

No. 1986-156

AN ACT

SB 1482

Authorizing the release of Project 70 restrictions imposed on certain lands owned by the Borough of Evans City, Butler County, in return for the imposition of Project 70 restrictions on certain lands owned by the Borough of Evans City, Butler County; and authorizing the release of Project 500 restrictions imposed on certain land owned by the Township of Horsham, Montgomery County, in return for the imposition of Project 500 restrictions on certain land being purchased by the Township of Horsham.

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 Borough of Evans City and more particularly described in section 3 in exchange for the imposition of the section 20 restrictions on lands owned by the Borough of Evans City and more particularly described in section 4.

Section 2. Freedom of restrictions.

The lands described in section 3 and owned by the Borough of Evans City 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 on the parcel of replacement land owned by the Borough of Evans City described in section 4.

Section 3. Land to be free from restrictions.

The parcel of land authorized to be released from restrictions is located in Forward Township and more particularly described as follows:

Beginning at a point, said point being the western corner of the property herein described, said point also being on the northern side of a 60-foot right-of-way for the Baltimore and Ohio Railroad and at the corner of lands now or formerly Earl Knauf; thence along lands now or formerly Knauf north 37 degrees 54 minutes 00 seconds east, a distance of 794.29 feet to a point at the southern edge of Connoquenessing Creek; thence along said southern edge of Connoquenessing Creek the following courses and distances:

South 58 degrees 28 minutes 00 seconds east, 123.00 feet to a point; south 39 degrees 22 minutes 30 seconds east, 202.10 feet to a point; south 40 degrees 08 minutes 30 seconds east, 406.60 feet to a point; south 44 degrees 17 minutes 10 seconds east, 266.42 feet to a point, said point being a

common corner of lands now or formerly Clement Lang. Thence along lands now or formerly Lang, south 83 degrees 37 minutes 10 seconds west, 329.78 feet to a point; thence south along 31 degrees 56 minutes 00 seconds west, 375.00 feet to a point on the northern side of a 60-foot right-of-way for the Baltimore and Ohio Railroad; thence along said right-of-way line north 55 degrees 00 minutes 00 seconds west, 785.00 feet to the place of beginning.

Containing 13.380 acres.

Said property also includes a 40-foot right-a-way, the center line of which is described as follows: the true place of beginning is located south 83 degrees 37 minutes 10 seconds west, 53.45 feet from the southeastern corner of the property described above; thence along said center line the following courses and distances: south 17 degrees 57 minutes 30 seconds east, 427.05 feet to a point; south 28 degrees 51 minutes 20 seconds east, 174.41 feet to a point; south 54 degrees 02 minutes 40 seconds east, 108.23 feet to a point; thence south 77 degrees 21 minutes 40 seconds east, 124.19 feet to a point; thence south 83 degrees 17 minutes 10 seconds east, 205.00 feet to a point; thence south 54 degrees 05 minutes 30 seconds east, 69.39 feet to a point in the center line of Forward Township Road T-413.

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 located in Evans City Borough and more particularly described as follows:

Beginning at a point, said point being the northeastern intersection of the right-of-way lines of Railroad Street and Main Street in the Borough of Evans City; thence along the right-of-way line of Railroad Street north 03 degrees 09 minutes 00 seconds east, 281.65 feet to a point on the southern right-of-way line of a 20-foot alley; thence along the right-of-way line of a 20-foot alley, south 86 degrees 51 minutes 00 seconds east, 110.02 feet to a point on the eastern right-of-way line of a said 15-foot alley; thence along the right-of-way of said 15-foot alley north 20 degrees 30 minutes 00 seconds east, 363.48 feet to a point on the western right-of-way line of the Baltimore and Ohio Railroad; thence along said Baltimore and Ohio Railroad right-of-way on a curve to the right with a radius of 646.37 feet and an arc length of 345.52 feet to a point; thence north 81 degrees 44 minutes 57 seconds east 10.00 feet to a point; thence south 08 degrees 15 minutes 03 seconds east 58.00 feet to a point; thence north 72 degrees 39 minutes 00 seconds west 22.18 feet to a point; thence south 08 degrees 15 minutes 03 seconds east 148.94 feet to a point on the northern right-of-way line of a 12-foot alley; thence along the right-of-way line of said 12-foot alley south 88 degrees 42 minutes 00 seconds east, 232.77 feet to a point; thence along the right-of-way line of said 12-foot alley south 02 degrees 25 minutes 00 seconds east, 183.17 feet to a point on the northern right-of-way line of Main Street; thence along the right-of-way of Main Street north 68 degrees 32 minutes 00 seconds west, 196.17 feet to a point the place of beginning.

Containing 3.274 acres.

Section 5. Description of deed restrictions.

The deed restriction 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 6. Restriction of revenue.

The proceeds from the sale of the land described in section 3, or an amount of \$40,000, whichever is greater, shall be deposited in a special account established by the Borough of Evans City. The special account shall be used by the Borough of Evans City for development of recreation facilities on the land described in section 4.

Section 7. Release from restrictions.

The land described in section 8 is hereby released from any restrictions or encumbrances on the title resulting from the provisions of the act of January 19, 1968 (1967 P.L.996, No.443), known as The Land and Water Conservation and Reclamation Act, in exchange for the imposition of The Land and Water Conservation and Reclamation Act provisions on the land described in section 9.

Section 8. Description of land.

The land to be released from restrictions imposed by the act of January 19, 1968 (1967 P.L.996, No.443), known as The Land and Water Conservation and Reclamation Act, is more particularly described as follows:

Beginning at a point in the center line of Keith Valley Road at the distance of 1,724.00 feet southwest from the center line of Governors Road (33.00 feet wide); thence extending along the center line of Keith Valley Road south 52 degrees 35 minutes west 1,039.00 feet to a point; thence extending north 48 degrees 35 minutes west crossing an iron pipe on the northwesterly side of said Keith Valley Road and crossing a stream 865.77 feet to a point; thence extending north 52 degrees 35 minutes east 1,170.00 feet to a point; thence extending south 39 degrees 35 minutes east recrossing a stream 850.00 feet to a point in the center line of the said Keith Valley Road being the first mentioned point and place of beginning.

Containing 21.5 acres, more or less.

Section 9. Imposition of restrictions on land.

The land on which the act of January 19, 1968 (1967 P.L.996, No.443), known as The Land and Water Conservation and Reclamation Act, restrictions shall be imposed is more particularly described as follows:

Beginning at a point in the center line of Horsham Road, said point being located 1,346.00 feet more or less measured northwesterly from the intersection of said center line with the center line of Babylon Road; thence continuing along the center line of Horsham Road north 45 degrees 25 minutes 09 seconds west 904.37 feet to a point; thence leaving the center line of Horsham Road and extending along lands of Peter Das, Thomas J. Leary and Joseph J. Leary north 45 degrees 35 minutes 45 seconds east 1,340.82 feet to an iron pin; thence extending along lands of John P. Keller, William

R. Dunlap and Anton Buchert south 34 degrees 20 minutes 20 seconds east 670.07 feet to an iron pin; thence continuing along lands of Anton Buchert north 56 degrees 47 minutes 33 seconds east 287.40 feet to a point in the center line of Davis Grove Road; thence extending along the same south 37 degrees 34 minutes 10 seconds east 50.05 feet to a point; thence leaving the center line of David Grove Road and extending along lands of Carl D. Buchert the following three courses and distances:

(1) south 56 degrees 47 minutes 33 seconds west 290.67 feet to an iron pin;

(2) south 38 degrees 33 minutes west 130.00 feet to an iron pin;

(3) south 41 degrees 50 minutes 14 seconds east 227.12 feet to an iron pin; thence extending along lands of various owners south 48 degrees 09 minutes 46 seconds west 1060.63 feet to the point and place of beginning.

Containing 26.4 acres, more or less.

Section 10. Addition of restriction to records.

The following restriction shall be added to the deed book records for the land described in section 9:

“This land is to be used for municipal park, recreation and open space purposes as defined in the act of January 19, 1968 (1967 P.L.996, No.443), known as The Land and Water Conservation and Reclamation Act.”

Section 11. Use of sale proceeds.

All proceeds from the sale of the land described in section 8 shall be retained by Horsham Township for purchase of the land described in section 9.

Section 12. Effective date.

This act shall take effect immediately.

APPROVED—The 11th day of December, A. D. 1986.

DICK THORNBURGH