

No. 1984-118

## AN ACT

HB 20

Authorizing the release of Project 70 restrictions imposed on certain lands owned by the City of Lancaster, Lancaster County, in return for the imposition of Project 70 restrictions on certain lands owned by the City of Lancaster, Lancaster County.

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

Section 1. 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 the restrictions imposed by section 20 of the Project 70 Land Acquisition and Borrowing Act from the lands owned by the City of Lancaster, Lancaster County and more particularly described in section 3 of this act in exchange for the imposition of the section 20 restrictions on lands owned by the City of Lancaster, Lancaster County and more particularly described in section 4.

Section 2. Freedom of restrictions.

The lands described in section 3 and owned by the City of Lancaster, Lancaster County shall be free of the restrictions on use and alienation imposed by section 20 of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, upon the imposition of and recording of the Project 70 deed restrictions set forth in section 5 on the parcel of replacement land owned by the City of Lancaster and located in the Township of Lancaster, Lancaster County, described in section 4, subject, however, to the provisions of section 7.

Section 3. Land to be free from restrictions.

The parcel of land authorized to be released from restrictions is more particularly described as follows:

Beginning at a point at the intersection of the northeast line of State Highway Legislative Route Number 36036, known as South Duke Street, and the south line of Delaware Street; thence extending along the south line of Delaware Street, north 87 degrees 54 minutes 40 seconds east a distance of 422.77 feet to a point at the southeast corner of Delaware Street and Franklin Street; thence extending along the east line of Franklin Street, north 02 degrees 05 minutes 00 seconds west a distance of 270.07 feet to a point at a corner of property now or late of Lancaster Housing Authority; thence extending along property of Lancaster Housing Authority, north 88 degrees 03 minutes 30 seconds east a distance of 330.00 feet to a point at a corner of remaining property now or late of the City of Lancaster; thence extending along the remaining property of the City of Lancaster, the following courses and distances: south 01 degree 56 minutes 30 seconds east a distance of 60.00

feet to a point; thence south 43 degrees 21 minutes 00 seconds east a distance of 445.00 feet to a point; thence south 04 degrees 51 minutes 00 seconds east a distance of 200.00 feet to a point; thence south 48 degrees 50 minutes 55 seconds west a distance of 287.43 feet to a point; thence south 22 degrees 05 minutes 50 seconds west a distance of 321.06 feet to a point of the northeast line of the aforesaid South Duke Street; thence extending along the northeast line of South Duke Street, north 43 degrees 21 minutes 00 seconds west a distance of 1,062.69 feet to a point, the place of beginning.

Containing 12.8049 acres.

Section 4. Land on which restrictions are to be imposed.

The replacement parcel to be subject to restrictions in exchange for the parcel described in section 3 is more particularly described as follows:

All that certain tract of land in the Township of Lancaster, County of Lancaster, on which is erected the North Sewage Disposal Plant, bounded and described as follows: Beginning at a stone at the southeast corner thereof, in line of other land now or late of the grantor, by virtue of a deed from Samuel Ranck dated January 10, 1888 and recorded in the Recorder's Office of Lancaster County in Deed Book X, Volume 12, Page 391, and near the west bank of the Conestoga Creek; thence along the west bank of said creek north 29 degrees 09 minutes west a distance of 363 feet; north 42 degrees 12 minutes west a distance of 206.80 feet; and (crossing the outfall of the present Clay Street sewer) north 41 degrees 02 minutes west a distance of 195.10 feet to a point near the west bank of said creek and in or near the Grofftown Road; thence along said road south 48 degrees 54 minutes west a distance of 229.62 feet; south 65 degrees 17 minutes west a distance of 204.85 feet; and south 80 degrees 53 minutes west a distance of 204.76 feet to a point in or near the intersection of Grofftown Road and Ranck Road; thence along Ranck Road and property now or late of Samuel H. Ranck, et al., south 19 degrees 43 minutes east a distance of 342.77 feet; and south 19 degrees 21 minutes east a distance of 360.15 feet to an angle point; thence leaving said road, along property now or late of Samuel H. Ranck, et al., north 89 degrees east a distance of 577.62 feet to a corner of lands now or late of Samuel H. Ranck, et al., and the aforesaid tract of the City of Lancaster; thence along said property now or late of the City of Lancaster north 27 degrees 22 minutes west a distance of 190.25 feet; and north 64 degrees 14 minutes east a distance of 311.07 feet to the place of beginning.

Containing 13 acres and 22.90 perches.

Section 5. Description of deed restrictions.

The deed restriction to be transferred to the parcel described in section 4 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 6. Limitation on development.

(a) Development.—The parcel of land as described in section 3 shall be developed in compliance with the act of October 4, 1978 (P.L.851, No.166), known as the Flood Plain Management Act.

(b) Restriction on revenue.—The revenue and interest thereon from the sale of the land described in section 3 shall be deposited in a special account established by the City of Lancaster. The special account shall be used for rehabilitation and development of park and recreation lands and facilities by the City of Lancaster. No funds shall be dispensed from the account until a plan has been developed for the use of such funds by the City of Lancaster and such plan approved by the Department of Community Affairs.

Section 7. Use of replacement land.

(a) Highway.—If, within five years from the effective date of this act, the Department of Transportation determines that a portion of the land described in section 4 is to be used for the relocation of Pennsylvania Route 23 (Legislative Route 1124), that portion of land so determined shall be free from the Project 70 restrictions set forth in section 5. The parcel of land authorized to be released from restrictions for the relocation of Pennsylvania Route 23 (Legislative Route 1124) is more particularly described as follows:

Beginning at a point in or near the intersection of Grofftown Road and Ranck Road, said point being same described in deed of tract of land on which is now erected the North Sewage Disposal Plant; thence along Ranck Road and the westerly boundary of said tract, south 19 degrees 43 minutes west a distance of 179.577 feet to a point on the proposed southerly line of the area reserved for highway purposes; thence along said area and leaving said westerly boundary, north 42 degrees 55 minutes 32 seconds east 325.555 feet to a point in or near Grofftown Road, said point being on the northerly boundary of said tract; thence along said northerly boundary and Grofftown Road south 65 degrees 17 minutes west 88.212 feet to a corner of said area reserved, said point being same described in deed of said tract; thence along said northerly boundary and Grofftown Road south 80 degrees 53 minutes west 204.76 feet to the point of beginning.

Containing 0.54 acre.

(b) Use by authority.—The Lancaster Sewer Authority may continue to operate the sewage plant located on the land described in section 4 until an adequate replacement facility is operational. If after ten years the plant has not been abandoned, the Department of Community Affairs shall determine the proper restitution which shall be paid to the Commonwealth by the City of Lancaster for removal of the restrictions from the land described in section 3.

Section 8. Effective date.

This act shall take effect immediately.

APPROVED—The 5th day of July, A. D. 1984.

DICK THORNBURGH