

No. 1999-18

AN ACT

HB 192

Authorizing the release of Project 500 restrictions on certain lands in the Borough of Dickson City, Lackawanna County, for residential development and extension of Jermyrn Street under certain conditions.

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

Section 1. Authorization.

The lands described in sections 2 and 3 are 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 use of a portion of the proceeds from sale of the lands described in section 2 to acquire replacement lands.

Section 2. Lands to be released from restrictions for residential development.

All that certain place of parcel of land situate in the Borough of Dickson City, County of Lackawanna and State of Pennsylvania, bounded and described as follows, to wit:

Beginning at an iron pin in line of lands of Sophie Rowker and Lawrence Rowker, said point being North 40 degrees 45 minutes 00 seconds West distant four hundred seventy-five (475.00) feet from a railroad spike marking the southeasterly corner of said lands of Rowker on the northwesterly line of Walker Court as shown on a plan titled "Map of Lands of Dickson City Borough intended to be conveyed" dated May 8, 1996, and prepared by Acker Associates, Inc.; Thence along said lands of Rowker North 40 degrees 45 minutes 00 seconds West four hundred three and ninety-six hundredths (403.96) feet to an iron pin; Thence continuing along said lands of Rowker North 49 degrees 15 minutes 34 seconds East six hundred four and seventy-two hundredths (604.72) feet to an iron pin on the southwesterly line of an unnamed alley; Thence along the southwesterly line of said alley South 67 degrees 33 minutes 13 seconds East three hundred eighty-five and thirty-nine hundredths (385.39) feet to a rebar on the northwesterly line of an unnamed alley; Thence along the northwesterly line of said alley South 56 degrees 18 minutes 15 seconds West one hundred twenty-one and five hundredths (121.05) feet to a rebar; Thence along the southwesterly terminus of said alley and along lands of Edmund and Jean Kishel, South 34 degrees 25 minutes 45 seconds East one hundred eighty and two hundredths (180.02) feet to an iron pin on the northwesterly line of Breaker Street; Thence through lands of the Borough of Dickson City along the extension of said line

of Breaker Street South 56 degrees 18 minutes 15 seconds West forty-eight and ninety-five hundredths (48.95) feet to an iron pin in line of other lands of the Borough of Dickson City (Deed Book 710, Page 51) Project 70 reservation; Thence along said lands North 40 degrees 45 minutes 00 seconds West ninety-eight and seventeen hundredths (98.17) feet to an iron pin; Thence continuing along said lands South 49 degrees 15 minutes 00 seconds West (passing an iron pin at 550.00) five hundred ninety (590.00) feet to the place of beginning.

Containing 6.466 acres of land, being the same more or less.

Section 3. Lands to be released from restrictions for extension of Jermyn Street.

All that certain parcel of land lying and situate in the Borough of Dickson City, County of Lackawanna and Commonwealth of Pennsylvania, more specifically herein described as follows:

Beginning at a corner common to lands now or formerly of Lawrence Rowker and Sophie Rowker and to lands of the Borough of Dickson City, said corner also being the point of intersection of the northwesterly side of Walker Court with the southwesterly side of Jermyn Street extended:

Thence along the line of lands common to Rowker and to the Borough of Dickson City in a North 40 degrees 45 minutes 00 seconds West direction for a distance of 474.96 feet to a corner;

Thence through lands of Dickson City Borough in a North 49 degrees 15 minutes 00 seconds East direction for a distance of 40.00 feet to a corner;

Thence through lands of Dickson City Borough in a South 40 degrees 45 minutes 00 seconds East direction for a distance of 474.96 feet to a corner;

Thence along the northwesterly side of Walker Court in a South 49 degrees 15 minutes 00 seconds West direction for a distance of 40.00 feet to the place of beginning.

Containing .4361 acres of land, being the same more or less.

Section 4. Use of sale proceeds.

An amount of \$28,500 from the sale proceeds of the lands described in section 2 shall be deposited into a special account established by the Borough of Dickson City for acquisition of replacement lands. The replacement lands shall be acquired by the Borough of Dickson City within four years of the effective date of this act, and any funds remaining in the special account after the four-year period must be paid to the Commonwealth with 10% annual interest compounded four times annually.

Section 5. Approval of replacement land.

Lands acquired by the Borough of Dickson City in accordance with section 4 must be approved by the Department of Conservation and Natural Resources and include the following deed clause:

This land was acquired for park, recreation and conservation purposes as defined in The Land and Water Conservation and Reclamation Act.

Section 6. Effective date.

This act shall take effect immediately.

APPROVED—The 22nd day of June, A.D. 1999.

THOMAS J. RIDGE