

The footnotes are NOT part of the Document, but have been added for the convenience of the reader.

ADDENDUM TO AGREEMENT

THIS ADDENDUM TO AGREEMENT made this 12th day of July, 1982 is made to an Agreement entered into by and among the City of Allentown, County of Lehigh, Coplay-Whitehall Sewer Authority, Lehigh County Authority, Township of Salisbury, and Township of South Whitehall dated as of December 29, 1981 (the Main Agreement).¹

WHEREAS, the parties hereto entered into the Main Agreement to resolve various issues concerning the transmission and treatment of wastewater and other related matters; and

WHEREAS, on October 1, 1981 Lower Macungie Township and Lower Macungie Township Authority executed a draft of the Main Agreement, which draft was substantially revised between that date and its effective date of December 29, 1981.

NOW, THEREFORE, ALL PARTIES INTENDING TO BE LEGALLY BOUND DO HEREBY COVENANT AND AGREE AS FOLLOWS:

1. The following sentence of Paragraph 5 is hereby deleted:

“Of the 1.65 mgd additional treatment capacity, .25 mgd shall be allocated to Lower Macungie Township for the sole purpose of providing sewer service to that area of Wescosville east of the Pennsylvania Turnpike. Considering the commitment [*sic.*] of this .25 mgd to Lower Macungie Township, the October 15, 1981 Agreement between the City of Allentown and Lower Macungie Township shall become null and void.”

The following sentences are hereby added:

“Of the 1.65 mgd additional treatment capacity, .25 mgd shall be allocated directly to Lower Macungie Township in accordance with an agreement between that Township and the City dated October 1, 1981, (a true and correct copy of which is attached hereto and made a part hereof) which shall remain in full force and effect. It is agreed that, except for the \$26,000 payment made to the City for prior debt service for this additional capacity of .25 mgd, said additional capacity shall be governed and controlled by the terms of the Main Agreement as hereby amended. It is further acknowledged that this capacity is being included as part of Lehigh County Authority’s total allocation for the purposes of billing and administration only.”

2. The word “previously” in Paragraph 3 in line 4 of Page 8 of the Main Agreement is hereby deleted.

3. All other provisions, terms and conditions of the Main Agreement between the parties shall not be altered by this Addendum to Agreement and shall remain in full force and effect to the extent not inconsistent herewith.

IN WITNESS WHEREOF, the parties hereto have executed this Addendum to Agreement as of the said day and year first above written.

¹ **Cross-Reference:** see Codified Ordinances ¶ 65-Q(2).

{Signed and Attested by Officers of the City of Allentown, Township of Lower Macungie, Lower Macungie Township Authority, County of Lehigh, Coplay-Whitehall Sewer Authority, Lehigh County Authority, Township of Salisbury, and the Township of South Whitehall.}

CONSENT AND JOINDER

{Separate consents and joinders in the following form were signed and attested by officers of the Borough of Macungie (undated); Township of Upper Macungie (undated), Borough of Macungie Sewer Authority (undated), Upper Macungie Township Authority (dated June 10, 1982):}

The {NAME OF MUNICIPALITY}, a borough {township} located in Lehigh County, Pennsylvania, for value received, and intending to be legally bound hereby, does hereby join in and consent to the foregoing Agreement, dated for convenience as of July 12, 1982 (the "Agreement"), by and amount the City of Allentown, County of Lehigh, Coplay-Whitehall Sewer Authority, Lehigh County Authority, and the Townships of Salisbury and South Whitehall, and to the extent applicable to it, agrees to abide by the terms of and be bound by the terms of said Agreement.

IN WITNESS WHEREOF, the {NAME OF MUNICIPALITY} has caused this Consent and Joinder to be duly executed and attested by its proper officers, pursuant to proper action taken by its Board of Supervisors this ____ day of _____, 1982.

CONSENT AND JOINDER

The BOROUGH OF ALBURTIS, a borough located in Lehigh County, Pennsylvania, for value received, and intending to be legally bound hereby, does hereby join in and consent to the foregoing Agreement, dated for convenience as of July 12, 1982 (the "Agreement"), by and among the City of Allentown, County of Lehigh, Coplay-Whitehall Sewer Authority, Lehigh County Authority, and the Townships of Salisbury and South Whitehall, and to the extent applicable to it, agrees to abide by the terms of and be bound by the terms of said Agreement.

A stipulation dated December 30, 1987² was executed in settlement of civil suit 81-C-1947, Borough of Alburdis vs. County of Lehigh et al. This Consent and Joinder shall not be interpreted to waive, alter, or contradict the terms of that December 30, 1987 stipulation; however, that stipulation shall not be interpreted to give the Borough of Alburdis any rights in this Agreement different from those of the other parties to this Agreement, except that nothing contained herein shall be interpreted to waive Alburdis' right to receive payments from the County of Lehigh as provided in the December 30, 1987 Settlement Stipulation.

IN WITNESS WHEREOF, the BOROUGH OF ALBURTIS has caused this Consent and Joinder to be duly executed and attested by its proper officers, pursuant to proper action taken by its Board this 13 day of Jan., 1988.

Effective Date: 19 June 1987

{Signed and Attested by Officers of the Borough of Alburdis.}

² **Cross-Reference:** *see* Codified Ordinances ¶ 65-S(2).