

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

**RESOLUTION NO. 2017-30-22**

WHEREAS, Lower Nazareth Township is a Second Class Township organized and operating under the laws of the Commonwealth of Pennsylvania; and

WHEREAS, the Pennsylvania Conservation and Land Development Act, 32 P.S. 5001, et. seq., provides for the acquisition of interests in real property; and

WHEREAS, Lower Nazareth Township has been authorized by its citizens to acquire forest and agricultural conservation easements, and for the purposes of acquiring property development rights, adopted an Ordinance to implement these purposes, adopted an Open Space Plan, and periodically receives reports and recommendations from the Lower Nazareth Township Environmental Advisory Council pertaining to the acquisition of interests in real property for the purposes as set forth in the Pennsylvania Conservation and Land Development Act; and

WHEREAS, the Board of Supervisors has received an offer of dedication for a walking trail connecting to the Township park from Premier Land Development, LP, in connection with development of Saratoga Farms - Phase I, a residential subdivision; and, pursuant thereto, complied with all requirements for the acquisition of said lands; and

A Deed of Dedication for the walking trail is appended hereto, made a part hereof, and marked Exhibit "A."

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Lower Nazareth Township hereby, pursuant to the authorization previously granted, adopt and confirm the acquisition of lands more particularly described in the Deed of Dedication attached hereto, being part of Tax Parcel No. L7-6-1A, and Deed Book 2006-1, Page 523473, consisting of approximately 0.1542 acre or 6,718.59 square feet, to be preserved as a walking trail/open space in accordance with law and used for the benefit of the citizens of Lower Nazareth Township for passive recreation purposes and open space.

DULY RESOLVED, this 27 day of September, 2023.

**TOWNSHIP OF LOWER NAZARETH**

**ATTEST:**

Lori A. Stauffer

~~TAMMI DRAVECZ, Secretary~~

Lori A. Stauffer, Asst. Secretary

BY:

Martin Boucher

MARTIN BOUCHER, Vice-Chairman

## DEED OF DEDICATION

THIS INDENTURE Made this 29<sup>th</sup> day of March 2022.

BETWEEN: PREMIER LAND DEVELOPMENT, LP, a Pennsylvania limited partnership, with principal offices located at 4511 Falmer Drive, Bethlehem, Northampton County, Pennsylvania, Party of the First Part, (hereinafter called "GRANTOR");

LOWER NAZARETH TOWNSHIP, a Township of the Second Class, with principal offices located at 623 Municipal Drive, Nazareth, Northampton County, Pennsylvania, Party of the Second Part, (hereinafter called the "GRANTEE").

### WITNESSETH:

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:

**ALL THAT CERTAIN** tract of land situate in the Township of Lower Nazareth, County of Northampton, and the Commonwealth of Pennsylvania, *(as shown on a final major subdivision entitled, "Saratoga Farms - Phase I", prepared by Lehigh Engineering Associates, Inc., dated 06/24/13, last revised 06/02/14, recorded on 10/15/14 as instrument number 2014025377 in Map Book Volume 2014-5, Pages 358 - 363)* bounded and described as follows; to wit:

**BEGINNING** at a point marked by an iron pin located along the southerly right-of-way line of Belmont Drive, 25' from centerline thereof, said point also being a common corner with Lot 14 of the same subdivision, and the lands herein described, **THENCE**;

**Exhibit "A"**

Along Lot 14 of the same subdivision the following two (2) courses and distances:

1. (#1) S 49° 32' 19" W, 28.99' to an iron pin, THENCE;
2. (#2) S 35° 27' 17" W, 317.21' to an iron pin, THENCE;
3. N 03° 00' 14" W, 32.16' along other lands now or former of Lower Nazareth Township to an iron pin, THENCE;

Along Lot 15 of the same subdivision the following two (2) courses and distances:

4. (#1) N 35° 27' 17" E, 294.50' to an iron pin, THENCE;
5. (#2) N 49° 32' 19" E, 31.46' to an iron pin, THENCE;
6. Along an arc of the southerly right-of-way of Belmont Drive, 25' from and parallel with centerline thereof, curving to the left, having a radius of 225.00', a length of 20.01', a tangent of 10.01', a central angle of 05° 05' 41", a chord bearing of S 40° 27' 41" E and a chord distance of 20.00' to the aforementioned iron pin and POINT OF BEGINNING.

CONTAINING: 0.1542 Acres or 6,718.59 Sq.Ft.

**BEING PART OF THE SAME PREMISES** which Shirley A. Frey, executrix under the last will and testament of Marvin L. Frey, deceased, by their deed dated December 21, 2006 and recorded December 27, 2006 in the Office of the Recorder of Deeds in and for Northampton County in Deed Book 2006-1, Page 523473 granted and conveyed unto Premier Land Development, LP, a PA limited partnership, the Grantor herein.

TAX PARCEL ID: L7 6 1A

TO HAVE AND TO HOLD the said lots or pieces 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 walking trail connection to the Township Park and for no other use or purpose whatsoever.

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 walking trail 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 walking trail 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 lots 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, her or them or any of them shall and will warrant and forever defend.

This being a conveyance of public walking trail 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 hands and seals the day and year first above written.

PREMIER LAND DEVELOPMENT, LP  
BY its General Partner  
PREMIER LAND COMPANY, LLC

ATTEST:

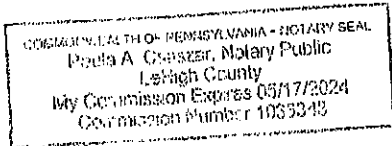
By:

  
CHARLES M. TUSKES, Managing Member

COMMONWEALTH OF PENNSYLVANIA )  
COUNTY OF Lehigh ) SS:  
19th / MARCH )

On this, the 19th day of MARCH, 2022, before me, the undersigned officer, personally appeared CHARLES M. TUSKES, who acknowledged himself to be the Managing Member of Premier Land Company, LLC, the general partner of Premier Land Development, LP and that he as such Managing Member, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing his name as Managing Member.

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



  
NOTARY PUBLIC

I HEREBY CERTIFY THAT The correct address of the Grantee is 623 Municipal Drive Nazareth, Pennsylvania 18064.

GARY NEIL ASTEAK, ESQUIRE