

No. 1989-86

AN ACT

SB 1200

Authorizing the release of Project 70 restrictions imposed on certain lands owned by the Borough of Mechanicsburg, Cumberland County, in return for the imposition of Project 70 restrictions on certain lands to be conveyed to the Borough of Mechanicsburg, Cumberland County; and authorizing the Department of General Services, with the approval of the Department of Public Welfare, to lease to the Lehigh County Housing Authority 1.7578 acres of land at Allentown State Hospital, Lehigh 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 Borough of Mechanicsburg, Cumberland County, and more particularly described in section 3 of this act in exchange for the imposition of the section 20 restrictions on lands to be conveyed to the Borough of Mechanicsburg from New Penn Motor Express, Inc. and more particularly described in section 4.

Section 2. Freedom of restrictions.

The lands described in section 3 and owned by the Borough of Mechanicsburg, Cumberland 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 described in section 4 to be conveyed to the Borough of Mechanicsburg from New Penn Motor Express, Inc., contemporaneously with the conveyance of land described in section 3.

Section 3. Land to be free from restrictions.

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

All that certain tract of land situate in the Borough of Mechanicsburg, County of Cumberland, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at the northwest corner of the tract herein described, said point being located north 15 degrees 33 minutes 40 seconds east, a distance of 466.73 feet from the southwest corner of the land conveyed by The Pennsylvania Railroad Company to the Borough of Mechanicsburg by deed dated June 22, 1966, and recorded among the land records of Cumberland County in Deed Book A, Vol. 22, Page 247; thence along lands formerly of Isaac

Heller, north 82 degrees 06 minutes 30 seconds east, a distance of 978.34 feet to a point; thence along lands of Mechanicsburg Borough (Soldiers and Sailors Memorial Park), south 05 degrees 53 minutes 30 seconds east, a distance of 253.19 feet to a point; thence along the northerly line of lands to be retained by Mechanicsburg Borough, of which this was formerly a part, south 79 degrees 59 minutes 25 seconds west, a distance of 1,097.63 feet to a point; thence along lands formerly of Isaac Heller, north 15 degrees 33 minutes 40 seconds east, a distance of 320.04 feet to the point of beginning.

Containing 6.479 acres of land.

Under and subject nevertheless to a permanent easement in favor of the Borough of Mechanicsburg, Cumberland County, to use a portion of the land for public recreation purposes, to wit:

All that certain tract of land situate in the Borough of Mechanicsburg, County of Cumberland, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at the northwest corner of the tract herein described, said point being located north 15 degrees 33 minutes 40 seconds east, a distance of 285.27 feet from the southwest corner of the land conveyed by the Pennsylvania Railroad Company to the Borough of Mechanicsburg, by deed dated June 22, 1966, and recorded among the land records of Cumberland County in Deed Book A, Vol. 22, Page 247; thence running in and through the above referenced tract, north 79 degrees 59 minutes 25 seconds east, a distance of 1,010.87 feet to a point; thence along the westerly line of Memorial Park Drive, by a curve to the left having a radius of 200.00 feet, an arc distance of 107.27 feet, the chord of which is north 13 degrees 52 minutes 39 seconds east, 105.99 feet, to a point; thence along the easterly line of the above referenced tract, and along lands of Mechanicsburg Borough (Soldiers and Sailors Memorial Park), south 05 degrees 53 minutes 30 seconds east, a distance of 222.49 feet to a point; thence south 79 degrees 59 minutes 25 seconds west, a distance of 1,097.63 feet to a point; thence along lands formerly of Isaac Heller, now of New Penn Motor Express, Inc., north 15 degrees 33 minutes 40 seconds east, a distance of 138.58 feet to the point of beginning.

Containing 3.105 acres of land.

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 or parcel of land situate in the Borough of Mechanicsburg, County of Cumberland, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point in the center line of Heinz Street (60 feet wide), said point being located south 79 degrees 59 minutes 25 seconds west, a distance of 587.81 feet from the intersection of the said center line of Heinz Street and the westerly line of North York Street (80 feet wide); thence along lands of Mechanicsburg Club, south 09 degrees 27 minutes 37 seconds east, a distance of 369.64 feet to a point; thence along lands of Mechanicsburg Borough (Soldiers and Sailors Memorial Park), south 81 degrees 52 minutes 13

seconds west, a distance of 648.12 feet to a point; thence along lands of New Penn Motor Express, Inc., of which this tract was formerly a part, north 10 degrees 00 minutes 35 seconds west, a distance of 348.36 feet to a point in the center of Heinz Street; thence along the said center line of Heinz Street, north 79 degrees 59 minutes 25 seconds east, a distance of 651.32 feet to the point of beginning.

Containing 5.354 acres of land.

Being a part of Lot No. 2-B as shown on a Preliminary/Final Plan of the Mechanicsburg Club dated July 24, 1984, and recorded in the Office of Recorder of Deeds in and for Cumberland County, Pennsylvania in Plan Book 46, Page 82.

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. Lease to Lehigh County Housing Authority.

(a) The Department of General Services, with the approval of the Department of Public Welfare, acting on behalf of the Commonwealth of Pennsylvania, is hereby authorized to lease to the Lehigh County Housing Authority for an annual rental of \$1 for a period of 55 years, the following described premises:

All that certain lot or tract of land lying on the south side of East Gordon Street as shown on the plan of property for Valley Housing Development Corporation, prepared by Martin H. Schuler Company, Engineers and Surveyors, situate in the 15th Ward, and more particularly described as follows:

Beginning at a concrete monument along southern property line of East Gordon Street (40.00 feet wide), said point being located 289.13 feet west of intersection of the southern property line of East Gordon Street and the western property line of North Oswego Street (30.00 feet wide) extended; thence, extending along the southern property line of East Gordon Street south 86 degrees 00 minutes 00 seconds east 289.13 feet to a point; thence, extending along lands now or late of Allentown State Hospital south 03 degrees 48 minutes 00 seconds west 256.51 feet to a point; thence, extending along lands now or late of Allentown State Hospital north 84 degrees 39 minutes 21 seconds west 316.37 feet to a point; thence extending along lands now or late of Old Forge Corporation and lands now or late of Jeffrey Rehffuss north 10 degrees 01 minutes 09 seconds east 250.47 feet to the place of beginning.

Containing 1.7578 acres.

(b) The lease shall grant the lessee, the Lehigh County Housing Authority, the right to sublease the above described premises to construct and operate 20 units of housing for persons with serious mental illness.

(c) The lease agreement shall be executed by the Department of General Services, with the approval of the Department of Public Welfare, in the

name of the Commonwealth and shall be contingent upon and subject to the terms, conditions and provisions as agreed upon by the affected parties.

Section 7. Effective date.

This act shall take effect immediately.

APPROVED—The 20th day of December, A. D. 1989.

ROBERT P. CASEY