

No. 1979-72

## AN ACT

HB 439

Authorizing the Commonwealth of Pennsylvania, acting by and through the Pennsylvania Game Commission, with the approval of the Department of Justice and the Governor, to convey certain Project 70 Lands to the United States of America, acting by and through the United States Army Corps of Engineers, for the Blue Marsh Flood Control Project in Berks County in exchange for certain parcels of land to be used by the Pennsylvania Game Commission in its Blue Marsh Project.

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

Section 1. Authorization of transfer.

Pursuant to the requirement of subsection (b) of section 20, 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 transfer to the United States of America, acting by and through the United States Army Corps of Engineers, 253.97 acres of land located in Bern, Penn, North Heidelberg and Lower Heidelberg Townships for the purpose of the Blue Marsh Flood Control Dam.

Such land shall be free of the restrictions on use and alienation by section 20 of the "Project 70 Land Acquisition and Borrowing Act" upon:

- (1) completion of the exchange transfer to the Commonwealth of Pennsylvania for the use of the Pennsylvania Game Commission of certain parcels of land situate in the Blue Marsh Project; and
- (2) execution and filing of a document of exchange and release, citing such exchange and release of the said lands from the restrictions on use and alienation prescribed by section 20(b) of said act. Subject, however, to all existing easements of record.

Section 2. Description of Project 70 Land to be transferred.

The land to be transferred by the Commonwealth of Pennsylvania, acting by and through the Pennsylvania Game Commission to the United States of America, acting by and through the United States Army Corps of Engineers in exchange for other lands now owned by the United States Government is more particularly described as follows:

Those certain tracts of land situate in the Township of Lower Heidelberg, County of Berks and the Commonwealth of Pennsylvania, as numbered by the United States Corps of Engineers, as follows:

Tract 413 (10.00 acres)

Beginning at a corner common to the land of the subject owner and the land now or late of George E. Ruth, et ux, in line of land now or late of Thomas C. Reifsnyder, et ux, and being in or near the middle of Township Route No. 374, the said point being further located north 27 degrees 30 minutes east, 1787 feet, more or less, from the intersection of the center of Legislative Route No. 06056 with the center of said Township Route No.

374; thence, from said place of beginning, leaving said Township Route No. 374 and land of said Reifsnyder, et ux, and extending along land of said Ruth, et ux, the following courses and distances:

- (1) north 38 degrees 40 minutes east, 32 feet;
- (2) north 7 degrees 36 minutes east, 151 feet;
- (3) north 79 degrees 2 minutes east, 326 feet;
- (4) north 79 degrees 26 minutes east, 153 feet;
- (5) north 10 degrees east, 173 feet;
- (6) north 86 degrees 32 minutes east, 148 feet to a point; thence, leaving land of said Ruth, et ux, and passing through the land of the subject owner, the following courses and distances;

- (7) south 06 degrees 29 minutes west, 170 feet;
- (8) south 80 degrees 03 minutes west, 232 feet;
- (9) south 03 degrees 16 minutes west, passing a point in or near the centerline of Township Route No. 501 a distance of 690 feet more or less, a total distance of 1227 feet to a corner common to the land now or late of Fern V. Keith; thence, extending along land of said Keith;

- (10) south 66 degrees 2 minutes west, 49 feet to a corner common to the land of the subject owner and land of said Reifsnyder, et ux; thence, leaving land of said Keith and extending along land of said Reifsnyder, et ux, and in and along said Township Route No. 374;

- (11) north 49 degrees 15 minutes west, 363 feet;
- (12) north 49 degrees 58 minutes west, 98 feet;
- (13) north 19 degrees 36 minutes east, 313 feet;
- (14) north 01 degree 53 minutes west, 305 feet; and
- (15) north 32 degrees 28 minutes west, 130 feet to the place of beginning.

Containing in area 10.00 acres of land, more or less.

Tract 414 (86.28 acres)

This tract is also partly situated in the Township of North Heidelberg as well as in Lower Heidelberg of said county and State.

Beginning at a corner common to the land of the subject owner and land now or late of Rudolph G. Wiemann, and land now or late of Joseph J. Wieman, and land now or late of H. Leslie Landis, et ux, the said point being further located north 10 degrees east, 3539 feet, more or less, from the intersection of the center of Legislative Route No. 06056 with the center of Township Route No. 374; thence, from said place of beginning, leaving and of said Rudolph G. Wiemann, and land of said Joseph J. Wieman, and extending along land of said Landis, et ux:

- (1) north 62 degrees 50 minutes east, 843 feet;
- (2) south 45 degrees east, 453 feet to a point; thence, leaving land of said Landis, et ux, and passing through the land of the subject owner;
- (3) south 06 degrees 29 minutes west, passing a point in or near the centerline of Legislative Route No. 513, a distance of 300 feet more or less, a total distance of 1531 feet, to a point in line of land now or late of the

Estate of Harold H. Staudt; thence, extending along land of said Staudt, the following courses and distances;

- (4) south 86 degrees 32 minutes west, 148 feet;
- (5) south 10 degrees west, 173 feet;
- (6) south 79 degrees 26 minutes west, 153 feet;
- (7) south 79 degrees 02 minutes west, 326 feet;
- (8) south 07 degrees 36 minutes west, 151 feet;
- (9) south 38 degrees 40 minutes west, 32 feet to a point in line of land now or late of Thomas C. Reifsnnyder, et ux, being in or near the middle of said Township Route No. 374; thence, leaving land of said Staudt and extending along land of said Reifsnnyder, et ux;
- (10) north 41 degrees 38 minutes west, 60 feet;
- (11) north 21 degrees 48 minutes east, 135 feet;
- (12) south 80 degrees 06 minutes west, 436 feet;
- (13) north 71 degrees 05 minutes west, 1110 feet;
- (14) north 30 degrees 58 minutes east, 58 feet;
- (15) north 66 degrees 39 minutes west, 517 feet to a point in line of land now or late of Henry H. Werner, et ux; thence, leaving land of said Reifsnnyder, et ux, and extending along land of said Werner, et ux;
- (16) north 01 degree 40 minutes east, 345 feet to a corner common to the land of the subject owner and land of said Wiemann; thence, leaving land of said Werner, et ux, and extending along land of said Weimann; and
- (17) north 63 degrees 30 minutes east, 1894 feet to the place of beginning.

Containing in area 86.28 acres of land, more or less.

Tract 415 (20.53 acres)

Beginning at a corner common to the land of the subject owner and the land now or late of Paul K. Staudt, and being on the westerly side of Township Route No. 534, the said point being further located south 61 degrees 08 minutes west, a distance of 5778 feet, more or less, from intersection of the center of Legislative Route No. 06038, known as Gruber Road, with the center of Township Route No. 499, known as Palisades Road; thence, leaving land of said Staudt, and extending along the westerly side of said Township Route No. 534 through the land of the subject owner, the following courses and distances:

- (1) north 07 degrees 39 minutes east, a distance of 661 feet;
- (2) north 17 degrees 05 minutes east, a distance of 296 feet;
- (3) north 35 degrees 26 minutes east, a distance of 200 feet;
- (4) north 41 degrees 13 minutes east, a distance of 750 feet, to a corner common to the land of the subject owner and land now or late of Stella R. Speicher; thence, leaving the westerly side of said Township Route No. 534 and extending along land of said Speicher;
- (5) south 15 degrees 39 minutes east, a distance of 945 feet to a point in line of land now or late of Kermit E. Staudt, et ux; thence, leaving land of

said Speicher and extending along land of said Staudt, et ux, the following courses and distances:

- (6) south 64 degrees 26 minutes west, a distance of 127 feet;
- (7) south 21 degrees 48 minutes west, a distance of 162 feet;
- (8) south 42 degrees 34 minutes west, a distance of 333 feet;
- (9) south 61 degrees 23 minutes west, a distance of 63 feet to a corner of land said Paul K. Staudt; thence, leaving land of said K. B. Staudt, et ux, and extending along land of said P. K. Staudt;
- (10) south 64 degrees 49 minutes west, a distance of 646 feet to the place of beginning.

Containing in area 20.53 acres of land, more or less.

Tract 416 (0.84 acre)

Beginning at a corner common to the land of the subject owner and land now or late of Katie B. Ohlinger, and being on the northerly side of Township Route No. 499; the said point being further located north 46 degrees 17 minutes east, a distance of 6689 feet, more or less, from the intersection of the center of Legislative Route No. 06056 with the center of Township Route No. 374; thence, from said place of beginning, leaving said Township Route No. 499 and extending along land of said Ohlinger, the following courses and distances:

- (1) north 00 degree 16 minutes east, a distance of 218 feet (1st course D.B. 1215, P. 104, north 05 degrees east, 217 feet 9 ½ inches);
- (2) north 20 degrees 45 minutes west, a distance of 102 feet;
- (3) north 79 degrees 13 minutes east, a distance of 107 feet to a point in line of land now or late of Lloyd E. Deppen, Jr., et ux; thence, leaving land of said Ohlinger and extending along land of said Deppen, Jr., et ux, the following courses and distances;
- (4) south 12 degrees 48 minutes east, a distance of 226 feet;
- (5) south 15 degrees 39 minutes east, a distance of 104 feet to a corner common to the land of the subject owner and land of said Ohlinger, and being on the northerly side of said Township Route No. 499 at its intersection with Township Route No. 534; thence, leaving land of said Deppen, Jr., et ux, and extending along the northerly side of said Township Route No. 499 and land of said Ohlinger; and
- (6) south 84 degrees 59 minutes west, a distance of 149 feet to the place of beginning.

Containing in area 0.84 acre of land, more or less.

Tract 417 (44.47 acres)

Beginning at a corner common to the land of the subject owner and land now or late of Dorothy B. Zember and being on the northerly side of Township Route No. 499; the said point being further located north 46 degrees 17 minutes east, a distance of 6689 feet, more or less, from the intersection of the center of Legislative Route No. 06056 with the center of Township Route No. 374; thence, leaving land of said Zember and

extending along the northerly side of said Township Route No. 499, through the land of the subject owner, the following courses and distances:

- (1) south 87 degrees 16 minutes west, a distance of 260 feet;
- (2) north 74 degrees 48 minutes west, a distance of 953 feet;
- (3) north 46 degrees 46 minutes west, a distance of 780 feet to a point in line of land now or late of Dorothy E. Kalbach; thence, leaving the northerly side of said Township Route No. 499 and extending along land of said Kalbach, the following courses and distances:
  - (4) north 39 degrees 11 minutes east, a distance of 930 feet;
  - (5) north 79 degrees 36 minutes east, a distance of 737 feet to a corner common to the land of the subject owner and land now or late of Mary L. Tarris; thence, leaving land of said Kalbach and extending along land of said Tarris;
  - (6) south 27 degrees 46 minutes east, a distance of 472 feet to a corner of land now or late of Lloyd E. Deppen, Jr., et ux; thence, leaving land of said Tarris and extending along land of said Deppen, Jr., et ux, the following courses and distances:
    - (7) south 27 degrees 54 minutes east, a distance of 289 feet;
    - (8) south 13 degrees 36 minutes east, a distance of 638 feet to a corner common to the land of the subject owner and land of said Zember; thence, leaving land of said Deppen, Jr., et ux, and extending along land of said Zember, the following courses and distances:
      - (9) south 79 degrees 13 minutes west, a distance of 107 feet;
      - (10) south 20 degrees 45 minutes east, a distance of 102 feet; and
      - (11) south 00 degree 16 minutes west, a distance of 218 feet to place of beginning.

Containing in area 44.47 acres of land, more or less.

Tract 418 (17.78 acres)

Beginning at a corner common to the land of the subject owner and land now or late of Rudolph G. Wiemann, and land now or late of Joseph J. Wieman, and land now or late of George E. Ruth, et ux, the said point being further located north 10 degrees east, 3539 feet, more or less, from the intersection of the center of Legislative Route No. 06056 with the center of Township Route No. 374; thence, from said place of beginning, leaving land of said Wieman, and land of said Ruth, et ux, and extending along land of said Wieman:

- (1) north 28 degrees 54 minutes east, 1211 feet;
- (2) north 18 degrees 26 minutes east, 174 feet to a corner common to the land of the subject owner and land now or late of Dorothy E. Kalbach; thence, leaving land of said Wiemann and extending along land of said Kalbach;
- (3) north 84 degrees 43 minutes east, 570 feet; thence, leaving land of said Kalbach and passing through the land of the subject owner;
- (4) south 06 degrees 29 minutes west, 1220 feet to line of land of said Ruth, et ux; thence, extending along land of said Ruth, et ux;

- (5) north 45 degrees west, 453 feet; and
  - (6) south 62 degrees 50 minutes west, 843 feet to the place of beginning.
- Containing in area 17.78 acres of land, more or less.

Tract 425 (1.32 acres)

Beginning at a corner common to the land of the subject owner and land now or late of Thomas C. Reifnsnyder, et ux, and being in or near the middle of Township Route No. 374, the said point being further located north 63 degrees 46 minutes east, a distance of 1165 feet, more or less, from the intersection of the center of Legislative Route No. 06056 with the center of said Township Route No. 374; thence, from said place of beginning, extending partly in and along said Township Route No. 374 and land of said Reifnsnyder, et ux:

(1) north 60 degrees 15 minutes east, a distance of 121 feet to a corner of land now or late of the Estate of Harold H. Staudt; thence, leaving land of said Reifnsnyder, et ux, and extending along land of said Staudt, the following courses and distances;

(2) north 66 degrees 02 minutes east, a distance of 49 feet;

(3) south 30 degrees 01 minute east, a distance of 520 feet;

(4) south 30 degrees 24 minutes west, a distance of 33 feet to a point in line of land of said Reifnsnyder, et ux; thence, leaving land of said Staudt and extending along land of said Reifnsnyder, et ux, the following courses and distances;

(5) north 31 degrees 18 minutes west, a distance of 199 feet;

(6) north 30 degrees 05 minutes west, a distance of 109 feet;

(7) north 78 degrees 41 minutes west, a distance of 61 feet;

(8) north 44 degrees 33 minutes west, a distance of 182 feet;

(9) north 33 degrees 01 minute east, a distance of 24 feet; and

(10) north 66 degrees 48 minutes west, a distance of 38 feet to the place of beginning.

Containing in area 1.32 acres of land, more or less.

Those certain tracts of land situate in the Township of Penn, County of Berks and Commonwealth of Pennsylvania, as numbered by the United States Corps of Engineers.

Tract 510 (26.85 acres)

A certain tract of land, situate in the Township of Penn, County of Berks and Commonwealth of Pennsylvania, more fully bounded and described as follows to wit:

Beginning at a corner common to the land of the subject owner and the land now or late of Alma Parker, in line of land now or late of Gertrude A. Stamm, and being in or near the middle of Township Route No. 579 known as 8 Cornered House Road, the said point being further located south 44 degrees 11 minutes east, a distance of 2963 feet, more or less, from the intersection of the center of Legislative Route No. 06038, known as Snyder School Road, with the center of Pennsylvania Traffic Route No. 183; thence leaving said Township Route No. 579 and land of said Parker and extending along land of said Stamm:

(1) north 21 degrees 45 minutes east, a distance of 904 feet to a point;

thence leaving land of said Stamm and passing through the land of the subject owner, the following courses and distances;

(2) north 65 degrees 01 minute east, a distance of 971 feet;

(3) south 20 degrees 46 minutes east, a distance of 930 feet to a point in or near the middle of said Township Route No. 579;

(4) south 63 degrees 26 minutes west, partly in and along said Township Route No. 579, a distance of 749 feet to a point in line of land now or late of George R. Roth, et ux; thence leaving residue land of the subject owner and extending along land of said Roth, et ux;

(5) south 86 degrees 35 minutes west, a distance of 621 feet to a corner of land of said Parker, being in or near the middle of said Township Route No. 579; thence leaving land of said Roth, et ux, and extending in and along said Township Route No. 579 and land of said Parker; and

(6) south 88 degrees 12 minutes west, a distance of 255 feet to the place of beginning.

Containing in area 26.85 acres of land, more or less.

Tract 803 (28.06 acres)

Beginning at a corner common to the land of the subject owner and the land now or late of Frederick Glosser, et ux, the said point being further located north 19 degrees 56 minutes west, a distance of 1085 feet, more or less, from the centerline intersection of Legislative Route No. 06038 also known as Snyder School Road, and Township Route No. 523, also known as Davis Bridge Road; thence, from said place of beginning and extending along land of said Glosser, et ux:

(1) south 78 degrees 41 minutes west, a distance of 408 feet to a point on the line of land of said Glosser, et ux; thence, leaving land of said Glosser, et ux, and severing the land of the subject owner, the following courses and distances;

(2) north 12 degrees 57 minutes west, a distance of 1160 feet;

(3) north 48 degrees 13 minutes east, a distance of 230 feet;

(4) north 26 degrees 55 minutes west, a distance of 1174 feet;

(5) north 36 degrees 52 minutes east, a distance of 175 feet;

(6) south 31 degrees 43 minutes east, a distance of 1187 feet;

(7) north 48 degrees 13 minutes east, a distance of 135 feet;

(8) south 26 degrees 55 minutes east, crossing the center of Township Route No. 489 at a distance of 520 feet, more or less, a total distance of 1424 feet to a point on the line of land of said Glosser, et ux; thence, extending along land of said Glosser, et ux; and

(9) south 66 degrees 16 minutes west, crossing the center of said Route No. 06038 at a distance of 260 feet, more or less, a total distance of 497 feet to the place of beginning.

Containing in area 28.06 acres of land, more or less.

Tract 811 (03.73 acres)

Beginning at a corner common to the land of the subject owner and land now or late of Carl Seib, et al, the said point being further located north 33 degrees 14 minutes west, a distance of 6168 feet, more or less, from the

intersection of the center of Legislative Route No. 06048, known as Church Road, with the center of Pennsylvania Traffic Route No. 183; thence from said place of beginning, extending along land of said Seib, et al, the following courses and distances:

- (1) south 65 degrees 23 minutes west, a distance of 264 feet;
- (2) north 59 degrees 02 minutes west, a distance of 175 feet;
- (3) north 39 degrees 48 minutes west, a distance of 117 feet;
- (4) north 13 degrees 10 minutes west, a distance of 241 feet to a point;

thence leaving land of said Seib, et al, and passing through the land of the subject owner, the following courses and distances:

- (5) north 53 degrees 34 minutes east, a distance of 261 feet; and
- (6) south 33 degrees 59 minutes east, a distance of 555 feet to the place of beginning.

Containing in area 03.73 acres of land, more or less.

Tract 916 (14.11 acres)

Beginning at a corner common to the land of the subject owner and the land now or late of Paul A. Blatt, et ux, and land now or late of Ella M. Showers, et al, and being in or near the middle of Pennsylvania Traffic Route No. 183, the said point being further located north 13 degrees 51 minutes east, a distance of 4429 feet, more or less, from the intersection of the center of Township Route No. 489 with the center of Township Route No. 524; thence from said place of beginning, leaving land of said Blatt, et ux, and extending in and along said Pennsylvania Traffic Route No. 183 and land of said Showers, et al, the following courses and distances:

- (1) north 86 degrees 53 minutes west, a distance of 220 feet;
- (2) north 79 degrees 46 minutes west, a distance of 242 feet to a corner of land now or late of Edwin I. Showers; thence leaving land of said E. M. Showers, et al, and extending in and along said Pennsylvania Traffic Route No. 183 and land of said E. I. Showers;

(3) north 77 degrees 25 minutes west, a distance of 115 feet to a corner of land now or late of Paul H. Speicher, et ux; thence leaving land of said E. I. Showers and extending in and along said Pennsylvania Traffic Route No. 183 and land of said Speicher, et ux;

(4) north 79 degrees 27 minutes west, a distance of 147 feet to a corner common to the land of the subject owner and the land now or late of Leland W. Beam, et ux; thence leaving said Pennsylvania Traffic Route No. 183 and land of said Speicher, et ux, and extending along land of said Beam, et ux, the following courses and distances:

- (5) north 15 degrees 26 minutes east, a distance of 169 feet;
- (6) north 83 degrees 17 minutes west, a distance of 86 feet to a point in line of land of said E. M. Showers, et al; thence leaving land of said Beam, et ux, and extending along land of said E. M. Showers, et al;

(7) north 12 degrees 41 minutes east, a distance of 205 feet to a point; thence leaving land of said E. M. Showers, et al, and passing through the land of the subject owner;

(8) north 78 degrees 34 minutes east, a distance of 1286 feet to a corner common to the land of the subject owner and land of said Blatt, et ux;



thence leaving residue land of the subject owner and extending along land of said Blatt, et ux, the following courses and distances:

(9) south 20 degrees 55 minutes west, a distance of 776 feet (1st course, D. B. 774, P. 25, north 25 degrees east, 47 perches) to a point on the northerly side of said Pennsylvania Traffic Route No. 183; and

(10) due west, in and along said Pennsylvania Traffic Route No. 183, a distance of 28 feet to a corner common to the land of the subject owner and land now or late of Harold K. Ruth, et ux; thence leaving said Pennsylvania Traffic Route No. 183 and land of said Blatt, et ux, and extending along land of said Ruth, et ux, the following courses and distances:

(11) north 23 degrees 48 minutes east, a distance of 186 feet;

(12) north 84 degrees 17 minutes west, a distance of 100 feet; and

(13) south 22 degrees 04 minutes west, a distance of 200 feet to a point on the northerly side of said Pennsylvania Traffic Route No. 183 in line of land of said Blatt, et ux; thence leaving land of said Ruth, et ux, and extending in and along said Pennsylvania Traffic Route No. 183 and land of said Blatt, et ux;

(14) south 88 degrees 2 minutes west, a distance of 145 feet to the place of beginning.

Containing in area 14.11 acres of land, more or less.

### Section 3. Right-of-way.

The Commonwealth of Pennsylvania, acting by and through the Pennsylvania Game Commission shall also convey to the United States Government an easement or right-of-way to enable the United States Corps of Engineers to construct Legislative Route 06038, formerly Township Route 550 which will provide access to the Blue Marsh Flood Control Project which traverses a tract identified by Army Corps of Engineers as No. 561E-1 situate in Bern Township, Berks County, described as follows:

Beginning at a corner common to the land of the subject owner and the land now or late of Katie R. Ohnmacht and being in or near the centerline of Township Route No. 499, the said point being further located easterly, a distance of 70 feet, more or less, along the centerline of said Route No. 499 from the centerline intersection of said Route No. 499 and Township Route No. 550; thence, from said place of beginning, leaving said Route No. 499 and extending along land of said Ohnmacht:

(1) north 27 degrees 27 minutes west, a distance of 105 feet, more or less, to a point in or near the center of said Route No. 550, and in and along said Route No. 550, passing a corner common to the land now or late of Clarence J. Kauffman, et ux, at a distance of 366 feet, a total distance of 1323 feet to a corner common to land of said Kauffman, et ux, and other land now or late of the subject owner; thence, leaving land of said Kauffman, et ux, and extending along said other land of the subject owner, continuing in and along said Route No. 550; the following courses and distances:

(2) north 27 degrees 24 minutes west, a distance of 1228 feet;

(3) leaving said Route No. 550, south 59 degrees 49 minutes west, a distance of 123 feet; thence, leaving said other land of the subject owner and severing the land of the subject owner the following courses and distances:

- (4) north 28 degrees 35 minutes west, a distance of 379 feet;
- (5) along a curve to the right having a radius of 863.94 feet and a chord bearing and distance of north 23 degrees 15 minutes west, 161 feet;
- (6) north 33 degrees 51 minutes west, passing the center of said Route No. 550 at a distance of 58 feet, more or less, a total distance of 189 feet;
- (7) north 07 degrees 55 minutes east, a distance of 242 feet;
- (8) along a curve to the right having a radius of 903.94 feet and a chord bearing and distance of north 17 degrees 41 minutes east, 293 feet;
- (9) north 27 degrees 02 minutes east, a distance of 551 feet;
- (10) north 48 degrees 26 minutes east, a distance of 54 feet;
- (11) north 27 degrees 02 minutes east, a distance of 134 feet;
- (12) along a curve to the left having a radius of 834.93 feet and a chord bearing and distance of north 18 degrees 38 minutes east, 243 feet to a point on the line of the land now or late of George N. Pappas, et ux; thence, extending along land of said Pappas, et ux, the following courses and distances:

- (13) north 40 degrees 19 minutes east, a distance of 100 feet;
- (14) north 24 degrees 31 minutes east, a distance of 123 feet;
- (15) north 16 degrees 32 minutes east, a distance of 136 feet;
- (16) north 56 degrees 28 minutes west, a distance of 51 feet; thence, leaving land of said Pappas, et ux, and again severing the land of the subject owner the following courses and distances:

- (17) north 01 degree 09 minutes east, a distance of 282 feet;
- (18) north 22 degrees 31 minutes east, passing the center of said Route No. 550 at a distance of 56 feet, a total distance of 108 feet;
- (19) north 24 degrees 00 minute east, a distance of 50 feet to a point on the line of the land now or late of John E. Schuler, et ux; thence, extending along land of said Schuler, et ux;

- (20) south 72 degrees 42 minutes east, a distance of 149 feet to a point near the westerly side of Plum Creek; thence, leaving land of said Schuler, et ux, and the westerly side of said Creek and again severing the land of the subject owner, the following courses and distances:

- (21) along a curve to the left having a radius of 874.93 feet and a chord bearing and distance of south 14 degrees 46 minutes west, 275 feet;
- (22) south 05 degrees 54 minutes west, a distance of 212 feet;
- (23) south 01 degree 41 minutes east, a distance of 151 feet;
- (24) south 05 degrees 54 minutes west, a distance of 64 feet;
- (25) along a curve to the right having a radius of 1054.93 feet and a chord bearing and distance of south 16 degrees 29 minutes west, 386 feet;
- (26) south 26 degrees 39 minutes west, a distance of 34 feet;
- (27) south 08 degrees 36 minutes west, a distance of 158 feet;
- (28) south 27 degrees 02 minutes west, a distance of 551 feet;
- (29) along a curve to the left having a radius of 613.94 feet and a chord bearing and distance of south 17 degrees 42 minutes west, 199 feet;

- (30) south 09 degrees 55 minutes east, a distance of 159 feet;
- (31) south 20 degrees 47 minutes west, passing the center of an old road leading from said Route No. 550 at a distance of 75 feet, more or less, a total distance of 146 feet;
- (32) along a curve to the left having a radius of 663.94 feet and a chord bearing and distance of south 23 degrees 15 minutes east, 124 feet;
- (33) south 28 degrees 35 minutes east, a distance of 1007 feet;
- (34) south 24 degrees 18 minutes east, a distance of 201 feet;
- (35) south 28 degrees 35 minutes east, a distance of 1200 feet;
- (36) south 36 degrees 00 minute east, a distance of 504 feet;
- (37) south 09 degrees 18 minutes east, a distance of 83 feet to a point on the line of land of said Ohnmacht; thence, extending along land of said Ohnmacht;
- (38) south 85 degrees 08 minutes west, a distance of 88 feet to an iron pin known as State Game Lands corner No. 60; and
- (39) south 80 degrees 28 minutes west, a distance of 74 feet to the place of beginning.

Containing in area 20.98 acres of land, more or less.

Section 4. Description of lands to be acquired by the Pennsylvania Game Commission.

The lands to be conveyed to the Commonwealth of Pennsylvania for the use of the Pennsylvania Game Commission now owned by the United States Government in exchange for the transfer of Project 70 Land described in section 2 is more particularly described as follows:

All that certain tract of land situate in the Township of Lower Heidelberg, County of Berks and Commonwealth of Pennsylvania as numbered by the United States Corps of Engineers.

Tract 700 (3.35 acres)

Beginning at a corner common to the land of the subject owner and the land now or late of Emma M. Ohlinger, said corner being in or near the center of Township Route No. 499 and said point being further located north 79 degrees 51 minutes east, at a distance of 1646 feet, more or less, from the centerline intersection of said Route No. 499 and Township Route No. 374; thence, leaving land of said Emma M. Ohlinger and severing the land of the subject owner and extending along said Route No. 499, the following courses and distances:

- (1) south 63 degrees 03 minutes east, a distance of 132 feet;
- (2) south 46 degrees 32 minutes east, a distance of 653 feet to a point in the line of the land now or late of Katie E. Ohlinger; thence, leaving said Route No. 499 and extending along land of said Katie E. Ohlinger;
- (3) south 39 degrees 11 minutes west, a distance of 343 feet, to a corner common to the land of said Emma M. Ohlinger, thence, leaving the land of said Katie E. Ohlinger and extending along the land of said Emma M. Ohlinger;
- (4) north 25 degrees 49 minutes west, a distance of 861 feet, to the place of beginning.

Containing in area 3.35 acres of land, more or less.

Also those certain tracts of land situate in the Township of Penn, County of Berks and Commonwealth of Pennsylvania, as numbered by the United States Corps of Engineers.

Tract 807 (22.33 acres)

Beginning at a point in or near the middle of Pennsylvania Traffic Route No. 183 in line of land now or late of Norman W. Reifsnyder, et ux, the said point being further located north 60 degrees 15 minutes west 1572 feet, more or less, from the intersection of the center of Legislative Route No. 06048 with the center of Pennsylvania Traffic Route No. 183; thence, from the said point of beginning, and severing the lands of the United States of America and along the center of said Route No. 183:

(1) north 60 degrees 41 minutes west, 731 feet to a corner common to the lands now or formerly of Earl M. Bashore, et ux; thence, leaving the said centerline of Route No. 183 and with the lands of the said Bashore, et ux;

(2) north 29 degrees 19 minutes east, 230 feet;

(3) north 60 degrees 41 minutes west, 154 feet to a point in the line of the land of the said Bashore, et ux, and in the line of the lands of said United States; thence, leaving the lands of the said Bashore, et ux, and continuing to sever the lands of the said United States;

(4) north 29 degrees 14 minutes east, 797 feet to a point in the line of the lands now or formerly of Guy E. LaFollette; thence, continuing with the lands of said LaFollette:

(5) south 52 degrees 07 minutes east, 1285 feet to a point in the line of the lands of the said Reifsnyder, et ux, thence, leaving the lands of the said LaFollette and with the lands of the said Reifsnyder, et ux;

(6) south 56 degrees 01 minute west, 555 feet;

(7) south 51 degrees 06 minutes west, 366 feet, to the place of beginning.

Containing in area 22.45 acres of land, more or less, excepting and reserving therefrom, the following tract of land:

Tract No. 812

Owner: Texas Eastern Penn-Jersey Transmission Corporation

Acres: .12

Deed: May 14, 1954

Recorded: May 14, 1954

Deed Book 1161, Page 405

The parent tract containing, after exceptions, 22.33 acres of land, more or less.

Tract 808 (74.70 acres)

Beginning at a point in or near the middle of Pennsylvania Traffic Route No. 183, said point being a corner in line of the land now or late of Curtis C. Hottenstein, et ux, and common to the land now or late of Naomi E. Sheidy, et al, said point being further located south 60 degrees 40 minutes east, along the centerline of said Route No. 183, a distance of 878 feet, more or less, from the intersection of said Route No. 183 and Old State Road;

thence, from said place of beginning, leaving said Route No. 183 and the land of said Hottenstein, et ux, and extending along the land of said Sheidy, et al, the following courses and distances:

- (1) north 31 degrees 05 minutes east, a distance of 209 feet;
- (2) north 41 degrees 55 minutes west, a distance of 121 feet to a point in line of land of said Sheidy, et al; thence, leaving the land of said Sheidy, et al, and severing the land of the subject owner, the following courses and distances:
  - (3) north 34 degrees 49 minutes east, a distance of 592 feet;
  - (4) north 64 degrees 40 minutes west, a distance of 725 feet;
  - (5) south 36 degrees 48 minutes west, at a distance of 793 feet to a point in or near the centerline intersection of said Route No. 183 and said Old State Road, said point being a corner common to the land now or late of the Commonwealth of Pennsylvania; thence, leaving said Route No. 183 and extending in and along said Old State Road and along the land of said Commonwealth of Pennsylvania;
  - (6) north 45 degrees 30 minutes west, a distance of 813 feet to a corner common to the land now or late of Dorothy E. Gordon, et al; thence, leaving the land of said Commonwealth of Pennsylvania, and extending along the land of said Gordon, et al, and in and along said Old State Road;
  - (7) north 48 degrees 01 minute west, a distance of 67 feet to a point at the intersection of said Old State Road and Township Route No. 489; thence, leaving said Old State Road and extending in and along said Route No. 489, continuing in and along the land of said Gordon, et al, the following courses and distances:
    - (8) north 51 degrees 49 minutes east, a distance of 954 feet;
    - (9) north 42 degrees 26 minutes east, a distance of 237 feet;
    - (10) north 63 degrees 26 minutes east, a distance of 557 feet; thence, leaving said Route 489 and extending along land of said Gordon, et al;
    - (11) north 36 degrees 20 minutes west, a distance of 751 feet;
    - (12) north 41 degrees 29 minutes east, a distance of 460 feet, to a corner common to the land of subject owner and land now or late of Ray L. Berger, et ux; thence, leaving land of said Gordon, et al, and extending along land of said Berger, et ux, the following courses and distances:
      - (13) north 57 degrees 22 minutes east, a distance of 816 feet;
      - (14) north 05 degrees 12 minutes east, a distance of 55 feet;
      - (15) north 60 degrees 01 minute east, a distance of 90 feet;
      - (16) south 34 degrees 40 minutes east, passing a point in Bright School Lane, a distance of 834 feet, a total distance of 888 feet, more or less, to a corner common to the land of the subject owner and land now or late of said Berger, et ux, and extending along the land of said Berger, et ux, the following courses and distances:
        - (17) south 52 degrees 39 minutes west, a distance of 1337 feet;
        - (18) south 33 degrees 59 minutes east, a distance of 1610 feet to a corner common to the land of the subject owner and land now or late of said Berger, et ux, and land now or late of Curtis C. Hottenstein, et ux; thence,

leaving the land of said Berger, et ux, and extending along land of said Hottenstein, et ux;

(19) south 55 degrees 39 minutes west, a distance of 1205 feet to the place of beginning.

Containing in area 74.70 acres of land, more or less.

Tract 907 (20.31 acres)

Beginning at a corner common to the land of the subject owner and the land now or late of Paul H. Speicher, et ux, said point being in or near the center of Pennsylvania Traffic Route No. 183, and being further located north 02 degrees 33 minutes east, a distance of 4567 feet, more or less, from the centerline intersection of Township Route No. 489 and Township Route No. 524; thence, extending along land of said Speicher, et ux, and Pennsylvania Traffic Route No. 183:

(1) north 78 degrees 41 minutes west, a distance of 153 feet to a point on line of land now or late of the John Rick Estate; thence, leaving said Pennsylvania Traffic Route No. 183 and leaving land of said Speicher and continuing along land of said Rick Estate, the following courses and distances:

(2) north 15 degrees 30 minutes east, a distance of 759 feet;

(3) south 66 degrees 56 minutes east, a distance of 388 feet (18th course Purpart No. 3, 1st Tract, D.B. 1485, P. 1050, north 59 ½ degrees west, 22.7 perches):

(4) north 30 degrees 53 minutes east, a distance of 594 feet;

(5) north 1 degree 30 minutes west, a distance of 575 feet to a point on line of land now or late of George F. Bender, et al; thence, leaving land of said Rick Estate and extending along land of said Bender, et al;

(6) south 35 degrees 56 minutes east, a distance of 1031 feet;

(7) south 51 degrees 04 minutes west, a distance of 971 feet;

(8) south 12 degrees 41 minutes west, a distance of 205 feet to a corner common to the land of said Bender, et al, and land now or late of Leland W. Beam, et ux; thence, leaving land of said Bender, et al, and extending along land of said Beam, et ux;

(9) south 15 degrees 43 minutes west, a distance of 166 feet to a point in or near the middle of said Pennsylvania Traffic Route No. 183 and being a corner common to the land of the subject owner and land now or late of Warren P. Showers, et ux; thence, leaving land of said Beam, et ux, and extending in and along said Pennsylvania Traffic Route No. 183 and along land of said Showers, et ux;

(10) north 77 degrees 12 minutes west, a distance of 226 feet to a corner of land now or late of Bruce A. Good, et ux; thence, leaving land of said Showers, et ux, and extending in and along said Pennsylvania Traffic Route No. 183 and along land of said Good, et ux;

(11) north 78 degrees 41 minutes west, a distance of 102 feet to a point; thence, extending in and along of said Township Route No. 183 and severing the land of the subject owner;

(12) north 74 degrees 03 minutes west, a distance of 146 feet to the place of beginning.

Containing in area 20.31 acres of land, more or less.

Tract 932 (34.21 acres)

Beginning at a point in the line of land of the subject owner and the land now or late of John Rick Estate, said point of beginning being further located north 13 degrees 12 minutes west, a distance of 7441 feet, more or less, from the centerline intersection of Township Route No. 489 and Township Route No. 524; thence, leaving land of said John Rick Estate and severing the land of the subject owner:

(1) north 34 degrees 16 minutes west, a distance of 934 feet to a corner common to the land now or late of Charles J. Focht, et ux; thence, extending along the land of said Focht, et ux, the following courses and distances:

(2) north 36 degrees 13 minutes west, a distance of 345 feet to a corner common to the land of the subject owner and land now or late of Ronald M. K. Schoener, et ux; thence leaving land of said Focht, et ux, and extending along land of said Schoener, et ux, the following courses and distances:

(3) north 73 degrees 01 minute east, a distance of 136 feet;

(4) north 36 degrees 52 minutes east, a distance of 250 feet;

(5) north 47 degrees 44 minutes east, a distance of 149 feet;

(6) north 58 degrees 24 minutes east, a distance of 153 feet;

(7) north 72 degrees 35 minutes east, a distance of 535 feet;

(8) south 37 degrees 02 minutes east, a distance of 1117 feet to a corner common to the land of the subject owner and land now or late of John Rick Estate; thence, leaving land of said Schoener, et ux, and extending along land of said Rick Estate; and

(9) south 52 degrees 49 minutes west, a distance of 1221 feet to the place of beginning.

Containing in area 34.21 acres of land, more or less.

Section 5. Project 70 conditions.

The deed from the United States Government to the Commonwealth of Pennsylvania for the use of the Pennsylvania Game Commission shall contain the following clause:

This indenture is given to provide land for recreation, conservation and historical purposes as said purposes are defined in the "Project 70 Land Acquisition and Borrowing Act."

Section 6. Effective date.

This act shall take effect immediately.

APPROVED—The 25th day of October, A. D. 1979.

DICK THORNBURGH