

NORTHAMPTON COUNTY COUNCIL - EASTON, PA

Ordinance No. 711 SESSION 2021 Bill No. 803

Introduced by Tara M. Zrinski and William B. McGee on June 17, 2021

Enacted July 6, 2021 Effective August 5, 2021

Title: AN ORDINANCE APPROVING A CORRECTION DEED FOR A MAY 16, 1977 DEED AS RECORDED IN DEED BOOK VOLUME 564, PAGE 326 RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR NORTHAMPTON COUNTY AT EASTON, PENNSYLVANIA, BETWEEN COUNTY OF NORTHAMPTON AS GRANTOR AND COUNTY OF NORTHAMPTON AS GRANTEE

WHEREAS, on May 16, 1977, a deed was recorded in the Office of the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania in Deed Book Volume 564, page 326 that deeded a certain parcel or piece of land in Williams Township, County of Northampton, Commonwealth of Pennsylvania to the County of Northampton, a body corporate and politic, having its principal office in Easton, Northampton County, Pennsylvania; and

WHEREAS, the Pennsylvania Department of Conservation and Natural Resources through funding Wy-Hit-Tuk improvements is requesting updated covenants and restrictions be placed on the property and inserted into the deed to be covenants which run the land; and

WHEREAS, this Correction Deed (Attachment "A") is a tax exempt transaction pursuant to the Pennsylvania Realty Transfer Tax Act.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED that County Council does hereby approve the filing of this Correction Deed with the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania.

This ordinance was advertised on the 23rd day of June, 2021 and was adopted by the Northampton County Council on the 1st day of July, 2021.

Attest:



Linda M. Zembo
Clerk to Council

Lori Vargo Heffner

Lori Vargo Heffner
County Council President



Lamont G. McClure
County Executive

CORRECTION DEED

THIS INDENTURE MADE THE

_____ day of _____ in the year of our Lord two thousand twenty one.

Between the COUNTY OF NORTHAMPTON, a body corporate and politic, having its principal office in Easton, Northampton County, Pennsylvania, party of the first part

And

The COUNTY OF NORTHAMPTON, a body corporate and politic, having its principal office in Easton, Northampton County, Pennsylvania, party of the second part: WITNESSETH; that the said parties of the first part, for and in consideration of the sum of \$1.00 Dollar.

lawful money of the United States of America, well and truly paid by the said party of the second part to the said party of the first part, at and before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed and by these presents does grant, bargain, sell, align, enfeoff, release, convey and confirm unto the said party of the second part, its heirs and assigns.

WHEREAS, on the 16th day of May 1977 by its Indenture recorded in the Office of the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania in Deed Book Volume 564 Page 326 did grant unto and convey to Northampton County, the grantor herein; and

WHEREAS, the Pennsylvania Department of Conservation and Natural Resources through funding Wy-Hit-Tuk improvements is requesting updated covenants and restrictions be placed on the property and inserted into the deed to be covenants which run with the land.

WHEREAS, this indenture is a Correction Deed to reflect the PA Department of Conservation and Natural Resources Declarations of required covenants.

WHEREAS THIS DEED WILL BE RECORDED TO ADD THE LANGUAGE BELOW that was not in DBV 564 P. 326 that includes the Land and Water Conservation Fund (LWCF) Deed Restriction.

ALL THAT CERTAIN parcel or piece of land situate in the Township of Williams, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point along the easterly edge of the public road, known as Pennsylvania Traffic Route #611, leading from Easton to Raubsville, also being a corner of land now or formerly the Commonwealth of Pennsylvania, said point of BEGINNING being the northerly corner of lands herein described; thence leaving Pennsylvania Traffic Route #611, and along line of land of the Commonwealth of Pennsylvania, S. 40° 27' 00" E., 388.50' to a concrete monument found, passing an iron pin at 10.00'; thence along the same the following two (2) courses and distances, namely: (1) S. 55° 09' 40" W., 605.00' to a point; thence (2) S. 46° 57' 00" E., 68.00' to a point along the water edge, the westerly side of the Delaware Canal; thence along said Delaware Canal

the following three (3) courses and distances, namely: (1) S. 54° 40' 00"., 520.00' to a point; thence (2) along same S. 59° 02' 00" W., 210.00' to a point; thence (3) S. 62° 52' 00" W., 90.67' to a point along line of land now or formerly owned by Anton B. & Kathleen M. Isaac; thence along land of said Anton B. & Kathleen M. Isaac, N. 32° 20' 00" W., 413.00' to a point along the easterly edge of the first mentioned public road. Pennsylvania Traffic Route #611; thence along Pennsylvania Traffic Route #611, the following three (3) courses and distances, namely: (1) N. 44° 44' 00" E., 38.52' to a point; thence (2) N. 49° 20' 30" E., 212.78' to a point; thence (3) N.53° 31' 00" E., 987.06' to a point, thence; leaving the easterly edge of said road and through lands of the grantors herein, of which this was a part, the following three (3) courses and distances, namely: (1) S. 36° 29' 00" E., 250.00' to a point; thence (2) N. 53° 31' 00" E., 520.00' to a point: thence (3) N. 31° 11' 20" W., 150.59' to a point along the aforesaid easterly edge of Pennsylvania Traffic Route #611; thence along Pennsylvania Traffic Route #611, the following four (4) courses and distances, namely: (1) N. 75° 24' 20" E., 125.77' to a point; thence (2) N. 66° 26' 20" E., 10.00' to a point; thence, (3) N, 55° 37' 50" E., 125.00' to a point; thence (4) N. 52° 31' 00" E., 42.93' to the point and place of BEGINNING.

CONTAINING 23.06 acres.

BEING THE SAME PREMISES which Northampton County, by its Indenture dated May 16, 1977 and recorded in the Office of the Recorder of Deeds in and for Northampton County at Easton, Pennsylvania in Deed Book Vol.564, Page 326 did grant and convey unto County of Northampton, the grantor herein.

THIS BEING a Correction Deed to reflect the PA Department of Conservation and National Resources Declarations of required covenants and is therefore tax exempt pursuant to the Pennsylvania Realty Transfer Act.

EXCEPTING AND RESERVING that portion taken for the right-of-way for the public road, Pennsylvania Traffic Route #611, also reserving that portion reputed to belong to the Commonwealth of Pennsylvania, known as the Delaware Canal.

TOGETHER WITH all right, title and interest of the Party of the First Part in and to any land lying in the bed of any street, road or alley, private or public, open or proposed, in front of, or adjoining the herein described premises, and all the right, title and interest of the Party of the First Part in and to any land lying between the hereinabove described premises and abutting lands.

THIS LAND is to be acquired with grants-in-aid assistance provided by Pennsylvania's Land and Water Conservation Reclamation Fund, Act No. 443 of 1967, for recreation and conservation purposes.

This property, or interest in property, was either acquired with, developed or donated as a match for funds provided by the Pennsylvania Department of Conservation and Natural Resources ("Department"). The source of the funds is Land and Water Conservation Fund Act, 16 U.S.C. §§ 4601-4 et seq. ("Act"), provided through the National Park Service. This property, or any portion of it, may not be converted to purposes other than those authorized under the Act for property acquired and/or developed with Department funds. No change of

use and no transfer of ownership, control, or interest in this property may occur, and no encumbrance may be placed on this property, without the written consent of the Department or its successor. The restriction in this paragraph applies to both the surface and subsurface of the property. This restriction has the effect of a covenant running in perpetuity with the land and is binding upon the owner(s) of the property and upon all subsequent owners, successors, and assigns. This restriction is enforceable by the Department and its successors.

TOGETHER with all and singular, the buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances, to the same belonging, or in any wise appertaining, and the reversion and reversions; remainder and remainders, rents, issues, and profits thereof, and of every part and parcel thereof:

AND also, all the estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and equity, of the said parties of the first part, of, in, and to the said premises, with the appurtenances:

TO HAVE and to hold the said premises with all and singular the appurtenances of the second part, its heirs and assigns, to the only proper use, benefit and behoof of the said party of the second part, its heirs and assigns forever,

AND the said party of the first part, their heirs, executors and administrators, does by these presents, covenant, grant and agree, to and with the said party of the second part, its heirs, and assigns forever that they the said party of the first part, its heirs, all and singular the hereditaments and premises herein above described and granted, or mentioned and intended to be so, with the appurtenances, unto the said party of the second part, its heirs and assigns, against them the said party of the first part, its heirs, and against all and every other person or persons, whomsoever lawfully claiming or to claim the same or any part thereof, SHALL and WILL WARRANT and forever DEFEND.

In Witness whereof, the said party of the first part to these presents have hereunto set its hand and seal dated the day and year first above written.

SIGNED, SEALED AND DELIVERED

Witness:

In the Presence of:

County of Northampton
Lamont G. McClure, County Executive

RECEIVED, the day of the date of the above indenture of the above named Grantors.

