

No. 1983-37

AN ACT

HB 989

Authorizing the release of Project 70 restrictions imposed on certain lands owned by the Erie County Authority in return for the imposition of Project 70 restrictions on certain lands owned by the County of Erie; and requiring certain easements.

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

Section 1. 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 the restrictions imposed by section 20 of the Project 70 Land Acquisition and Borrowing Act from the lands owned by the Erie County Authority and more particularly described in section 3 in exchange for the imposition of the section 20 restrictions on lands owned by the County of Erie and more particularly described in section 4.

Section 2. Freedom of restrictions.

The lands described in section 3 and owned by the Erie County Authority 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 6 on the parcel of replacement land owned by the County of Erie and located in the Township of Fairview, Erie County, subject, however, to all existing easements of record.

Section 3. Land to be free from restrictions.

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

All those certain pieces or parcels of land situate in the Township of Millcreek, Commonwealth of Pennsylvania, being part of Tracts 334 and 338 and being more particularly bounded and described as follows:

Beginning at the southeasterly corner of the piece at a concrete monument at the intersection of the westerly line of Wattsburg Road, Pennsylvania State Route 8 with the northerly line of the right-of-way for Ramp A or the westbound entrance ramp for Interstate 90; thence south 40 degrees 41 minutes 11 seconds west along the northerly line of the right-of-way for said Ramp A a distance of 641.25 feet to a concrete monument; thence in a southwesterly direction continuing along the northerly right-of-way for said Ramp A and along a curve to the right having a radius of 1,432.40 feet, an arc distance of 170.59 feet and a chord bearing and distance of south 44 degrees 16 minutes 25 seconds west 170.49 feet to a concrete monument; thence

south 47 degrees 51 minutes 38 seconds west continuing along the northerly line of said Ramp A a distance of 32.52 feet to a concrete monument; thence south 39 degrees 12 minutes 41 seconds east a distance of 34.09 feet to a concrete monument in the northerly line of Interstate 90 (a 176 foot right-of-way); thence in a southwesterly direction along the northerly line of said Interstate 90 and along a curve to the left having a radius of 11,459.21 feet, an arc distance of 1,086.68 feet and a chord bearing and distance of south 48 degrees 05 minutes 32 seconds west 1,086.36 feet to a concrete monument, said point being at Interstate 90 Highway Station 1,628 + 63.91; thence south 45 degrees 23 minutes 45 seconds west continuing along the northerly line of said Interstate 90 a distance of 700.78 feet; thence north 25 degrees 04 minutes 13 seconds east a distance of 943.03 feet; thence north 90 degrees 00 minutes 00 seconds east a distance of 1,184.04 feet; thence north 23 degrees 42 minutes 33 seconds west a distance of 250.94 feet; thence north 64 degrees 05 minutes 27 seconds east along the southerly line of lands of Marie and Virran J. Robie a distance of 2,598.44 feet to an iron pipe; thence north 46 degrees 35 minutes 35 seconds west along an easterly line of lands of Marie and Virran J. Robie a distance of 328.94 feet to an iron pipe; thence north 57 degrees 37 minutes 25 seconds east along a southerly line of lands of said Robie a distance of 255.10 feet to an iron pipe; thence north 45 degrees 32 minutes 46 seconds west along the easterly line of lands of said Robie a distance of 277.90 feet to an iron pipe; thence north 44 degrees 27 minutes 14 seconds east along the southerly line of lands of said Robie a distance of 335.00 feet to an iron survey point in the westerly line of said Wattsburg Road; thence south 45 degrees 32 minutes 46 seconds east along the westerly line of said Wattsburg Road a distance of 397.43 feet; thence south 45 degrees 23 minutes 12 seconds east along the westerly line of said Wattsburg Road a distance of 356.89 feet to a point; thence south 45 degrees 30 minutes 35 seconds east along the westerly line of said Wattsburg Road a distance of 228.27 feet to a point; thence south 44 degrees 29 minutes 25 seconds west continuing along the right-of-way line of said Wattsburg Road a distance of 35.00 feet to a point; thence south 45 degrees 30 minutes 35 seconds east along the westerly line of said Wattsburg Road a distance of 500.00 feet to a concrete monument; thence south 44 degrees 29 minutes 25 seconds west continuing along the right-of-way line of said Wattsburg Road a distance of 12.17 feet to a concrete monument; thence south 40 degrees 28 minutes 10 seconds east along the westerly line of said Wattsburg Road a distance of 134.67 feet to a point and the place of beginning.

Containing 91.786 acres of land, therein, net measure.

Beginning at the southeasterly corner of the piece at an iron survey point in the westerly line of Wattsburg Road, Pennsylvania State Route 8 (50 foot right-of-way), said beginning point being located by the following seven bearings and distances: north 40 degrees 28 minutes 10 seconds west a distance of 134.67 feet; thence north 44 degrees 29 minutes 25 seconds east a distance of 12.17 feet; thence north 45 degrees 30 minutes 35 seconds west a distance of 500.00 feet; thence north 44 degrees 29 minutes 25 seconds east a distance of 35.00 feet; thence north 45 degrees 30 minutes 35 seconds west a

distance of 228.27 feet; thence north 45 degrees 23 minutes 12 seconds west a distance of 356.89 feet; thence north 45 degrees 32 minutes 46 seconds west a distance of 457.43 feet; thence from the intersection of the northerly line of the right-of-way for the westbound entrance ramp to Interstate 90 known as Ramp "A" with the westerly line of Wattsburg Road, Pennsylvania State Route 8; thence south 44 degrees 27 minutes 14 seconds west along a northerly line of lands of Marie and Virran J. Robie a distance of 335.00 feet to an iron pipe; thence north 45 degrees 32 minutes 46 seconds west along an easterly line of lands of said Robie a distance of 558.42 feet to an iron survey point; thence north 65 degrees 20 minutes 14 seconds east along a southerly line of lands of said Robie a distance of 307.27 feet to a railroad spike in the westerly line of said Wattsburg Road; thence in a southeasterly direction along the westerly line of said Wattsburg Road and along a curve to the right having a radius of 1,885.00 feet an arc distance of 425.90 feet and a chord bearing and distance of south 52 degrees 01 minute 08 seconds east, 425.00 feet to a point; thence south 45 degrees 32 minutes 46 seconds east along the westerly line of said Wattsburg Road a distance of 26.60 feet to a point and the place of beginning.

Containing 3.660 acres of land, therein, net measure.

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:

All that certain parcel of land situate in the Township of Fairview, County of Erie, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at the northeast corner of the piece herein described at a point in the centerline of Barker Road, said point being 412.50 feet westerly from the centerline intersection of Barker Road with the centerline of Dobler Road; thence south 25 degrees 39 minutes a distance of 2,694.78 feet to a stone monument; thence north 64 degrees 30 minutes east a distance of 413.16 feet to a point; thence south 26 degrees 00 minutes east a distance of 825.00 feet to a stone monument; thence south 64 degrees 30 minutes west a distance of 1,396.00 feet to a stone monument; thence 25 degrees 39 minutes west a distance of 3,588.42 feet to the centerline of Barker Road; thence north 64 degrees 30 minutes east along the centerline of Barker Road a distance of 949.74 feet to the place of beginning.

Containing 84.45 acres of land and being part of land described in Deed Book 225, Pages 607 and 608, excepting and reserving a parcel 50.00 feet in width and 323.90 feet in depth as recorded in Deed Book 1,255, Page 504, this parcel was taken out of the northeast corner of the herein described.

Section 5. Land remaining subject to restrictions.

The remaining parcel of land to continue under Project 70 restrictions following the release of land described under section 3 is more particularly described as follows:

All that certain piece or parcel of land situate in Tract 338, Millcreek Township, Erie County, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point on the northerly right-of-way line of Interstate 90 where same is intersected by the dividing line between Tracts 338 and 339; thence north 23 degrees 42 minutes 33 seconds west a distance of 1,841.28 feet along said dividing line to a point, passing a concrete monument at 43.00 feet; thence north 90 degrees 00 minutes 00 seconds east a distance of 1,184.04 feet along residual land of grantor to a point; thence south 25 degrees 04 minutes 13 seconds east a distance of 943.03 feet along residual land of grantor to a point; thence south 45 degrees 23 minutes 45 seconds west a distance of 1,184.40 feet along said Interstate 90's northerly right-of-way line to a point at the place of beginning.

Containing 35.00 acres more or less.

Section 6. Description of deed restrictions.

The deed restrictions to be transferred to the parcel described in section 4 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 7. Limitation on development.

The parcel of land as described in section 3 shall be developed in compliance with the act of October 4, 1978 (P.L.851, No.166), known as the Flood Plain Management Act, and two access easements from Pennsylvania State Route 8 shall be provided through the parcel of land as described in section 3 to the parcel of land as described in section 5.

Section 8. Effective date.

This act shall take effect immediately.

APPROVED—The 28th day of July, A. D. 1983.

DICK THORNBURGH