

# COUNTY OF NORTHAMPTON

## RECORDER OF DEEDS

NORTHAMPTON COUNTY GOVERNMENT CENTER  
669 WASHINGTON STREET  
EASTON, PENNSYLVANIA 18042-7486  
Area Code (610) 559-3077

Ann L. Achatz - Recorder  
Andrea F. Suter - Lead Deputy  
Kathy Nansteel - Deputy



Book - 2005-1 Starting Page - 79379  
\*Total Pages - 6

Instrument Number - 2005012230  
Recorded On 3/4/2005 At 1:05:16 PM

\* Instrument Type - DEED

Invoice Number - 434042

\* Grantor - DAVINCI DISCOVERY CENTER OF SCIENCE AND TECHNOLOGY

\* Grantee - NORTHAMPTON COUNTY AREA COMMUNITY COLLEGE

User - BLM

\* Customer - HERSTER NEWTON & MURPHY

\* FEES

STATE TRANSFER TAX	\$20,000.00
STATE WRIT TAX	\$0.50
JCS/ACCESS TO JUSTICE	\$10.00
RECORDING FEES	\$15.00
AFFORDABLE HOUSING	\$14.02
AFFORDABLE HOUSING -	\$2.48
ADMIN FEE	
COUNTY RECORDS	\$2.00
IMPROVEMENT FEE	
DEEDS RECORDS	\$3.00
IMPROVEMENT FEE	
BETHLEHEM CITY	\$20,000.00
TOTAL	\$40,047.00

\*RECORDED BY:

HERSTER NEWTON & MURPHY  
127 N 4TH ST  
PO BOX 1087  
EASTON, PA 18042

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



*Ann L. Achatz*

Ann L. Achatz  
Recorder of Deeds

THIS IS A CERTIFICATION PAGE

**Do Not Detach**

THIS PAGE IS NOW THE FIRST PAGE  
OF THIS LEGAL DOCUMENT

\* - Information denoted by an asterisk may change during the verification process  
and may not be reflected on this page.

Book: 2005-1 Page: 79379



Return to:

**HERSTER, NEWTON & MURPHY**  
COUNSELLORS AT LAW  
127 NORTH FOURTH STREET  
P. O. BOX 1087  
EASTON, PENNSYLVANIA  
18044-1087

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**SPECIAL WARRANTY DEED**

**THIS INDENTURE**, made the *4<sup>th</sup>* day of *March*, Two Thousand and Five (2005),

**BETWEEN THE DAVINCI DISCOVERY CENTER OF SCIENCE AND TECHNOLOGY, a Pennsylvania non-stock non-profit corporation**, formerly known as **SMART DISCOVERY CENTER, INC., a Pennsylvania non-stock non-profit corporation**, Grantor, Party of the First Part,

AND

**NORTHAMPTON COUNTY AREA COMMUNITY COLLEGE**, a Community College organized and existing under the laws of the Commonwealth of Pennsylvania, maintaining principal offices in the Township of Bethlehem, County of Northampton and Commonwealth of Pennsylvania, Grantee, Party of the Second Part,

**WITNESSETH**, that the said Party of the First Part, for and in consideration of the sum of Two Million Dollars and No Cents (\$2,000,000.00) lawful money of the United States of America, unto it well and truly paid by the said Party of the Second Part, at or before the sealing 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, alien, enfeoff, release, convey and confirm, unto the said Party of the Second Part, its successors and assigns forever,

**ALL THAT CERTAIN** tract of land, situate in the Fourth (4<sup>th</sup>) Ward of the City of Bethlehem, Northampton County, Pennsylvania, which is designated as "LOT 1" of the subdivision Plan entitled "WEST BUILDING SUBDIVISION" as recorded in the Office for Recording of Deeds in and for said Northampton County in Record Book Volume 1996-5, at page 000257, and bounded and described according to said plan as follows:

**BEGINNING** at a TRUE POINT OF BEGINNING, the location of which is ascertained as follows: Beginning at the intersection of the Easterly line of the right of way of Pierce Street, a street forty (40) feet in width at this location with the Southerly line of the right of way of East Third Street, a street sixty (60) feet in width at this location: thence, North zero degrees ten minutes thirty-six seconds West (N. 00° 10' 36" W.) sixty and no one-hundredths (60.00) feet to the Northerly line of the right of way of said East Third Street; thence, along said Northerly line South eighty-nine degrees fifty-eight minutes fifty-nine seconds West (S. 89° 58' 59" W.) one hundred sixty-nine and fifty-eight one-hundredths (169.58) feet to said TRUE POINT OF BEGINNING: thence, continuing along said Northerly line South eighty-nine degrees fifty-eight minutes fifty-nine seconds West (S. 89° 58' 59" W.) two hundred one and thirteen one-hundredths (201.13) feet: thence, in and through land now or late of the Grantor herein, the following two (2) courses and distances: (1) North zero

degrees four minutes four seconds West (N. 00° 04' 04" W.) two hundred twenty-five and thirty-six one-hundredths (225.36) feet; (2) North eighty-nine degrees fifty-six minutes fifty-four seconds East (N. 89° 56' 54" E.) sixty-five and eighty-nine one-hundredths (65.89) feet to the Easterly face of a party or partition wall separating the building erected on the premises herein conveyed from the building erected on the premises adjoining on the East: thence, along the Easterly face of said party wall South zero degrees fourteen minutes forty-one seconds West (S. 00° 14' 41" W.) sixty-three and fifty-eight one-hundredths (63.58) feet to the Northerly face of a party wall between said buildings: thence, along said Northerly face South eighty-nine degrees forty-five minutes nineteen seconds East (S. 89° 45' 19" E.) one hundred four and forty-nine one-hundredths (104.49) feet: thence, in and through land now or late of the Grantor herein, the following three (3) courses and distances: (1) North zero degrees thirty minutes twenty-six seconds East (N. 00° 30' 26" E.) seventy-five one-hundredths (0.75) feet; (2) South eighty-nine degrees forty-five minutes nineteen seconds East (S. 89° 45' 19" E.) thirty-one and twenty-two one-hundredths (31.22) feet; and (3) South zero degrees one minute sixteen seconds East (S. 00° 01' 16" E.) one hundred sixty-one and ninety-five one-hundredths (161.95) feet to said TRUE POINT OF BEGINNING.

CONTAINING eight thousand four hundred twenty-nine ten-thousandths (0.8429) of an acre, more or less.

**EXCEPTING** to Bethlehem Steel Corporation, its successors and assigns, any foundations and other portions of its building located partly on the land hereby conveyed and partly on other lands of Bethlehem Steel Corporation; and **EXCEPTING AND RESERVING** to Bethlehem Steel Corporation, its successors and assigns, an easement and right of way to use, maintain, repair, and remove or abandon in place said foundations and other portions of its building located partly on the land hereby conveyed and partly on other lands of Bethlehem Steel Corporation, as set forth in Deed Book 1999-1, page 154745.

**SUBJECT, HOWEVER,** to the effect of the Agreement between Bethlehem Steel Company and the City of Bethlehem dated October 7, 1941, as amended July 11, 1945, relating to an indemnity for damages arising from the vacation of certain public streets, as set forth in Deed Book 1999-1, page 154745.

**SUBJECT, FURTHER,** to the effect of the following provisions which are intended to be, and shall be construed as, covenants running with and binding upon the land hereby conveyed and which are and shall be deemed for the benefit of Bethlehem Steel Corporation, its successors and assigns, as set forth in Deed Book 1999-1, page 154745, et. seq.:

- (a) By acceptance of this Deed, the Grantee, for itself, its successors and assigns, hereby covenants that the tract of land hereby conveyed shall be used for the following purposes only:
  - (i) college or seminary or charter schools in connection therewith or other similar non-profit educational institution;
  - (ii) business or professional offices;
  - (iii) theater, auditorium, museum, library, and other civic and cultural facility

including an amusement and recreational facility;

- (iv) meeting and banquet halls; and
- (v) laboratory, research, testing, and experimental use not involving danger of fire or explosion or any offensive noise, vibration, smoke, dust, glare, heat, or other objectionable influence;

provided, however, that from and after September 20, 2031, the building currently located on the tract of land hereby conveyed may also be used for the following additional purposes:

- (A) retail and service use;
- (B) banks, brokerage firm, insurance agency, and other financial institutions;
- (C) any facility whose purpose is dedicated to historic preservation;
- (D) restaurant for the sale and consumption of food and beverage;
- (E) visitor center;
- (F) office and studio;
- (G) barber and beauty shops, tailor, florists, hardware store, food store, magazine store, candy store, bakery store, doctor's office, and dentist's office; and
- (H) personal service, convenience and indoor recreational facilities planned for the use of the employees in said building, and only incidentally for the general public, such as branch bank, branch post office, drugstore, restaurant, variety store, barber shop, beauty parlor, offices, and bowling alley, if developed as an integrated service center.

(b) Bethlehem Steel Corporation, its successors and assigns, may, in its or their sole discretion and at any time or from time to time, waive, relinquish, or release said covenant as to all or any part of the land hereby conveyed.

**BEING THE SAME PREMISES** which Lehigh University, a Pennsylvania non-profit corporation, by its Deed dated October 8, 1999 and recorded October 12, 1999 in the Office of the Recorder of Deeds of Northampton County, Pennsylvania in Deed Book Volume 1999-1, page 154744, granted and conveyed unto Smart Discovery Center, Inc., a Pennsylvania non-profit corporation.

The Smart Discover Center, Inc. filed articles of amendment on December 16, 2004, changing its name to The DaVinci Discovery Center of Science and Technology.

**PARCEL NO.:** P6 2 2H 0204E

**COMMONLY KNOWN AS** 511 E. Third Street, Bethlehem, Northampton County, PA

**TOGETHER** with all and singular the lot, buildings, improvements, ways, waters, water-courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging or in anywise appertaining, and the reversions and remainders, rents, issues, and profits thereof; and all the estate, right, title, interest, property, claim and demand whatsoever of the said Party of the First Part, in law, equity or otherwise, howsoever, in and to the same and every part thereof.

**TO HAVE AND TO HOLD** the said lot, buildings, improvements, hereditaments and premises hereby granted, or mentioned, and intended so to be, with the appurtenances, unto the said Party of the Second Part, its successors and assigns, to and for the only proper use and behoof of the said Party of the Second Part, its successors and assigns **FOREVER**,

**AND** the said Party of the First Part, for its successors and assigns, does by these presents covenant, grant and agree to and with the said Party of the Second Part, its successors and assigns, that it the said Party of the First Part, its successors and assigns, all and singular the hereditaments and premises herein above described and granted, or mentioned, and intended so to be, with the appurtenances, unto the said Party of the Second Part, its successors and assigns, against it the said Party of the First Part, and its successors and assigns, and against all and every other person or persons whomsoever, lawfully claiming or to claim the same or any part thereof, by, from or under, it them or any of them.

**SHALL AND WILL SPECIALLY WARRANT AND FOREVER DEFEND.**

This Deed is made under and by virtue of a resolution of the Executive Committee of the Board of Directors of the Party of the First Part, duly passed at a meeting thereof duly and legally held on the 2<sup>nd</sup> day of March, 2005.

**IN WITNESS WHEREOF**, the said Party of the First Part, has caused these presents to be signed by its Executive Director, and its corporate seal to be hereunto affixed, duly attested by a Notary Public, the day and year first above written.

**THE DAVINCI DISCOVERY CENTER  
OF SCIENCE AND TECHNOLOGY, a  
Pennsylvania non-stock non-profit  
corporation, formerly known as SMART  
DISCOVERY CENTER, INC., a  
Pennsylvania non-stock non-profit  
corporation,**

**ATTEST:**

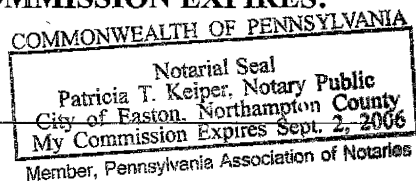
BY: Linda L. Erickson (L.S.)  
Name: Linda L. Erickson  
Title: Executive Director

COMMONWEALTH OF PENNSYLVANIA )  
Northampton )  
COUNTY OF LEHIGH )

On this, the 4th of March, 2005, before me, the undersigned officer, personally appeared Linda L. Erickson, who acknowledged himself/herself to be an authorized officer of **THE DAVINCI DISCOVERY CENTER OF SCIENCE AND TECHNOLOGY, a Pennsylvania non-stock non-profit corporation, formerly known as SMART DISCOVERY CENTER, INC., a Pennsylvania non-stock non-profit corporation**, and that he/she as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself/herself as such authorized officer.

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

MY COMMISSION EXPIRES:



Patricia T. Keiper  
Notary Public

I HEREBY CERTIFY, that the precise address of the Grantee herein is:

3835 Green Pond Road  
Bethlehem, PA 18020-7568

William K. Kuepfer  
on behalf of Grantee