

No. 1982-93

AN ACT

HB 1991

Authorizing the Borough of Warren in the County of Warren and Commonwealth of Pennsylvania to sell and convey certain Project 70 lands containing 6.826 acres more or less in said borough and county belonging to the Borough of Warren subject to certain conditions.

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

Section 1. (a) Pursuant to the requirements 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 Borough of Warren to sell and convey certain tracts of land containing 6.826 acres more or less situated in the Borough of Warren, County of Warren and Commonwealth of Pennsylvania.

(b) Said land shall be free of restrictions on use and alienation prescribed by section 20 of the "Project 70 Land Acquisition and Borrowing Act," provided:

(1) The properties shall be sold by the Borough of Warren at the fair market value which shall be determined by an independent appraisal.

(2) That 50% of the proceeds of the sale of said properties be returned to the Commonwealth through deposit into the Project 70 Land Acquisition Sinking Fund.

(3) That the portion of the proceeds of the sale retained by the borough be deposited into the borough's general fund for additional recreational activities or capital recreational improvements.

(c) The Borough of Warren shall not be required to purchase additional recreational land to replace the Project 70 land disposed of under this act as the recreational needs of the Borough of Warren are more than adequately addressed through other recreational lands and facilities of the Borough of Warren.

Section 2. The land to be transferred by the Borough of Warren, situated in said borough in Warren County, Pennsylvania, is more particularly described as follows:

(1) The three parcels of land containing .166 acres more or less referred to as the East Fifth Avenue properties acquired through condemnation proceedings instituted by the Borough of Warren against Frank Mitchell and Verna Mitchell, his wife.

Parcel 1

All that certain piece or parcel of land situate in the Borough of Warren, County of Warren and State of Pennsylvania, bounded and described as follows, to wit:

Beginning at a point where the north line of Fifth Avenue intersects the east bank of the Conawango Creek; thence easterly, parallel with the Fifth Avenue Bridge, to land formerly of Ada E. Huntington, now belonging to K. E. Abel; thence northerly along said land, 70 feet; thence westerly to the Conawango Creek; thence southerly along said creek to the place of beginning; reserving therefrom, a right-of-way 12 feet in width by 70 feet in depth from the easterly end of said lot.

Parcel 2

Also, all that certain other piece or parcel of land situate in the borough, county and State aforesaid, bounded and described as follows:

Beginning at a stake in the center of a stone, being the second stone from the abutment in the northeast corner of the Fifth Avenue Bridge; thence running easterly along said Fifth Avenue Bridge and parallel thereto, 40 feet; thence running northerly 70 feet to a post; thence running westerly 40 feet to a post; thence running southerly, parallel with the land of the late Harrison D. Wade, 70 feet to the place of beginning; upon which is erected a frame story building.

Parcel 3

Also, that certain other piece or parcel of land situate in the borough, county and State aforesaid, bounded and described as follows:

Beginning at a point in the northerly line of Fifth Avenue East, said point being situate south 65 degrees 56 minutes west 278 feet from the intersection of the westerly line of Conawango Avenue with the northerly line of Fifth Avenue East; thence north 34 degrees 4 minutes west 46 feet to a point; thence south 65 degrees 56 minutes west 73.0 feet to a point in the easterly line of Parcel 2 above described in this ordinance; thence by the easterly line of said Parcel 2 south 34 degrees 4 minutes east 46 feet to a point in the northerly line of Fifth Avenue East; thence by the northerly line of Fifth Avenue East north 65 degrees 56 minutes east 73 feet to the place of beginning.

(2) The eight parcels of land containing 6.66 acres more or less referred to as the Malvina Street Properties acquired by the Borough of Warren as set forth herein:

Parcel 1

All that certain piece or parcel of land situate in the Borough of Warren, formerly Glade Township, Warren County and State of Pennsylvania, known and designated upon a map or plat of lots of W. O. Skelton made by William O. Mason, Surveyor, July 22, 1927, and intended to be recorded in the Recorders Office in and for said county as Lot No.121. Being the same land which Andrew T. Thompsen a/k/a Andrew T. Thompson and Camilla B. Thompsen, a/k/a Camilla B. Thompson conveyed to the Borough of Warren as recorded in Deed Book 352, Page 632.

Parcel 2

Beginning at a point in the southerly line of Malvina Street, said point being located north 49 degrees 16 minutes east, 50 feet from the northeasterly corner of Lot No.128 as shown on map or plot made by W. O. Mason, Surveyor, and recorded in Recorders Office in and for said county in Deed Book 136, Page 797, which said lot was conveyed by Harry S. Schatzle and Wife to Casper Mader and Wife by deed dated August 1, 1934, and recorded in said office in Deed Book 180, Page 121; thence in an easterly direction along the southerly line of said Malvina Street, 350 feet to a point in the south line of Lincoln Avenue; thence southerly parallel with the easterly line of said Lot No.128 as conveyed to Casper Mader and Wife, 194.5 feet along the south line of Lincoln Avenue to a point; thence south 16 degrees 54 minutes west, 10.3 feet to a point; thence westerly parallel with the southerly line of said Malvina Street, 341.7 feet to a point 50 feet easterly from the southeasterly corner of Lot No.131; thence northerly and parallel to the easterly line of Lot No.128 a distance of 200 feet to the place of beginning said land being located in the Ninth Ward of Warren Borough. Being the same land which Robert J. Jenkins and Dorothy L. Jenkins conveyed to the Borough of Warren as recorded in Deed Book 353, Page 714.

Parcel 3

All that certain piece or parcel of land situate in the Borough of Warren, formerly Glade Township, County of Warren and State of Pennsylvania, known and designated upon a map or plot of lots of W. O. Skelton made by William O. Mason, Surveyor, July 22, 1927, and recorded in the Recorders Office of said Warren County in Deed Book 158, Page 748 as Lot No. 127; said lot having a frontage of 50 feet on Malvina Street and extending back therefrom a distance of 150 feet. Being the same premises conveyed by Frank Swanson and Eleanor Swanson, husband and wife, to the said Charles E. Tulledge and Anastasia Tulledge, husband and wife, by deed dated September 27, 1948, and entered in said Recorders Office in Deed Book 235, Page 421. Being the same land which Charles E. Tulledge and Anastasia Tulledge conveyed to the Borough of Warren as recorded in Deed Book 362, Page 553.

Parcel 4

Beginning at the intersection of the northerly line of Lincoln Avenue with the easterly line of Marion Street; thence north 49 degrees 16 minutes east 300.78 feet along the easterly line of Marion Street to a point in the southerly line of Leroy Street; thence south 40 degrees 55 minutes east 200 feet along the southerly line of Leroy Street to the northwesterly corner of premises of Carl Jensen; thence by the westerly line of said Jensen lot south 16 degrees 54 minutes west 178 feet to the southwestery corner of said Jensen lot; thence south 40 degrees 55

minutes east 72 feet to the southeasterly corner of said Jensen lot; thence south 16 degrees 54 minutes west 177.05 feet to a point in the northerly line of Lincoln Avenue; thence along the northerly line of Lincoln Avenue north 40 degrees 49 minutes west 462.05 feet to the place of beginning, said land being located in the Ninth Ward of Warren Borough. Being the same land which Leroy E. Chapman and Lena W. Chapman conveyed to the Borough of Warren as recorded in Deed Book 348, Page 453.

Parcel 5

All of Lots Nos. 114, 115, 116, 117, 118, 119, 120, 122, 124, 125 and 126 as the lots are numbered, designated and laid down upon a certain plan of lots known as the W. O. Skelton subdivision, the map or plat of which is recorded in the records of Warren County in Deed Book 158, Page 749, less the following described land:

Beginning at an iron stake in the southeasterly intersection of Marion Street and Lincoln Avenue, the principal place of beginning; thence south 40 degrees 49 minutes east along the southwesterly margin of Lincoln Avenue, 150 feet to an iron stake; thence south 49 degrees 16 minutes west, along lands of Francis J. Cole and others, 159.05 feet to an iron stake; thence north 40 degrees and 49 minutes west, along lands of Francis J. Cole, 150 feet to an iron stake in the southeasterly margin of Marion Street; thence north 49 degrees 16 minutes east, along the southeasterly margin of Marion Street, 159.05 feet to an iron stake, the principal place of beginning. Being the same land which Francis J. Cole and Frances M. Cole conveyed to the Borough of Warren as recorded in Deed Book 362, Page 638.

Parcel 6

Beginning at an iron stake in the southeasterly intersection of Marion Street and Lincoln Avenue, the principal place of beginning; thence south 40 degrees 49 minutes east, along the southwesterly margin of Lincoln Avenue, 150 feet to an iron stake; thence south 49 degrees 16 minutes west, along lands of Francis J. Cole and others, 159.05 feet to an iron stake; thence north 40 degrees 49 minutes west, along lands of Francis J. Cole, 150 feet to an iron stake in the southeasterly margin of Marion Street; thence north 49 degrees 16 minutes east, along the southeasterly margin of Marion Street, 159.05 feet to an iron stake, the principal place of beginning. Being the same land which Melvin J. Cole and Lois Cole conveyed to the Borough of Warren as recorded in Deed Book 362, Page 738.

Parcel 7

All that certain piece or parcel of land situate in Warren Borough, formerly Glade Township, Warren County, Pennsylvania, known and designated upon a map or plot of lots of W. O. Skelton, made by William

O. Mason, Surveyor, on July 22, 1927, and intended to be recorded in the Recorders Office in and for said county as Lot No. 123. Being the same land which Mary Haben, widow by Robert J. Haben conveyed to the Borough of Warren as recorded in Deed Book 350, Page 298.

Parcel 8

All that certain piece or parcel of land situate in Warren Borough, Warren County, Pennsylvania, bounded and described as follows:

Beginning at the southwest corner of Lot No. 74 as designated on the map of Skelton and Chapman subdivisions, the same being recorded in the Recorders Office of Warren County in Deed Book 135, Page 772; thence south 16 degrees 54 minutes west 199.09 feet along the westerly line of Lots Nos. 73, 72, 71 and 70 on said map to a point in the northerly line of Lincoln Avenue; thence north 40 degrees 49 minutes west along the northerly line of Lincoln Avenue 50 feet to a point; thence north 16 degrees 54 minutes east 177.05 feet to the southeast corner of premises of Carl W. Jensen; thence south 66 degrees 51 minutes east 42.57 feet to the place of beginning, said land being located in the Ninth Ward of Warren Borough. Being the same land which Nicholas Merenick and Hazel C. Merenick conveyed to the Borough of Warren as recorded in Deed Book 348, Page 755.

Section 3. All conveyances made by the Borough of Warren shall be subject to any easements of records.

Section 4. This act shall take effect in 60 days.

APPROVED—The 9th day of April, A. D. 1982.

DICK THORNBURGH