title to be acquired shall be a drainage and utility easement.

RESOLVED, that the Lower Nazareth Township Solicitor and its proper Officers are hereby authorized to file a Declaration of Taking and such other proceedings as may be necessary or desirable to carry out the purpose of this Resolution.

RESOLVED, that the institution of such proceedings, and any damages which may be agreed upon or awarded to any party in interest, including the owner of said property, and located within the area shall be paid out of the funds of Lower Nazareth Township.


DULY RESOLVED this 12 day of October, 2011.

**LOWER NAZARETH TOWNSHIP
BOARD OF SUPERVISORS**

BY: 

RICK NAGLE, Chairman

ATTEST:



TIMM TENGES, Secretary

LNT-11-011

July 7, 2011

Drainage and Utility Easement
From
Pennsylvania International Raceway, Inc.
Tax Parcel: K7-17-9
To
Lower Nazareth Township

ALL THAT CERTAIN strip, piece or parcel of land situate along the northerly side of Christian Springs Road in Lower Nazareth Township, County of Northampton, Commonwealth of Pennsylvania, being a portion of tax parcel K7-17-9 and shown as a shaded area labeled as 'Proposed Drainage and Utility Easement' on Exhibit 'A', attached hereto, bounded and described as follows to wit:

BEGINNING at a point in the northerly right-of-way line of Christian Springs Road, (variable width), said point being 25.00 feet distant from the centerline thereof, in line of lands now or formerly of Claude D. Beck, III & Deborah C. Beck, tax parcel K7-17-10A;

Thence along the boundary line between lands now or formerly of Pennsylvania International Raceway, Inc., partially along lands now or formerly of Claude D. Beck, III & Deborah C. Beck and partially along lands now or formerly of Henry Yeska, Sr. & Henry D. Yeska, Jr., tax parcel K7-17-10, North 8 Degrees 00 Minutes 36 Seconds West, 700.00 feet to a point;

Thence in and through lands now or formerly of Pennsylvania International Raceway, Inc., tax parcel K7-17-9, the following two (2) courses and distances:

1. North 81 Degrees 59 Minutes 24 Seconds East, 25.00 feet to a point;
2. South 8 Degrees 00 Minutes 36 Seconds East, 700.51 feet to a point in the northerly existing right-of-way of Christian Springs Road;

Thence along the northerly existing right-of-way of Christian Springs Road, South 83 Degrees 9 Minutes 46 Seconds West, 25.01 feet to the point and place of beginning.

CONTAINING 17,506 square feet or 0.402 acres of land more or less.



PROPOSED 25' WIDE (SHADED)
DRAINAGE & UTILITY EASEMENT
17,506 SF / 0.402 AC.±

N/F
HENRY YESKA, SR. & HENRY
D. YESKA, JR.,
DBV 2011-1 PG 115741,
TAX ID: K7-17-10

N/F
PENNSYLVANIA INTERNATIONAL
RACEWAY, INC.,
DBV 2000-1 PG 21059,
TAX ID: K7-17-9

N/F
CLAUDE D. BECK III &
DEBORAH C. BECK,
DBV 1996-1 PG 21273,
TAX ID: K7-17-10A,
4256 CHRISTIAN SPRINGS RD.

4256

N 83°09'46" E
25.01'

5/8" IRON
PIN FOUND

5/8"
IRON
PIN
FOUND

R/W
CHRISTIAN SPRINGS ROAD (R-5.01) R/W

N/F
WALTER J. &
THERESA J. BENDL
DBV 691 PG 567,
TAX ID: K7-20-4A

4255

N/F
PENNSYLVANIA INTERNATIONAL
RACEWAY, INC.,
DBV 2000-1 PG 21059,
TAX ID: K7-20-5



EXHIBIT "A"

PLAN SHOWING
DRAINAGE & UTILITY EASEMENT
FROM
PENNSYLVANIA INTERNATIONAL RACEWAY, INC.
TO
LOWER NAZARETH TOWNSHIP

KCE
KEYSTONE
CONSULTING

PREPARED BY:
Keystone Consulting Engineers, Inc.
2870 Emrick Boulevard
Bethlehem, Pa. 18020
610-865-4555