

No. 1977-52

AN ACT

HB 716

Authorizing the City of Monessen, Westmoreland County, to convey a right-of-way across certain Project 70 lands in Rostraver Township, Westmoreland County, to the Duquesne Slag Products Company in exchange for extinguishment of an existing right-of-way.

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

Section 1. (a) Pursuant to the requirements of section 20(b), 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 City of Monessen, Westmoreland County, to convey the hereinafter described right-of-way through Project 70 land known as Columbus Park to the Duquesne Slag Products Company, a Pennsylvania Corporation, in exchange for extinguishment of Duquesne Slag Products Company's existing right-of-way through said park.

(b) The right-of-way conveyed by the City of Monessen shall be free of restrictions on use and alienation prescribed by section 20 of the Project 70 Land Acquisition and Borrowing Act upon:

(1) completion of the exchange as hereinafter provided in this act; and

(2) execution and filing of a document of conveyance and extinguishment, citing the exchange and release of said land from the restrictions on use and alienation prescribed by section 20(b) of said act.

(c) The document of conveyance and extinguishment shall be prepared by the City of Monessen and filed in the Office of the Recorder of Deeds of Westmoreland County. Compliance with this section constitutes the express approval of the General Assembly of release of the restrictions on use and alienation of the right-of-way conveyed by the City of Monessen hereunder required by section 20(b) of the Project 70 Land Acquisition and Borrowing Act.

Section 2. The right-of-way through Project 70 lands to be conveyed by the City of Monessen, Westmoreland County to the Duquesne Slag Products Company is more particularly described as follows:

Starting at a point, said point being the centerline intersections of Monessen Boulevard and Columbus Drive; thence along the centerline of Monessen Boulevard south 57 degrees 04 minutes 30 seconds west, a distance of 249.90 feet to the place of beginning; thence south 32 degrees 55 minutes 30 seconds east, a distance of 20.00 feet to a point; thence north 57 degrees 04 minutes 30 seconds east, a distance of 19.90 feet to a point; thence south 32 degrees 55 minutes 30 seconds east, a distance of 145.00 feet to a point; thence south 22 degrees 10 minutes 00 seconds east, a distance of 119.03 feet to a point of curve; thence in a southerly direction by a curve to

the left having a radius of 300.00 feet, an arc distance of 231.31 feet, the chord of which bears south 44 degrees 15 minutes 20 seconds east, 225.63 feet to a point of tangent; thence south 66 degrees 20 minutes 40 seconds east, a distance of 450.12 feet to a point of curve; thence in a southerly direction by a curve to the right having a radius of 100.00 feet, an arc distance of 125.13 feet, the chord of which bears south 30 degrees 29 minutes 50 seconds east, 117.13 feet to a point of tangent; thence south 05 degrees 21 minutes 00 seconds west, a distance of 395.83 feet to a point; thence north 73 degrees 12 minutes 00 seconds west, a distance of 51.02 feet to a point on line of lands now or formerly of Duquesne Slag Products Company; thence along lands now or formerly of City of Monessen, north 05 degrees 21 minutes 00 seconds east, a distance of 385.71 feet to a point of curve; thence in a northerly direction through said lands by a curve to the left having a radius of 50.00 feet, an arc distance of 62.57 feet, the chord of which bears north 30 degrees 29 minutes 50 seconds west, 58.56 feet to a point of tangent; thence through said lands, north 66 degrees 20 minutes 40 seconds west, a distance of 450.12 feet to a point of curve; thence in a westerly direction through said lands by a curve to the right having a radius of 350.00 feet, an arc distance of 269.87 feet, the chord of which bears north 44 degrees 15 minutes 20 seconds west, 263.23 feet to a point of tangent; thence through said lands north 22 degrees 10 minutes 00 seconds west, a distance of 114.32 feet to a point; thence through said lands north 32 degrees 55 minutes 30 seconds west, a distance of 190.29 feet to a point; thence through said lands north 57 degrees 04 minutes 30 seconds east, a distance of 30.10 feet to a point; thence south 32 degrees 55 minutes 30 seconds east, a distance of 30.00 feet to the place of beginning.

Section 3. The conveyance hereinbefore authorized shall be made in exchange for the extinguishment of the right-of-way reserved through said Project 70 lands in a deed from Duquesne Slag Products Company to the City of Monessen dated May 20, 1970 and recorded May 22, 1970 in the Westmoreland County Recorder's Office, in Deed Book, Volume 2041, Page 445. Such reservation being more particularly described in said deed as follows:

Excepting and reserving, however, therefrom and thereout, to the within Grantor, Duquesne Slag Products Company, its successors and assigns, a perpetual right-of-way 50 feet wide, as and for a private road for persons, trucks and other vehicles and equipment, leading into and from Monessen Boulevard over and across the property herein conveyed into and from any other lands of Duquesne Slag Products Company, its successors and assigns, whether or not said lands are contiguous to the property herein conveyed, with free and uninterrupted use of said permanent right-of-way for ingress, egress and regress, said permanent right-of-way being more fully bounded and described as follows, to wit:

Beginning at the northeasterly corner of said 50 foot permanent right-of-way as said northeasterly corner is established and located in the above description of the 30.8397 acre tract herein conveyed; thence by a curve to the left in a southerly direction, having a radius of 50 feet, a distance of

78.54 feet along the arc to a point; thence south 32 degrees 55 minutes 30 seconds east a distance of 120 feet to a point; thence by a curve to the right, in a southerly direction, having a radius of 100 feet, a distance of 157.08 feet along the arc to a point; thence south 57 degrees 04 minutes 30 seconds west a distance of 511.89 feet to a point on the easterly boundary line of other lands of Duquesne Slag Products Company; thence along said line north 45 degrees 11 minutes 58 seconds west a distance of 51.17 feet to a point; thence north 57 degrees 04 minutes 20 seconds east a distance of 522.62 feet to a point; thence by a curve to the left in a northerly direction, having a radius of 50 feet, a distance of 78.54 feet along the arc to a point; thence north 32 degrees 55 minutes 30 seconds west a distance of 120 feet to a point; thence by a curve to the right in a northerly direction, having a radius of 100 feet, a distance of 157.08 feet along the arc to a point, which point is the northwesterly corner of said permanent right-of-way as said northwesterly corner is established and located in the above description of said 30.8397 acre tract; thence south 32 degrees 55 minutes 30 seconds east along the westerly line of a tract of 0.0367 acres in Rostraver Township conveyed to the City of Monessen by Adamsburg Real Estate Company a distance of 50 feet to the place of beginning (said City of Monessen having heretofore granted to Duquesne Slag Products Company a right-of-way over said tract of 0.0367 acre to and from Monessen Boulevard).

Section 4. This act shall take effect immediately.

APPROVED—The 12th day of August, A. D. 1977.

MILTON J. SHAPP