

**COUNTY OF LEHIGH, PENNSYLVANIA
COMMISSIONERS BILL 2015-38
SPONSORED BY COMMISSIONER HOLT
REQUESTED DATE: DECEMBER 2, 2015
ORDINANCE NO. 2015-**

**APPROVING A RIGHT-OF-WAY WITH UGI UTILITIES, INC. IN
WHITEHALL TOWNSHIP PURSUANT TO HOME RULE CHARTER
SECTION 310(a)6**

WHEREAS, UGI Utilities, Inc. ("UGI") desires to acquire a temporary right-of-way from Lehigh County (the "County") on, in, over and across a strip of land being part of the property which the County owns in fee situate in Whitehall Township, Lehigh County, Pennsylvania for the purpose of constructing, maintaining, operating, extending, replacing, changing the size of and removing a pipeline, service laterals and related facilities for the conveyance, transmission and distribution of gas. A copy of the Plan depicting the temporary right-of-way is attached hereto as Exhibit "A" and made a part hereof; and

WHEREAS, there is an existing UGI pipeline in the area of the strip of land situate in Whitehall Township, Lehigh County, Pennsylvania; and

WHEREAS, UGI will pay the County One and 00/100 (\$1.00) Dollars for granting an easement for the purpose of constructing, maintaining, operating, extending, replacing, changing the size of and removing a pipeline, service laterals and related facilities for the conveyance, transmission and distribution of gas; and

WHEREAS, a Right-of-Way Grant is necessary and required to complete the

transaction. A copy of the proposed Right-of-Way Grant is attached hereto as Exhibit "B" and made a part hereof; and

WHEREAS, Section 310(a)(6) of the Home Rule Charter of the County of Lehigh, Pennsylvania, provides that the conveyance of any County property shall require Ordinance approval.

NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF LEHIGH, PENNSYLVANIA, THAT:

1. The above purpose clauses are incorporated herein by reference.
2. The proper officers and other personnel of Lehigh County are hereby authorized and empowered to negotiate and execute the Right-of-Way Grant and any other ancillary documents that serve the purpose of this Ordinance in final recordable form, if applicable, and take all such further action, including any necessary transfers of funds, as they may deem appropriate to carry out the purpose of this Ordinance.
3. The County Executive shall distribute copies of this Ordinance to the proper officers and other personnel of Lehigh County whose further action is required to achieve the purpose of this Ordinance.
4. Any Ordinance or part of any Ordinance conflicting with the provisions of this Ordinance is hereby repealed insofar as the same affects this Ordinance.
5. This Ordinance shall become effective in ten (10) days after enactment.

ADOPTED BY THE LEHIGH COUNTY BOARD OF COMMISSIONERS

on this _____ day of _____, 2015, by the following vote:

Commissioners

AYE

NAY

Geoff Brace
Thomas C. Creighton, III
Percy H. Dougherty
Amanda Holt
David S. Jones, Sr.
Vic Mazziotti
Brad Osborne
Lisa Scheller
Michael P. Schware

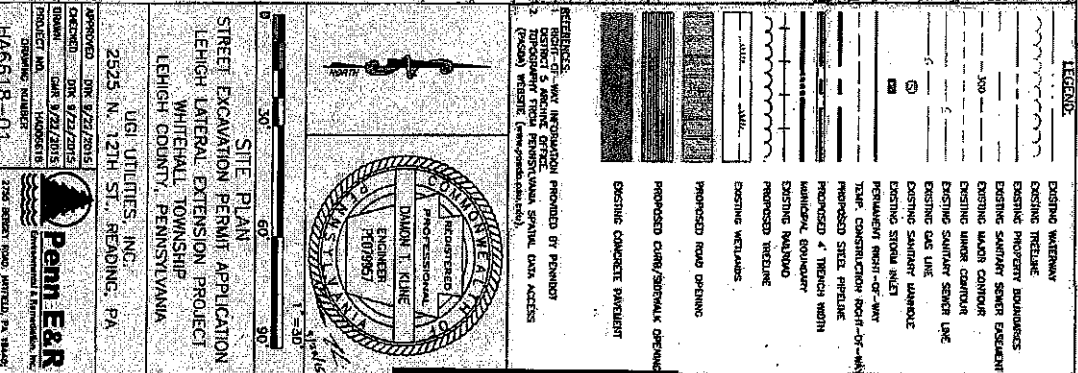
ATTEST: _____
Clerk to the Board of Commissioners

APPROVED this _____ day of _____, 2015.

THOMAS S. MULLER
County Executive

ENACTED this _____ day of _____, 2015.

1. BIDDER.
2. APPROVAL OF THE PLAN SET CONSTITUTES THE ESTIMATE OF AN "EXCAVATION PERMIT" BY THE COUNTY OF LEHIGH.
3. BEFORE THE JOB BEGINS, THE ISSUANCE OF AN "EXCAVATION PERMIT" ALL APPLICANTS SHALL BE REQUIRED TO OBTAIN FROM THE LEHIGH COUNTY BRIDGE SUPERINTENDENT (STEPHEN F. THORNEY, R.R., P.E., 510-871-0266, BETWEEN THE HOURS OF 7 AM & 3 PM) OR HIS APPOINTED DESIGNEE.
4. NO WORK SHALL BE UNDERTAKEN WITHOUT THE "ON-SITE" FIELD AUTHORIZED APPROVAL OF THE LEHIGH COUNTY BRIDGE SUPERINTENDENT OR HIS APPOINTED DESIGNEE.
5. REQUIRED RESTORATION WORK MAY NOT BE NECESSARILY BE CONFINED TO THE PERIMETER OF THE BRIDGE, OR TO THE DIMENSIONS OR LOCATIONS AS INDICATED ON THE PLAN SET. THE CONTRACTOR SHALL BE RESPONSIBLE FOR, UPON VISITING THE SITE IN THE FIELD, TO DETERMINE AND RESERVE THE RIGHT, RESTORATION FOR CONCRETE PAVEMENT, CONCRETE CURB, CONCRETE SIDEWALK, BRUNNIGOUS PAVEMENT, OR ANY OTHER REQUIRED RESTORATION IN ORDER TO PROTECT THE INFRASTRUCTURE OF THE COMPANY.
6. CONTRACTOR TO REPLACE APPROXIMATELY 63 LINEAR FEET OF CONCRETE PROBED CRACKED SIDEWALK, 154 SQUARE FEET OF CONCRETE SIDEWALK, THE LEHIGH COUNTY'S CURB AND SIDEWALK, BE INSTALLED IN ACCORDANCE WITH LEHIGH COUNTY'S CURB AND SIDEWALK.
7. CONTRACTOR TO REPLACE APPROXIMATELY 215 SQUARE FEET OF CONCRETE PAVEMENT AND APPROXIMATELY 202 SQUARE FEET OF BRUNNIGOUS DRAINAGE PAVEMENT. THE PROPOSED PAVEMENT SHALL BE INSTALLED IN ACCORDANCE WITH ALL LEHIGH COUNTY RESTORATION STANDARDS AND DETAILS.

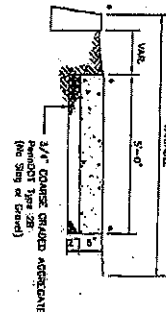


EXHIBIT

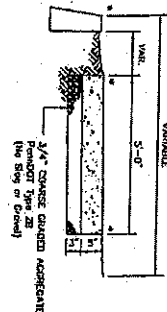
A

D-1

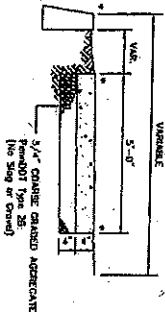
TYPE 3' (5' CONCRETE ON A 7' AGGREGATE BASE)



TYPE 5' (5' CONCRETE ON A 7' AGGREGATE BASE)



TYPE 7' (4\"/>

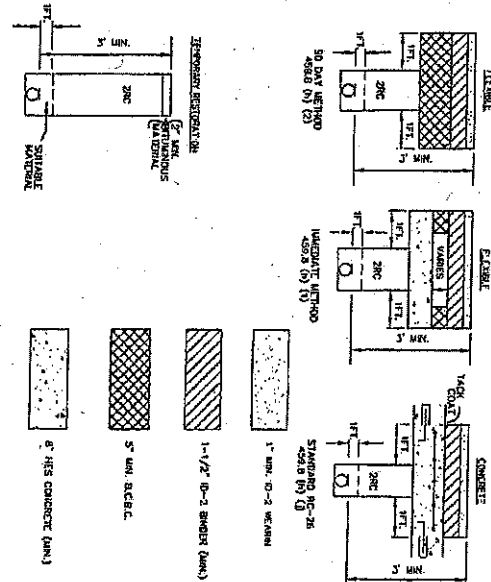


A NOTE: The AGGREGATE on all edges shall be finished to a radius of not more than one-quarter (1/4) inch.

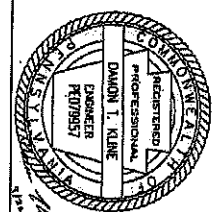
COUNTY OF LEHIGH, PA	
DEPARTMENT OF GENERAL SERVICES	
TYPICAL SECTIONS - THREE	
TYPICAL CONCRETE SIDEWALK	
DATE	SCALE
8/22/2015	AS SHOWN
BY	DATE
DR	8/22/2015

D-13

PAVEMENT RESTORATION METHODS



COUNTY OF LEHIGH, PA	
DEPARTMENT OF GENERAL SERVICES	
TYPICAL SECTIONS - THREE	
TYPICAL CONCRETE SIDEWALK	
DATE	SCALE
8/22/2015	AS SHOWN
BY	DATE
DR	8/22/2015



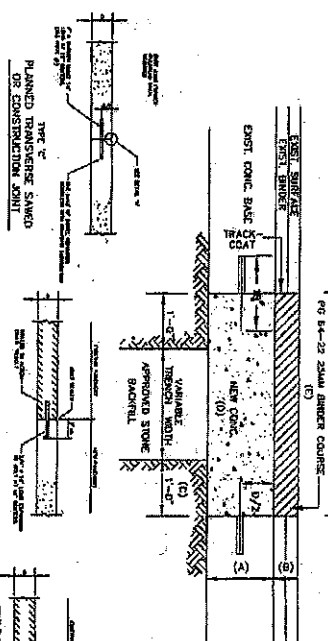
NOTES & DETAILS (2 OF 3)
STREET EXCAVATION PERMIT APPLICATION
LEHIGH LATERAL EXTENSION PROJECT
WHITEHALL TOWNSHIP
LEHIGH COUNTY, PENNSYLVANIA

UG UTILITIES, INC.
2525 N. 12TH ST., READING, PA

APPROVED: DRK 8/22/2015
CHECKED: DRK 8/22/2015
DRAWN: GMR 8/22/2015
PROJECT NO.: HA6618
DRAWING NUMBER: HA6618-01
PENN E&R
275 JERRY ROAD, LEBANON, PA 17042
717-271-1000

GUIDELINE FOR PERMANENT RESTORATION OF UTILITY EXCAVATION IN COUNTY R-O-W

STREETS TO BE OVERLAYED
(HAVING A CONCRETE BASE)



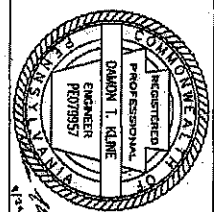
NOTES:

1. SAW CUT & SQUARE ALL EDGES.
2. BACKFILL TO BE COMPACTED IN 4\"/>

TRANSVERSE JOINT BETWEEN
EXISTING AND NEW PAVEMENT

DETAIL OF DOWELING ON LONGITUDINAL JOINTS

COUNTY OF LEHIGH, PA			
DEPT. OF GENERAL SERVICES			
UTILITY SERVICES - BRIDGES			
DATE	SCALE	PROJECT NO.	REVISION
ALL SHEETS	AS SHOWN	SP-1	BRIDGE SUPERINTENDENT
			APPROVED BY: DIRECTOR, PA



NOTES & DETAILS (3 OF 3)
STREET EXCAVATION PERMIT APPLICATION
LEHIGH LATERAL EXTENSION PROJECT
WHITEHALL TOWNSHIP
LEHIGH COUNTY, PENNSYLVANIA

UOI UTILITIES, INC.
2525 N. 12TH ST., READING, PA

APPROVED: DWG. 9/22/2015
CHECKED: DWG. 9/22/2015
DRAWN: DWG. 9/22/2015
PROJECT NO.: HA6618-01
DRAWING NUMBER: HA6618-01

Penn E&R
Engineering & Construction, Inc.
2500 MARKET AVENUE, SUITE 100, ALLENTOWN, PA 18103
610-261-1200

RIGHT OF WAY GRANT

THIS INDENTURE, made this 30th day of October, 2015, between the County of Lehigh, a County of the Third Class, (hereinafter called "GRANTOR"), and UGI UTILITIES, INC., a Pennsylvania corporation, (hereinafter called "GRANTEE"),

WITNESSETH:

That the said GRANTOR for and in consideration of the sum of One Dollar (\$ 1.00), unto it well and truly paid by the said GRANTEE at or before the sealing and delivery hereof, the receipt of which is hereby acknowledged, and for the sum of One Dollar (\$ 1.00) to be paid by GRANTEE to said GRANTOR on or before constructing the facilities hereinafter mentioned, and intending to be legally bound hereby, has granted, bargained and sold, released and confirmed and by these presents does grant, bargain and sell, release and confirm to GRANTEE, its successors and assigns, the exclusive perpetual right, privilege and authority for the purpose of constructing, maintaining, operating, extending, replacing, changing the size of and removing a pipeline, service laterals and related facilities for the conveyance, transmission and distribution of gas (hereinafter referred to collectively as "service facilities") on, in, over and across a strip of land being a part of the property which GRANTOR owns in fee situate in Whitehall Township, Lehigh County, Pennsylvania, said right of way being such width as necessary for the exercise of all the privileges herein granted, and as more fully described in the plan which is entitled "Guideline for Permanent Restoration of Utility Excavation in County R-O-W", attached hereto and made a part of hereof as Exhibit "A".

TOGETHER WITH the right, liberty and privilege to said GRANTEE to enter upon said land of the GRANTOR, with the right of ingress, egress and regress on and over the same and at all times hereafter, for the purpose of constructing, maintaining, operating, extending, replacing, changing the size of and removing the service facilities, and for that purpose to dig and excavate in such a manner as may be necessary for the construction, maintenance, operation, extension, replacement, change of size and removal of the service facilities, when and as often as need be or occasion may require.

TO HAVE AND TO HOLD, all and singular, the premises and privileges hereby granted or mentioned, or intended so to be, with the appurtenances, unto GRANTEE, its successors and assigns, and said GRANTEE agreeing that when trenches are opened for the purpose of constructing, maintaining, operating, extending, replacing, changing the size of and removing service facilities, the surface will be replaced to the original condition at the expense of said GRANTEE, and said GRANTEE paying all expenses and costs of every kind and description which may arise, or become due, either directly or indirectly, by reason of the constructing, maintaining, operating, extending, replacing, changing of the size of and removing service facilities, and to save the GRANTOR free and harmless from all damages, costs or expenses of any kind whatsoever arising therefrom.

Further, Grantee shall indemnify and hold harmless Grantor from and against any and all loss, damage, claims, demands, actions or causes of action, suits at law or equity, judgments, liability or expenses, including reasonable attorney's fees for damages for personal injury, including death, to any person whatsoever, and for damage to property of any person whatsoever, including loss or destruction thereof, arising out of any accident or occurrence caused or resulting from any negligent, reckless or intentional act, conduct or omission of Grantee relating to the rights granted to it under this Right-of-Way Grant and/or the installation of its service facilities.

EXHIBIT

§

AND, FURTHER, said GRANTOR does hereby consent and agree to and with the said GRANTEE that no house, barn or other structural improvements of any kind or description shall be placed upon the right of way and easement herein granted.

THE TERM "GRANTOR" as used herein shall include both the singular and plural.

THIS INDENTURE shall enure to the benefit of and be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

IN WITNESS WHEREOF the parties hereto have duly executed this Indenture in duplicate the day and year first above written.

ATTEST:

GRANTOR

By: _____

ATTEST:

GRANTEE
UGI UTILITIES, INC.

By: Hans A. Deerp
Vice President *m.m.*

RECEIVED ON _____, 20____ of UGI UTILITIES, INC. the sum of One Dollars (\$ 1.00), in full payment of the further consideration above-mentioned.

INDIVIDUAL ACKNOWLEDGMENT

STATE OF:

SS:

COUNTY OF:

}

On this _____ day of _____, 20____, before me the subscriber, a Notary Public for the State aforesaid, commissioned for and residing in the _____ of _____ County of _____, personally appeared _____ and in due form of law acknowledged the above Indenture to be _____ act and deed, and desired that the same may be recorded as such.

WITNESS my hand and notarial seal the day and year aforesaid.

Notary Public

STATE OF: Pennsylvania } CORPORATE ACKNOWLEDGMENT
COUNTY OF: Berks } SS:

On this 30th day of October, 2015, before me the subscriber, a Notary Public for the State aforesaid, commissioned for and residing in the Dwight of Muhlenberg County of Berks, personally appeared HANS G. BELL and in due form of law acknowledged the above Indenture to be his act and deed, and desired that the same may be recorded as such.

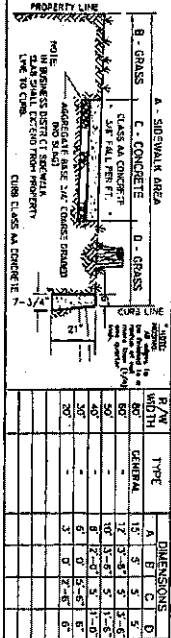
WITNESS my hand and notarial seal the day and year aforesaid.

Debra F. Dunkelberger
Notary Public

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Debra F. Dunkelberger, Notary Public
Muhlenberg Twp., Berks County
My Commission Expires Aug. 4, 2017
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

CURB AND SIDEWALK STANDARDS

D-0A



PERMITS: A. Approval of Survey will be required to establish the proper line and grade of the curb to be installed.

B. Work Order: A Work Order must be obtained prior to the start of any work in the public right of way within the County of Lehigh.

C. Crossovers: Application for Residential, Commercial or Industrial Crossovers must be obtained from the Office of General Services prior to starting work.

ALL OF THE ABOVE PERMITS CAN BE WAIVED BY THE DIRECTOR OF GENERAL SERVICES.

CURB:

- A. Forms: Curb forms, preferably steel forms. Other material shall be smooth, free from warp and must be rigid enough to resist springing out of shape.
- B. Dimensions: Curb shall be 21 inches in depth, 5" at the top and 7-3/4" at the base.
- C. Joints: All curb shall be cut clear through and it consists of sections ten (10) feet in length.
- D. Expansion: Joints Expansion joints shall be placed at the ends of all curb along all structures or as directed by the Engineer. Expansion shall be pre-molded bituminous material of at least 3/8" of an inch in thickness.

MATERIAL:

All concrete used for the construction of curb shall be Class AA Concrete and must meet the PennDOT specifications Form 408 and the bitect revision.

FINISH:

After concrete is placed into the forms it shall be puddled and speckled with a broom finish. The curing compound shall be applied to the top and sides of the curb. The curing compound shall be applied to the top and sides of the curb. The curing compound shall be applied to the top and sides of the curb. The curing compound shall be applied to the top and sides of the curb.

CROSSOVERS:

(Same as on Sidewalk)

INSPECTIONS:

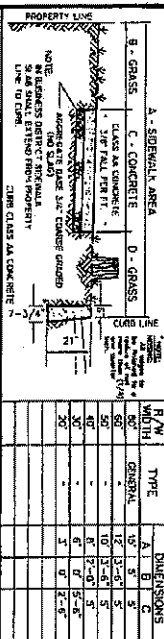
(Same as on Sidewalk)

STANDARDS

CURB AND SIDEWALK

COUNTY OF LEHIGH, PA
DEPARTMENT OF GENERAL SERVICES

D-0B



PERMITS: Prior to the start of work, a WORK ORDER must be obtained from the Office of General Services, authorizing the work to be performed.

A. Dimensions: Sidewalk Width shall have an area of 25 square feet (5' x 5'). Sides sloping on area of more than 100 square feet shall be reinforced with wire fabric.

B. Concrete: Double the depth of the concrete slab can be one of the three (3) approved types. They are:

- 1. Type A: Six (6) inches of Class AA concrete on two (2") inches of 3/4" coarse graded stone bed on compacted earth.
- 2. Type B: Five (5") inches of Class AA concrete on three (3") inches of 3/4" coarse graded stone bed on compacted earth.
- 3. Type C: Four (4") inches of Class AA concrete on four (4") inches of 3/4" coarse graded stone bed on compacted earth.

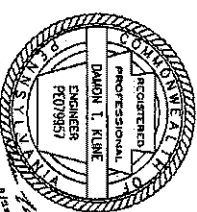
C. Slope: In general the pitch or slope of the sidewalk from the curb to the street shall be 1/4" per foot. At intersecting streets, sloping may be used to conform to the intersecting grades.

D. Expansion: Expansion joints shall be placed at intersections and structures, or as directed by the Engineer. Expansion shall be pre-molded bituminous material of at least 3/8" of an inch in thickness.

E. Finish: The concrete must be puddled for proper matting and elimination of soil broken finish.

CROSSOVERS: Applications for Residential, Commercial or Industrial Crossovers must be obtained from the Office of General Services prior to starting work. Work performed without the necessary release will be subject to removal at the Contractor's expense.

INSPECTION: All work performed in the public right of way within the County of Lehigh is subject to inspection by the Office of General Services. Any work performed without the necessary release will be subject to removal at the Contractor's expense.

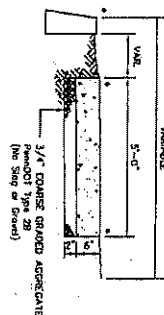


NOTES & DETAILS (1 OF 3)
STREET EXCAVATION PERMIT APPLICATION
LEHIGH LATERAL EXTENSION PROJECT
WHITEHALL TOWNSHIP
LEHIGH COUNTY, PENNSYLVANIA

UGI UTILITIES, INC.
2525 N. 12TH ST., READING, PA

APPROVED: 08/ 6/22/2015
CHECKED: 08/ 6/22/2015
DESIGNED: 08/ 6/22/2015
PROJECT NO: HA6618
DRAWING NUMBER: HA6618-01

Penn E&R
ENGINEERS
2705 SPRING ROAD, HARTFORD, CT 06106
203-289-7000



CONCRETE WALL

5'-0"

FLOOR

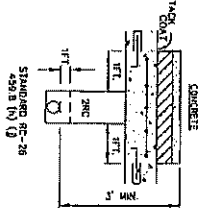
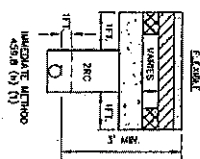
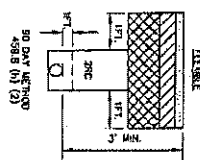
5'-0"

3/4" CHARGE GRADED ASPHALT (Permit Type 28 (1st Step or Course))

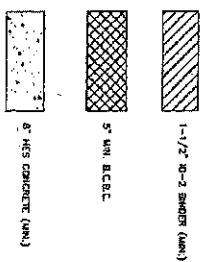
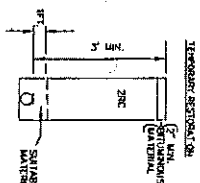
V.A.R.

Diagram illustrating the cross-section of a 3/4" charged graded aggregate concrete random type 26 (the dog or crown). The diagram shows a cross-section of the concrete structure with a width of 5'-0" and a height of 1'-0". The concrete is labeled as 3/4" charged graded aggregate concrete random type 26 (the dog or crown). The diagram also shows a 1/2" gap between the concrete and the adjacent structure.

COUNTY OF LEHIGH, PA	
DEPARTMENT OF GENERAL SERVICES	
TYPICAL SECTIONS - THREE	
TYPES CONCRETE SIDEWALK	
DATE	SCALE
MAY 2005	1/8" = 1'-0"
DESIGNED BY: JEFFREY A. HARRIS CHECKED BY: JEFFREY A. HARRIS IN CHARGE: JEFFREY A. HARRIS	



1. UN. 80-2 WEARIN




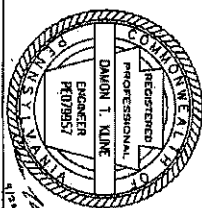
24.3

COUNTY OF LEHIGH, PA DEPARTMENT OF GENERAL SERVICES		BILLYMONT STADIUM FOR CRICKETS STREET RESTORATION	
DATE	SCALE	DRAWN BY	RECORDED & INDEXED BY
JAN 2015	NONE	SET	BRUCE, SUPERVISOR
STATION		STATION	

NOTES & DETAILS (2 OF 3)
STREET EXCAVATION PERMIT APPLICATION
LEHIGH LATERAL EXTENSION PROJECT
WHITEHALL TOWNSHIP
LEHIGH COUNTY, PENNSYLVANIA

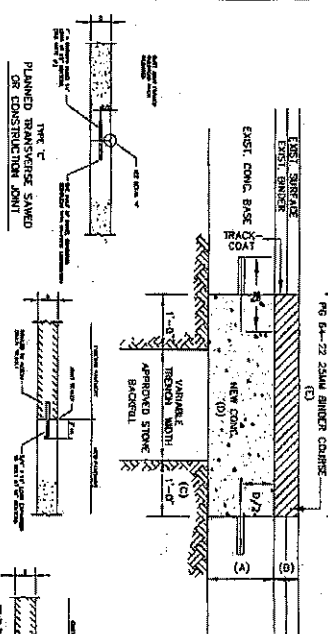
UGI UTILITIES, INC.
2525 N. 12TH ST., READING, PA

APPROVED ON 9/22/2015 CHECKED DDK 9/22/2015 DRAWN GMR 9/22/2015 PROJECT NO. HA06618 DYNAMIC NUMBER HA6618-01	 Penn E&R Environmental & Remediation, Inc. 2706 BRIDGETT ROAD, HATFIELD, PA 19440 610-681-6000
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GUIDELINE FOR PERMANENT RESTORATION OF UTILITY EXCAVATION IN COUNTY R-O-W

STREETS TO BE OVERLAYED
(HAVING A CONCRETE BASE)



NOTES:

1. SAW CUT & SQUARE ALL EDGES.
2. BACKFILL TO BE COMPACTED IN 6" LIFTS.
3. TACK COAT PRIOR TO PAVING.
4. TACK COAT ALL EDGES PRIOR TO PLACEMENT.
- (A) VARIANTE (EXIST. BASE CROSS)
- (B) VARIANTE (DRAIN, SURFACE & DRAIN CROSS)
- (C) CURB/CURB
- (D) MATCH (N) - 375# CONCRETE.
- (E) R02 WEEDPRO TO MEET DIST. PAV. GRADE

TRANSVERSE JOINT BETWEEN
EXISTING AND NEW PAVEMENT

DETAIL OF DOWELING ON LONGITUDINAL JOINTS

DATE	SCALE	ACCD BY	DESIGNED BY
MAY 2005	N.T.S.	SP1	REYNOLD D. MCGOWAN
			BRIDGE SUPERINTENDENT
			STANDARD 11, URBAN 11, AL

COUNTY OF LEHIGH, PA
DEPT. OF GENERAL SERVICES
UTILITY SERVICES - BRIDGES
RESTORATION OF CURBS ON COUNTY STREETS

NOTES & DETAILS (3 OF 3)
STREET EXCAVATION PERMIT APPLICATION
LEHIGH LATERAL EXTENSION PROJECT
WHITEHALL TOWNSHIP
LEHIGH COUNTY, PENNSYLVANIA

UGI UTILITIES, INC.
2525 N. 12TH ST., READING, PA

APPROVED DRK 9/22/2015
CHECKED DRK 9/22/2015
DESIGNED GDR 9/22/2015
PROJECT NO. HAB618-01
DRAWING NUMBER

Penn E&R
Engineering & Construction, Inc.
2705 MARKET ROAD, SUITE 200, PA 18104
TEL: 717-397-7000

