

No. 2016-23

## AN ACT

SB 1068

Authorizing the release of Project 70 restrictions on certain lands owned by the City of Lancaster, Lancaster County, in exchange for the imposition of Project 70 restrictions on other lands owned by the City of Lancaster, Lancaster County, and other consideration.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Authorization.

(a) Authorization.—Pursuant to the requirements of section 20(b) of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, the General Assembly hereby authorizes the release of Project 70 restrictions on land owned by the City of Lancaster, described in subsection (b) in return for the imposition of Project 70 restrictions on land described in subsection (c) and additional consideration described in subsection (e).

(b) Land to be released from Project 70 restrictions.—

The land to be released from Project 70 restrictions is as follows:

All that certain tract of land situate in the Township of Lancaster, County of Lancaster, and Commonwealth of Pennsylvania being more particularly described as follows, to wit:

Beginning at a Point in the northeasterly Right of Way line (ROW) of Ranck Road, corner to lands of the City of Lancaster (City), and proceeding thence;

1. Along the ROW of said Ranck Road North  $28^{\circ}00'10''$  West a distance of 360.15 feet to a point in same, thence;

2. Along same North  $28^{\circ}22'10''$  West a distance of 49.14 feet to a point in same, thence;

3. Along same North  $61^{\circ}44'07''$  East a distance of 26.98 feet to a point in same, thence;

4. Along same North  $28^{\circ}15'53''$  West a distance of 14.03 feet to a point of curvature in same, thence;

5. Along same curving to the right with a radius of 60.00 feet an arc distance of 56.87 feet to a point of tangency in same, the chord of said curve bearing North  $1^{\circ}06'34''$  West for a distance of 54.77 feet, thence;

6. Along same North  $26^{\circ}02'46''$  East a distance of 125.74 feet to a point, thence;

7. Leaving said ROW and passing through lands of the City of Lancaster of which this tract is a part, South  $82^{\circ}41'02''$  East a distance of 43.74 feet to a point, thence;

8. Through same North  $74^{\circ}33'48''$  East a distance of 84.16 feet to a point, thence;

9. Through same South  $80^{\circ}39'16''$  East a distance of 90.95 feet to a point, thence;

10. Through same South 55°53'54" East a distance of 48.52 feet to a point, thence;

11. Through same South 38°08'48" East a distance of 35.84 feet to a point, thence;

12. Through same South 11°12'31" East a distance of 49.54 feet to a point, thence;

13. Through same South 1°39'26" West a distance of 61.74 feet to a point, thence;

14. Through same South 11°52'03" East a distance of 27.04 feet to a point thence;

15. Through same South 21°19'52" West a distance of 23.30 feet to a point, thence;

16. Through same South 12°08'06" East a distance of 32.75 feet to a point, thence;

17. Through same South 9°02'48" West a distance of 88.97 feet to a point, thence;

18. Through same South 6°15'38" East a distance of 29.90 feet to a point, thence;

19. Through same South 30°35'06" West a distance of 33.16 feet to a point, thence;

20. Through same South 13°01'15" West a distance of 40.78 feet to a point, thence;

21. Through same South 59°05'23" East a distance of 154.96 feet to a point in the line of lands now or formerly of Wickersham Construction & Engineering, Inc., thence;

22. Along said Wickersham South 80°20'50" West a distance of 267.16 feet to the Point and Place of Beginning.

Containing 3.5578 acres more or less.

(c) Land subject to the imposition Project 70 restrictions.—

The two parcels of land on which Project 70 restrictions are to be imposed are as follows:

Parcel 1.A.

All that certain tract of land situated along the northwestern bank of The Conestoga Creek in Manheim Township, the County of Lancaster, and the Commonwealth of Pennsylvania being bounded and described as follows:

Beginning at a point in the north or west bank of the Conestoga Creek as it existed prior to the raising of the Lancaster City Water Works Dam in 1933, and in the northeasterly boundary line of the former Lancaster City Pump Station grounds, now lands of The Pennsylvania Department of Transportation (PennDOT), said lands having been acquired by deed dated September 27, 1971 and filed at the Lancaster County Recorder of Deeds Office in Deed Book X-61, at Page 242. Said lands being a portion of Legislative Route 1124, AKA State Highway Route 23, and also used as access to the Lancaster City Conestoga Water Treatment Plant Bridge, said access also providing access to the herein described property, thence;

1. Extending along PennDOT, North 6°36' East, 210.05 feet to a stone, thence along remaining land of the Grantors the following 8 courses and distances;

2. South 63°08' East, 194.35 feet, thence;

3. North 81°43' East, 105.06 feet, thence;
4. South 89°38' East, 102.11 feet, thence;
5. North 57°17' East, 63.15 feet, thence;
6. North 73°25' East, 199.69 feet, thence;
7. North 59°51' East, 96.62 feet, thence;
8. North 52°29' East, 98.18 feet, thence;
9. North 37°06' East, 18.65 feet to the inside edge of a concrete dike around the Eagles Nest property of the Grantors, at a point in the same 17.52 feet eastwardly from the westernmost end of said dike, thence extending along the inside wall of said concrete dike the following courses and distances;
10. South 62°58' East, 27.08 feet, thence;
11. North 72°04' East, 35.31 feet, thence;
12. North 27°00' East, 136.91 feet, thence leaving said dike;
13. North 69°05' West, 29.15 feet to a point inside said dike, thence;
14. North 1°44' East, (crossing through or near the northwestern most end of said dike) 92.03 feet, thence extending further along remaining property of the Grantors the following courses and distances;
15. North 4°13' West, 221.08 feet, thence;
16. North 7°39' West, 91.95 feet, thence;
17. North 20°05' West, 192.26 feet, thence;
18. South 74°17' East, 70.93 feet, thence;
19. South 34°34' East, 159.59 feet to a point in the West Bank of the Conestoga Creek as it existed prior to the raising of the City's Pumping Station Dam, aforesaid, thence Southwardly along said West Bank (existing as aforesaid and which bank may hereafter at times be underwater) the following 12 courses and distances;
20. South 9°13' East, 253.11 feet, thence;
21. South 11°52' West, 339.10 feet, thence;
22. South 17°44' West, 254.68 feet, thence;
23. South 34°52' West, 101.87 feet, thence;
24. South 45°34' West, 70.09 feet, thence;
25. South 58°39' West, 92.70 feet, thence;
26. South 71°15' West, 122.48 feet, thence;
27. South 89°11' West, 124.68 feet, thence;
28. North 68°34' West, 260.16 feet, thence;
29. North 78°15' West, 128.30 feet, thence;
30. North 85°06' West, 94.22 feet, thence;
31. North 89°01' West, 117.10 feet to the Point and Place of Beginning.

32. Containing 9.782 acres more or less.

Parcel 1.B.

All That Certain tract of land situate in the City of Lancaster, County of Lancaster, and Commonwealth of Pennsylvania being a portion of lands of the City of Lancaster located at 150 Pitney Road, Lancaster Pennsylvania being Lancaster County Tax Parcel Number 336-61274-0-00000 and being more particularly described as follows, to wit;

Beginning at a Point in the southeasterly bank of the Conestoga River (left hand side going with the flow) where it intersects the downstream or

southwesterly line, or line extended, of the Pleasure Road Bridge, running between Pleasure Road and crossing said Conestoga River to lands of the City of Lancaster being the Conestoga Water Treatment Plant (CWTP), thence;

1. Through lands of the said City and along said extended bridge line, South  $28^{\circ}49'45''$  East, a distance of 53.68 feet more or less to a point on the southerly line of the roadway leading from said bridge into the said CWTP, thence;

2. Along the edge of said roadway and the face of a concrete retaining wall South  $73^{\circ}44'18''$  East, a distance of 33.88 feet to a point, thence;

3. Along said roadway and wall curving to the left with a radius of 39 feet, an arc distance of 30.19 feet to a point in both, the chord of said curve bearing North  $84^{\circ}30'54''$  East, a distance of 29.79 feet, thence;

4. Along both and extending beyond both as they deviate from a straight line North  $62^{\circ}19'03''$  East, a distance of 151.77 feet to a point in a chain link fence separating lands of the CWTP from other lands of the City designated as Conestoga Pines Park, thence;

5. Along said fence and Park South  $82^{\circ}49'10''$  East, a distance of 97.79 feet to a point in same, thence;

6. Still along same South  $57^{\circ}22'40''$  East, a distance of 127.70 feet to a point in same, thence;

7. Still along same South  $63^{\circ}26'49''$  East, a distance of 42.86 feet to a point in same, thence;

8. Still along same South  $83^{\circ}51'30''$  East, a distance of 65.34 feet to a point same, thence;

9. Still along same South  $66^{\circ}18'49''$  East, a distance of 9.34 feet to a point in same, thence;

10. Leaving said fence and line and running mostly along the approximate centerline of a bituminous roadway, this course being set parallel to and 30 feet northwestwardly from the face of the CWTP Old Filter Building, South  $21^{\circ}49'08''$  West, a distance of 501.57 feet to a point in the northeasterly Right of Way line (ROW) of the former Pennsylvania Railroad Main Line (now AMTRAK) cited in the index of the Lancaster County Recorder of Deeds Office to be filed at Deed Book L-75, Page 385 (DB L-75/385), which deed calls Conrail as the owner or record, thence;

11. Along said ROW North  $68^{\circ}43'38''$  West, a distance of 434.38 feet to a point in same, thence;

12. Leaving said ROW and mostly along a bituminous roadway, this course being set parallel to and 30 feet southeastwardly from the face of a brick building (adjacent to 2 sheds) which building is approximately 220 feet from the beginning of this course, North  $21^{\circ}56'21''$  East, a distance of 286.17 feet to a point where said line intersects the extended line of the southwestwardly face of the brick Meter Shop Building, thence;

13. Along said extended line North  $68^{\circ}42'05''$  West, a distance of 177.26 feet to a point, thence;

14. Along a line deflecting to the left with an angle of  $45^{\circ}$ , South  $66^{\circ}17'55''$  West, a distance of 84.58 feet to a point, thence;

15. Along a line set parallel to and 30 feet northwestwardly from a line connecting the center points of two open top round concrete tanks South  $21^{\circ}07'01''$  West, a distance of 226.45 feet to a point in the aforesaid railroad ROW, thence;

16. Along said ROW North  $68^{\circ}43'38''$  West, a distance of 142.59 feet to a point in same, thence;

17. Proceeding North  $1^{\circ}04'04''$  West, a distance of 26.78 feet more or less to a point in the aforesaid bank of the Conestoga River, thence;

18. Along said river bank upstream in a northeasterly direction a distance of 488 feet or such as the distance may be to the Point and Place of Beginning. The Survey tie line for this course, being for closure purposes only and not a boundary line, bears North  $59^{\circ}19'08''$  East, a distance of 468.53 feet.

And Excepting and Reserving out the following lands:

Beginning at a Point said point being the following two courses from the end of the tenth (10th) course of the above description, to wit;

A. Along the above mentioned railroad ROW North  $68^{\circ}43'38''$  West, a distance of 259.48 feet to a point, thence;

B. North  $19^{\circ}32'12''$  East, a distance of 30.41 feet to a point being the corner of a one story steel storage building for a Point of Beginning, thence;

1. Proceeding from said beginning point and along the face of said building North  $19^{\circ}32'12''$  East, a distance of 26.64 feet to a point, thence;

2. Along same South  $70^{\circ}27'47''$  East, a distance of 48.50 feet to a point, thence;

3. Along same South  $19^{\circ}32'12''$  West, a distance of 26.64 feet to a point, thence;

4. Along same North  $70^{\circ}27'47''$  West, a distance of 48.50 feet to the Point and Place of Beginning.

Being a portion of lands of the City of Lancaster, said lands consisting of an area of the Conestoga Water Treatment Plant. The deed for said lands being recorded at DB B-44/500 in the Lancaster County Recorder of Deeds Office.

Containing 255,596.13 square feet or 5.87 acres more or less.

CONTAINING a combined calculated area for Parcels 1.A. and 1.B. of 15.652 acres, more or less, of land.

(d) Deed restriction.—The deeds of conveyance for the parcels described in subsection (c) shall contain the following clause:

This indenture is given to provide land for recreation, conservation and historical purposes, as said purposes are defined in the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act.

(e) Additional Consideration.—Within 5 years of the date of conveyance of the above parcels described in subsection (c), the City of Lancaster shall provide reasonable pedestrian and vehicular access to both parcels of property on each side of the river. If reasonable from both an engineering and financial perspective, the City of Lancaster shall reassemble the Armstrong Pedestrian Footbridge or another pedestrian bridge over the Conestoga River, connecting parcel 1.A. to the Conestoga Pines Park. Upon

written request of the City of Lancaster and approval from the Department of Conservation and Natural Resources, which shall not be unreasonably withheld, the time frame set forth in this subsection shall be extended for an additional 5 years.

Section 2. Effective date.

This act shall take effect immediately.

APPROVED—The 20th day of April, A.D. 2016

TOM WOLF