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ADDENDUM TO AGREEMENT
OF JANUARY 22, 1970

This is an addendum to an Agreement by and among the Lehigh County Authority, County of Lehigh, Boroughs of Alburdis and Macungie, Township of Upper Macungie and Lower Macungie Township Authority dated January 22, 1970¹.

WHEREAS, the above entities entered into an Agreement which provided, inter alia, certain allocations of sewerage to be discharged into the sewerage treatment plant owned by the City of Allentown; and

WHEREAS, by paragraph 11 of that Agreement the Township of Upper Macungie was allocated 3,400,000 average gallons per day and the Township of Lower Macungie or Lower Macungie Township Authority was allocated 340,000 average gallons per day; and

WHEREAS, Lower Macungie Township or Lower Macungie Township Authority in accordance with Engineering Reports on financing construction of the Lehigh County Interceptor Line, the Borough of Macungie sewer system, the Borough of Alburdis sewer system, the Upper Macungie sewer system, and the Lower Macungie sewer system, all of which Engineering Reports were prepared by A.L. Wiesenberger Associates, Inc., of Allentown, Pennsylvania, was to be provided a minimum allocation to Lower Macungie Township or Lower Macungie Township Authority of 546,000 average gallons per day; and

WHEREAS, it is clearly evident that Lower Macungie Township or Lower Macungie Township Authority should have received an allocation of 546,000 average gallons per day.

NOW, THEREFORE, in order to allocate to Lower Macungie Township or Lower Macungie Township Authority that average gallons per day minimally required by the aforesaid Engineering Reports on financing construction, the parties agree as follows:

1. Lower Macungie Township or Lower Macungie Township Authority, as applicable, shall be assured the right to discharge from the sewerage collection system serving the Township of Lower Macungie into the aforementioned sewerage treatment plant and by the City of Allentown sewage and wastes in the volume of 546,000 average gallons per day.

2. Upper Macungie Township or Upper Macungie Township Authority, as applicable, agrees that of its allocation in the Agreement of January 22, 1970 it hereby grants to Lower Macungie Township or Lower Macungie Township Authority, as applicable, 206,000 average gallons per day which shall be deleted from the allocation mentioned in the Agreement of January 22, 1970 to Upper Macungie Township or Upper Macungie Township Authority, and which shall be added to the allocation mentioned in the Agreement of January 22, 1973 [*sic*, 1970] to Lower Macungie Township or Lower Macungie Township Authority.

3. The allocation of average gallons per day of sewerage mentioned herein shall not modify nor alter the allocation to the Borough of Macungie or Borough of Alburdis mentioned in the Agreement of January 22, 1970 and neither the Borough of Alburdis nor the Borough of Macungie shall gain or lose any amount of average gallons per day of sewerage mentioned therein.

¹ **Cross-Reference:** *see* Codified Ordinances ¶ 65-O(1).

IN WITNESS WHEREOF the parties hereto have hereunto caused this Agreement to be executed by their respective proper officers as of the ___ day of February, 1973.

{Signed and Attested by Officers of the Lower Macungie Township Authority, Lower Macungie Township, Upper Macungie Township Authority, and Upper Macungie Township Authority}