

No. 2009-19

AN ACT

HB 1392

Authorizing the release of Project 70 restrictions imposed on certain land owned by Beaver County, being conveyed by Beaver County in return for the imposition of Project 70 restrictions on certain land being conveyed to Beaver County by the Department of Transportation.

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

Section 1. Beaver County.

(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 a portion of lands owned by Beaver County, which are more particularly described in subsection (c), in return for imposition of Project 70 restrictions on land to be vacated by the Department of Transportation to Beaver County, as described in subsection (d). This release of Project 70 restrictions is necessary due to the realignment of State Route 588, Section B05, through Brush Creek Park, Beaver County.

(b) Freedom of restrictions.—The lands described in subsection (c), owned by Beaver County and being conveyed to the Department of Transportation, shall be free of restrictions on use and alienation imposed by section 20 of the Project 70 Land Acquisition and Borrowing Act upon the imposition of and recording of the Project 70 deed restriction set forth in subsection (e) on the parcel of replacement land vacated by the Department of Transportation to Beaver County.

(c) Lands to be released from restrictions.—The parcel of land to be released from Project 70 restrictions is situated in the Township of Marion, Beaver County, and more particularly described as follows:

All that certain piece or parcel of land, situated in Marion Township, County of Beaver, and State of Pennsylvania, bounded and described as follows:

Beginning at a point on the northerly legal right of way line of State Route 0588, said point being a distance of 16.5 feet measured at right angles at a northerly direction from the right of way baseline of said State Route at or about Station 16+25.00; thence in a northerly direction along said legal right of way of State Route 0588 to a point, said point being a distance of 18.5 feet measured at right angles at a northerly direction from the right of way baseline of said State Route 0588 at or about Station 11+25.00; thence in a northeasterly direction along said legal right of way line of State Route 0588 to a point, said point being a distance of 18.21 feet measured at right angles at a northerly direction from the right of way baseline of said State Route

0588 at or about Station 15+58.00; thence in a southwesterly direction along the existing legal right of way line of State Route 0588 to a point, said point being a distance of 16.50 feet measure at right angles at a northerly direction from the right of way baseline of said State Route 0588 at or about Station 15+11.00; thence in a westerly direction along said existing legal right of way line of State Route 0588 to a point, said point being a distance of 16.5 feet measure at right angles at a northerly direction from the right of way baseline of said State Route 0588 at or about Station 11+25.00; thence through lands in which this is a part to the point of beginning. Containing 0.019 acres more or less.

(d) Land on which restrictions are to be imposed.—The replacement parcel to be subject to the restrictions in exchange for the parcel described in subsection (c) is located in the Township of Marion, Beaver County, and more particularly described as follows:

All that certain piece of parcel of land, situated in Marion Township, county of Beaver, and state of Pennsylvania, bounded and described as follows:

Beginning at a point on the northerly existing legal right of way line of State Route 0588, said point being a distance of 48 feet measured at right angles at a northerly direction from the right of way baseline of said State Route at or about Station 17+31.00; thence in a northeasterly direction along said existing legal right of way line of State Route 0588 to a point, said point being a distance of 63 feet measured at right angles at a northerly direction from the right of way baseline of said State Route 0588 at or about Station 18+01.00; thence, southeasterly, with a curve to the right having a radius of 386 feet, with said existing right of way line of State Route 0588 157 feet, more or less, to a point 59.25 feet measured at right angles at a northerly direction from the right of way baseline of said State Route 0588 at or about Station 19+59.00; thence in a southeasterly direction along said existing legal right of way line of State Route 0588 to a point, said point being a distance of 38 feet measured at right angles at a northerly direction from the right of way baseline of said State Route 0588 at or about Station 20+48.00; thence in a southwesterly direction along a legal right of way line of State Route 0588 to a point, said point being a distance of 39 feet measured at right angles at a northerly direction from the right of way baseline of said State Route 0588 at or about Station 19+72.00; thence in a northwesterly direction along the lands of Roger Miller and Sandy Miller to a point, said point being a distance of 43 feet measured at right angles at a northerly direction from the right of way baseline of said State Route at or about Station 19+55.00; thence, southwesterly, with a curve to the left having a radius of 369.65 feet, along the lands of Roger Miller and Sandy Miller to a point 150 feet, more or less, to a point 47 feet measured at right angles at a northerly direction from the right of way baseline of said State Route 0588 at or about Station 18+04.00; thence in a southwesterly direction along said lands of Roger Miller and Sandy Miller to a point, said point being a distance of 36 feet measured at

right angles at a northerly direction from the right of way baseline of said State Route at or about Station 17+53.00; thence in a northwesterly direction along a legal right of way line of SR 0588 to a point, said point being a distance of 48 feet measure at right angles at a northerly direction from the right of way baseline of said State Route 0588 at or about Station 17+31.00; thence through lands in which this is a part to the point of beginning. Containing 0.102 acres more or less.

Above described parcel being part of larger parcel or tract of land conveyed to Beaver County (Brush Creek Park) by deed recorded in the Beaver County Recorder of Deeds in Highway Book 12, Page 182-196.

(e) Deed restriction.—The deed restriction to be transferred to the parcel described in subsection (d) 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 2. Effective date.

This act shall take effect immediately.

APPROVED—The 14th day of July, A.D. 2009.

EDWARD G. RENDELL