

## No. 1986-149

## AN ACT

## HB 2120

Authorizing the release of Project 70 restrictions imposed on certain lands owned by the County of Delaware, in return for the imposition of Project 70 restrictions on certain lands owned by the County of Delaware.

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

**Section 1. Authorization.**

Pursuant to the requirements of section 20 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 the restrictions imposed by section 20 of the Project 70 Land Acquisition and Borrowing Act from the lands owned by the County of Delaware and more particularly described in section 3 of this act in exchange for the imposition of the restrictions in section 20 of the Project 70 Land Acquisition and Borrowing Act on lands owned by the County of Delaware and more particularly described in section 4 of this act.

**Section 2. Freedom of restrictions.**

The lands described in section 3 of this act and owned by the County of Delaware shall be free of the restrictions on use and alienation imposed by section 20 of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, upon the imposition of and recording of the Project 70 deed restrictions set forth in section 5 of this act on the parcel of replacement land owned by the County of Delaware and located in the Township of Upper Providence, Delaware County, described in section 4 of this act.

**Section 3. Land to be free from restrictions.**

The parcel of land authorized to be released from restrictions is more particularly described as follows:

Beginning at the intersection of Providence Road (L.R.141) and Rose Tree Road (L.R.23030); thence extending along the center line of said Providence Road north 23 degrees, 53 minutes 30 seconds west 167.28 feet to a point; thence extending north 66 degrees 39 minutes 50 seconds 500.00 feet to a point; thence extending south 23 degrees 53 minutes 30 seconds east 402.56 feet to a point on the center line of Rose Tree Road; thence extending south 89 degrees 52 minutes 10 seconds west along the center line of said Rose Tree Road 546.77 feet to the point and place of beginning.

Containing 3.26 acres of land, more or less.

**Section 4. Land on which restrictions are to be imposed.**

The replacement parcel to be subject to restrictions in exchange for the parcel described in section 3 is more particularly described as follows:

Beginning at an interior point on the northerly side of a certain 30-foot wide easement (formerly Copples Lane, unopened) at a corner of Lot No.4 on said plan and in line of land now or late of Tomassian (all as shown on said plan); thence extending from said beginning point, along land now or late of Tomassian, south 87 degrees east 55.42 feet to a point at an angle in said 30-foot wide easement; thence extending still along land now or late of Tomassian, land now or late of Weiss and partly along land now or late of Edwards, north 68 degrees 37 minutes 55 seconds east, along the northwesterly side of said 30-foot wide easement; 197.73 feet to a point an angle in said 30-foot wide easement; thence extending still along land now or late of Edwards and along the northwesterly side of said 30-foot wide easement, north 53 degrees 41 minutes east 79.40 feet to a point, a corner of land now or late of Devit; thence extending along the same and along the northwesterly side of said 30-foot wide easement; north 54 degrees 05 minutes east 320.03 feet to a point; thence extending north 25 degrees 42 minutes west, leaving said side of said easement, 182.46 feet to a point, a corner of land now or late of Lewis; thence extending along the same and land now or late of Snowden and Rigby, north 64 degrees 18 minutes east 365 feet to a point in line of land now or late of the County of Delaware (Martin Park); thence extending along the same the 2 following courses and distances: (1) south 25 degrees 42 minutes east 420.12 feet to a point; and (2) south 71 degrees 40 minutes 49 seconds west 155.72 feet to a point, a corner of land now or late of Calloway; thence extending along the same lands now or late of Young, McCann, Dessauer and Wooters, Wilson, Creighton, Walde and Kuder, south 68 degrees 29 minutes 49 seconds west 917.91 feet to a point, a corner of Lot No.5 on said plan; thence extending along the same and Lot No.4, north 03 degrees east, crossing the bed of the said 30-foot wide easement, 137.47 feet to the first mentioned point and place of beginning.

Containing 5.4099 acres of land, more or less.

#### Section 5. Description of deed restrictions.

The deed restriction to be transferred to the parcel described in section 4 of this act shall read as follows:

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.

#### Section 6. Restrictions as to revenue and sale.

The revenue and interest thereon from the lease of the land described in section 3 of this act shall be deposited in a special account established by the County of Delaware. The special account shall be used for rehabilitation and development of park and recreation lands and facilities by the County of Delaware. No funds shall be dispensed from the account until a plan has been developed for the use of such funds by the County of Delaware and such plan has been approved by the Department of Community Affairs. The County of Delaware is prohibited from selling the land described in section 3 of this act without an amendment to this act.

Section 7. Effective date.

This act shall take effect immediately.

APPROVED—The 2nd day of December, A. D. 1986.

DICK THORNBURGH