

No. 1992-76

AN ACT

SB 1330

Authorizing and directing the Department of General Services, with the approval of the Governor, to convey certain land in Allegheny Township, Blair County, to The Alto Reste Cemetery Association and to accept the conveyance of certain land in Allegheny Township, Blair County, from The Alto Reste Cemetery Association in exchange for the land conveyed; authorizing and directing the Department of General Services, with the approval of the Department of Public Welfare, to convey a tract of land and an easement situate in the City of Pittsburgh, Allegheny County, Pennsylvania, to the Urban Redevelopment Authority of Pittsburgh; authorizing the release of Project 70 and Project 500 restrictions imposed on certain lands being conveyed by Patton Township, Centre County, in return for the imposition of Project 70 and Project 500 restrictions on certain lands being conveyed to Patton Township, Centre County; authorizing and directing the Department of General Services, with the approval of the Department of Environmental Resources and the Governor, to grant and convey to Somerset County a right-of-way situate in the Township of Ogle, Somerset County, Pennsylvania; and making a repeal.

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

Section 1. (a) The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to The Alto Reste Cemetery Association the following tract of land bounded and described as follows:

All that certain strip of land situated in Allegheny Township, Blair County, and the Commonwealth of Pennsylvania, being more particularly described as follows:

Beginning at a concrete monument found in the westerly line of lands now or formerly of Anita M. Shaheen and the southerly corner of other lands of The Alto Reste Cemetery Association; thence along the westerly line of lands of said Anita M. Shaheen and lands of others.

South 04 degrees 30 minutes west 1280.59 feet to a concrete monument found in the westerly line of lands now or formerly of Earl Paul and Mary Sommer; thence along said westerly line of lands of Earl Paul and Mary Sommer and lands of others.

South 22 degrees 24 minutes west 860.44 feet to a concrete monument found at the southwest corner of lands now or formerly of Frank T. Perrano; thence through lands of the General State Authority for new line of division.

North 73 degrees 54 minutes west 2113.16 feet to a concrete monument set in the easterly line of SR 220; thence along said easterly line of SR 220 the following five courses:

- (1) North 12 degrees 37 minutes east 219.36 feet to an iron pin set; thence
- (2) North 37 degrees 44 minutes east 169.84 feet to an iron pin set; thence

(3) North 24 degrees 10 minutes east 435.77 feet to an iron pin set; thence
(4) North 11 degrees 10 minutes east 215.60 feet to an iron pin set; thence
(5) North 10 degrees 50 minutes west 206.92 feet to a concrete monument set at the southwesterly corner of other lands of The Alto Reste Cemetery Association; thence along the southerly line of the lands of The Alto Reste Cemetery Association the following two courses:

(1) North 81 degrees east 863.25 feet to a concrete monument found; thence

(2) North 81 degrees 30 minutes east 1287.32 feet to the place of beginning.

Containing 80.71 acres as surveyed by Stiffler, McGraw & Associates, Inc.

(b) The conveyance authorized by subsection (a) shall be in consideration for the conveyance by The Alto Reste Cemetery Association to the Commonwealth of Pennsylvania of a tract of land bounded and described as follows:

All that certain strip of land situated in Allegheny Township, Blair County, and the Commonwealth of Pennsylvania, being more particularly described as follows:

A strip of land varying in width beginning at a point in the easterly right-of-way line of SR 1001 at PennDOT Station 178 + 24.11, offset 30 feet right, said point also being the northwesterly corner of lands now or formerly of Harold F. and Patricia Fulton; thence along said easterly line of SR 1001 along the arc of a 04 degree curve to the right and parallel to the center line of said SR 1001 225.05 feet to the point of tangency at Station 180 + 49.16, offset 30 feet right, said curve having radius of 1402.69 feet; thence parallel to the center line of said SR 1001 53.89 feet to Station 181 + 03.05, offset 30 feet right; thence perpendicular to the center line of said SR 1001 5 feet to the Station 181 + 03.05, offset 25 feet right; thence parallel with said center line of SR 1001 801.95 feet to Station 189 + 05.00, offset 25 feet right; thence perpendicular to said center line of SR 1001 50.5 feet to Station 189 + 05.00, offset 75.5 feet right; thence parallel to said center line of SR 1001 855.84 feet to Station 180 + 49.16, offset 75.5 feet right; thence along the arc of a 04 degree curve to the left 217.75 feet to Station 178 + 24.11, offset 75.5 feet, said curve having a radius of 1357.19 feet, said point also being in the northerly line of land of the aforementioned Harold F. and Patricia Fulton; thence along said northerly line of Harold F. and Patricia Fulton:

South 84 degrees 45 minutes east 45.5 feet to Station 178 + 24.11, offset 30 feet right, the place of beginning.

Containing 1.214 acres as surveyed by Stiffler, McGraw & Associates, Inc.

(c) Conveyance of the lands described in subsections (a) and (b) shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

(d) The deed of conveyance of the property described in subsection (a) shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(e) The tracts and parcels of land herein described and transferred to The Alto Reste Cemetery Association by the Commonwealth and the jurisdiction and control over the same herein authorized to be transferred shall be free and clear of any limitations or rights of reversion more particularly set forth in section 1 of the act of September 29, 1938 (Sp.Sess. P.L.53, No.21), entitled, as amended, "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws."

(f) The parties to the transaction shall bear their respective costs.

Section 2. (a) The Department of General Services, with the approval of the Governor and the Department of Public Welfare, is authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Urban Redevelopment Authority of Pittsburgh, for a consideration of one-half the fair market value as determined by an appraisal or the remaining bond indebtedness on the subject property, whichever is greater, the following described tract of land situate in the City of Pittsburgh, Allegheny County, Pennsylvania, bounded and described as follows:

FIRST

All those certain lots or parcels of ground situate in the Fifth Ward, City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being Lots Nos. 1 to 16 inclusive, Lot No. 60 and Lots Nos. 63 and 64 in the Wm. V. Callery Plan, as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 13, Pages 114 and 115, being bounded and described as follows, to-wit:

Lots Nos. 1 to 16 inclusive:

Beginning at a point on the southerly line of Ridgeway Street (formerly Ridge Street) at the northwest corner of Lot No. 1 and the westerly line of said Plan of Lots and line of land now or late of William McConway; thence northeastwardly along the southerly line of said Ridgeway Street 434.11 feet to a point on the westerly line of Marcella Street; thence southwardly along the westerly line of said Marcella Street 102.44 feet to a point on the north-

erly line of a 20-foot way; thence southwestwardly along the northerly line of said 20-foot way 401.44 feet to a point at the southwesterly corner of Lot No. 1 in said Plan of Lots; and thence northwestwardly along the westerly line of said Lot No. 1, along the westerly line of said Plan of Lots and along line of land now or late of the aforementioned William McConway 95.17 feet to the point on the southerly line of Ridgeway Street at the place of beginning.

Lot No. 60:

Beginning at a point on the northerly line of White Street at the dividing line between Lots Nos. 59 and 60 in said Plan of Lots; thence southwestwardly along the northerly line of said White Street 25 feet to a point at the dividing line between Lots Nos. 60 and 61 in said Plan of Lots; thence northwestwardly along said last mentioned dividing line 91.67 feet to a point on the southerly line of a 20-foot way; thence northeastwardly along the southerly line of said 20-foot way 25 feet to a point at the dividing line between Lots Nos. 59 and 60 in said Plan of Lots; and thence southeastwardly along said last mentioned dividing line 91.67 feet to a point on the northerly line of White Street at the place of beginning.

Lots Nos. 63 and 64:

Beginning at a point on the northerly line of White Street at the dividing line between Lots Nos. 62 and 63 in said Plan of Lots; thence southwestwardly along the northerly line of said White Street 63.89 feet to a point at the southwesterly corner of Lot No. 64 in said Plan of Lots; thence northwestwardly along the westerly line of said Lot No. 64 along the westerly line of said Plan of Lots and along line of land now or late of William McConway 91.83 feet to a point on the southerly line of a 20-foot way; thence northeastwardly along the southerly line of said 20-foot way 58.44 feet to a point at the dividing line between Lots Nos. 62 and 63 in said Plan of Lots; and thence southeastwardly along said last mentioned dividing line 91.67 feet to the point on the northerly line of White Street at the place of beginning. The above described properties being the same properties as conveyed to the Tuberculosis League of Pittsburgh by the following deeds:

1. From James D. Callery et ux., et al., dated April 9, 1932, and recorded June 16, 1932, in Deed Book Volume 2472, Page 61.
2. From Joseph Z. Porter et ux., dated May 11, 1927, recorded May 12, 1927, in Deed Book Volume 2316, Page 548.
3. From Willie Claude Hightower et ux., dated May 11, 1927, recorded May 12, 1927, in Deed Book Volume 2316, Page 547.
4. From William McConway et ux., dated March 29, 1912, recorded October 22, 1912, in Deed Book Volume 1754, Page 207.

Block No. 258, Lot No. 98, for 5th Ward property.

SECOND

All that certain lot or parcel of ground situate in the Sixth Ward, City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being bounded and described as follows:

Beginning at a point at the southwesterly corner of Bigelow Boulevard (formerly Grant Boulevard) as widened by Ordinance No. 556 of the City of Pittsburgh, approved December 2, 1938, and recorded in Ordinance Book

Volume 49, Page 340, and Morgan Street (formerly Blakeley Street); thence along the southeasterly line of said Bigelow Boulevard south 62 degrees 48 minutes 17 seconds west 200.50 feet to the point on line of land of the City of Pittsburgh; thence along line of land of the City of Pittsburgh south 27 degrees 11 minutes 43 seconds east 136.80 feet to a point on the northwesterly line of the aforementioned Morgan Street; and thence along the northwesterly line of said Morgan Street north 28 degrees 29 minutes 57 seconds east 242.72 feet to the point at the southwesterly corner of Bigelow Boulevard and Morgan Street at the place of beginning.

Block 25-S, Lot 104.

Subject to a street 30 feet wide known as Judson Street (formerly Jeremy Street) running southwestwardly through said property from Morgan Street to the southwesterly line of the lot hereinabove described.

Subject to slopes for said Bigelow Boulevard as same are fixed in Ordinance No. 163 of the City of Pittsburgh, approved March 29, 1939, recorded in Ordinance Book Volume 49, Page 614.

THIRD

All that certain lot or parcel of ground situate in the Sixth Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being Lots Nos. 1 to 28 inclusive in Jones, Jeremy and Scully Plan, as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 4, Pages 152 and 153, being bounded and described as follows:

Beginning at a point at the northeasterly corner of Ridgeway Street (formerly Ridge Street) and Morgan Street (formerly Blakeley Street); thence along the northwesterly line of said Ridgeway Street north 60 degrees 56 minutes 57 seconds east 458.24 feet to a point on the Denny Manor Line; thence along the Denny Manor Line north 59 degrees 40 minutes 3 seconds west 246.00 feet to a point on the southeasterly line of the aforementioned Morgan Street; and thence along the southeasterly line of said Morgan Street south 28 degrees 29 minutes 57 seconds west 394.56 feet to the point at the northeasterly corner of Ridgeway Street and Morgan Street at the place of beginning.

Block 25-S, Lot No. 98.

The second and third described properties being the same properties which Andrew Carnegie et al. Trustees under Will of Mary E. Schenley, deceased, by deed dated February 2, 1916, and recorded March 2, 1916, in Deed Book Volume 1836, Page 625, granted and conveyed unto the Tuberculosis League of Pittsburgh.

FOURTH

All that certain lot or parcel of ground situate in the Fifth Ward, City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being bounded and described according to United States Standard Measure as follows:

Beginning at a point on the northwesterly line of Bedford Avenue at line of land now or late of Henry W. Oliver, Jr., said point being the westerly line of the Wm. V. Callery Plan, recorded in the Recorder's Office of Allegheny County in Plan Book Volume 13, Pages 114 and 115, and distant along the

northwesterly line of said Bedford Avenue south 60 degrees 56 minutes 57 seconds west 130.15 feet from the northwesterly line of said Bedford Avenue and Tulsa Street; thence along the northwesterly line of said Bedford Avenue south 60 degrees 56 minutes 57 seconds west 229.10 feet to a point; thence along other land of the party of the first part the following five courses and distances: north 25 degrees 54 minutes 33 seconds west 261.24 feet to a point; south 78 degrees 36 minutes 32 seconds west 37.98 feet to a point; north 25 degrees 54 minutes 33 seconds west 95.00 feet to a point; south 64 degrees 05 minutes 27 seconds west 101.11 feet to a point; south 25 degrees 46 minutes 53 seconds east 105.63 feet to a point on line of land of the Housing Authority of the City of Pittsburgh at the center line of a 20-foot right-of-way described in deed from the Housing Authority of the City of Pittsburgh to the Tuberculosis League of Pittsburgh, dated November 7, 1952, and recorded in the Recorder's Office of Allegheny County in Deed Book Volume 3247, Page 194; thence along line of land of the Housing Authority of the City of Pittsburgh, south 64 degrees 03 minutes 07 seconds west 155.12 feet to a point on the northeasterly line of Morgan Street now vacated; thence along the northeasterly line of said Morgan Street north 25 degrees 46 minutes 53 seconds west 149.32 feet to a point; thence along line of land now or late of Harding Harston north 64 degrees 03 minutes 07 seconds east 44.24 feet to a point; thence along the same north 25 degrees 46 minutes 53 seconds west 54.92 feet to a point on the southeasterly line of Ridgeway Street (formerly Ridge Street); thence along the southeasterly line of said Ridgeway Street north 60 degrees 56 minutes 57 seconds east 480.17 feet to a point on line of land now or late of Henry W. Oliver, Jr., and the westerly line of the aforementioned Plan of Lots; and thence along said last mentioned line south 25 degrees 39 minutes 03 seconds east 478.05 feet to the point on the northwesterly line of Bedford Avenue at the place of beginning.

For chain of title to premises fourth above described, see the following deeds to the Tuberculosis League of Pittsburgh:

1. From H. A. Phillips, unmarried, dated June 16, 1921, recorded June 23, 1921, in Deed Book Volume 2071, Page 93.
2. From William McConway et ux., dated March 5, 1910, recorded June 21, 1910, in Deed Book Volume 1672, Page 305.
3. From Huston Brothers Company, dated April 20, 1920, recorded May 14, 1920, in Deed Book Volume 2046, Page 227.

Block 258, Lot No. 98.

FIFTH

The free and uninterrupted use, liberty and privilege in common with the parties of the first part, its successors and assigns, the Housing Authority of the City of Pittsburgh, its successors and assigns, together with their tenants and occupiers for the time being and licensees, for said second party, its successors and assigns and its agents, servants and licensees at its and their will and pleasure at all times and purposes, to go, return, pass and repass by vehicle and on foot along and over a certain paved private road 20 feet wide and approximately 265 feet long through property now or formerly of the Housing Authority of the City of Pittsburgh, abutting property of the

Tuberculosis League of Pittsburgh, said road being situate in the Fifth Ward, City of Pittsburgh, and bounded and described as follows:

Beginning at a point, said point being on the northerly side of Bedford Avenue and distant south 60 degrees 55 minutes 42 seconds west 12.07 feet from the intersection of the lands now or formerly of the Housing Authority of the City of Pittsburgh and lands of the Tuberculosis League of Pittsburgh; thence continuing along said northerly side of Bedford Avenue south 60 degrees 55 minutes 42 seconds west 20.12 feet to a point; thence along lands now or formerly of the Housing Authority of the City of Pittsburgh north 25 degrees 48 minutes 18 seconds west 267.70 feet to lands of the Tuberculosis League of Pittsburgh; thence along the same north 64 degrees 11 minutes 42 seconds east 20 feet to a point; thence along lands now or formerly of the Housing Authority of the City of Pittsburgh south 25 degrees 48 minutes 18 seconds east 266.55 feet to the northerly side of Bedford Avenue at the place of beginning.

Together with and subject to the various rights and obligations appurtenant to above described right-of-way as more fully set forth and described in deed of the Housing Authority of the City of Pittsburgh to the Tuberculosis League of Pittsburgh, dated November 7, 1952, of record in Deed Book Volume 3247, Page 194.

Being the same right-of-way as conveyed by the aforesaid deed of the Housing Authority of the City of Pittsburgh to the Tuberculosis League of Pittsburgh, dated November 7, 1952, recorded in Deed Book Volume 3247, Page 194.

Except coal and mining rights, granted or reserved by prior instruments of record.

(b) The Commonwealth of Pennsylvania shall maintain the property until such time as title is conveyed. Title shall be conveyed at such time as the Urban Redevelopment Authority of Pittsburgh pays the consideration required by subsection (a).

(c) The conveyance shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

(d) The conveyance shall be made under and will be subject to the restriction and covenant by the grantee, for itself, its successors and assigns, which covenant shall run with the land, that the premises herein shall be used for housing for any of the following: low and moderate income persons, the elderly and the handicapped.

(e) The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 3. (a) The lands being conveyed by Patton Township, Centre County, and described in subsection (b) are hereby released from restrictions imposed under provisions of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, and the act of January 19, 1968 (1967 P.L.996, No.443), known as The Land and Water Conservation and Reclamation Act, in exchange for the imposition of Project 70 and Project 500 restrictions on land to be conveyed to Patton Township, Centre County, and described in subsection (c).

(b) The parcels of land authorized to be released from restrictions are more particularly described as follows:

Three parcels of land situated in Patton Township, Centre County, being more fully shown on a plan entitled "Property Survey for Grayswood Partnership (Graysdale)," prepared by Sweetland Engineering & Associates, Inc., drawing number E-717, dated April 10, 1991, revised October 9, 1991, and bounded and described as follows:

Parcel Number 1

Beginning at an existing iron pipe in the northern right-of-way line of Scotia Road (T.R.337), being a variable width right-of-way, at the common eastern corner of lands now or formerly of J. Alvin Hawbaker, being shown on the above mentioned plan, and the southern corner of the herein described lot; thence along said lands now or formerly of J. Alvin Hawbaker north 49 degrees 27 minutes 09 seconds west 65.35 feet to a point in the southern line of lands now or formerly of the Township of Patton, park area, Plan Book 16, Page 93, Deed Book 294, Page 1044, at the common northern corner of said lands now or formerly of J. Alvin Hawbaker and the western corner of said herein described lot; thence along said lands now or formerly of the Township of Patton (park area) north 42 degrees 18 minutes 49 seconds east 201.12 feet to an existing iron pipe at the northern corner of said herein described lot; thence south 48 degrees 28 minutes 12 seconds east 69.31 feet to a point in said northern right-of-way line of Scotia Road (T.R.337) at the eastern corner of said herein described lot; thence along said northern right-of-way line of Scotia Road (T.R.337) south 43 degrees 26 minutes 43 seconds west 200.09 feet to the point or place of beginning.

Containing 0.3099 acres, more or less.

Parcel Number 2

Beginning at a point in the northern right-of-way line of Scotia Road (T.R.337), being a variable width right-of-way, at the southern corner of the herein described lot, said point being north 43 degrees 26 minutes 43 seconds east 217.20 feet from an existing iron pipe at the eastern corner of lands now or formerly of J. Alvin Hawbaker as shown on the above mentioned plan; thence north 48 degrees 01 minute 40 seconds west 69.61 feet to a point in the southern line of lands now or formerly of the Township of Patton, park area, Plan Book 16, Page 93, Deed Book 294, Page 1044, at the eastern corner of said herein described lot; thence along said lands now or formerly of the Township of Patton, park area, north 42 degrees 18 minutes 49 seconds east 273.00 feet to an existing iron pin at the common western corner of lands now or formerly of Daniel R. and Glenn O. Hawbaker, Calvin

Zimmerman and Ralph T. Heimer and the northern corner of said herein described lot; thence along said lands now or formerly of Hawbaker, Zimmerman and Heimer south 46 degrees 17 minutes 06 seconds east 77.76 feet to a point in said northern right-of-way line of Scotia Road (T.R.337) at the common southern corner of said lands now or formerly of Hawbaker, Zimmerman and Heimer and the eastern corner of said herein described lot; thence along said northern right-of-way line of Scotia Road (T.R.337) the following three (3) courses and distances: (1) south 44 degrees 57 minutes 55 seconds west 109.81 feet to a point, said point being a point of curvature; thence (2) by the arc of a curve to the left having an arc length of 50.95 feet, a radius of 871.42 feet, a central angle of 03 degrees 21 minutes 00 seconds, a chord distance of 50.94 feet and a chord bearing of south 43 degrees 17 minutes 27 seconds west to a point; thence (3) south 43 degrees 26 minutes 43 seconds west 110.07 feet to the point or place of beginning.

Containing 0.4541 acres, more or less.

Parcel Number 3

Beginning at an existing axle in the southwestern line of lands now or formerly of Daniel R. Hawbaker, Glenn O. Hawbaker, Sr., Calvin Zimmerman and Ralph T. Heimer, Lot 10 Plan Book 33, Page 170, at the common northern corner of other lands now or formerly of Daniel R. Hawbaker, Glenn O. Hawbaker, Sr., Calvin Zimmerman and Ralph T. Heimer and the eastern corner of the herein described lot; thence south 42 degrees 18 minutes 49 seconds west 660.00 feet to a point in the northern line of lands now or formerly of J. Alvin Hawbaker, as shown on the above mentioned plan, in the northwestern right-of-way line of a 60-foot right-of-way, Plan Book 16, Page 93, at the southern right-of-way line of said herein described lot; thence along said northwestern right-of-way line of said 60-foot right-of-way the following two (2) courses and distances: (1) north 47 degrees 52 minutes 43 seconds west 167.79 feet to a point; thence (2) north 57 degrees 37 minutes 42 seconds west 400.00 feet to a point in line of lands now or formerly of Daniel R. Hawbaker, Glenn O. Hawbaker, Sr., Calvin Zimmerman and Ralph T. Heimer, Plan Book 9, Page 51, at the common northern corner of said 60-foot right-of-way and the western corner of said herein described lot; thence along said lands now or formerly of Hawbaker, Zimmerman and Heimer the following three (3) courses and distances: (1) north 32 degrees 31 minutes 04 seconds east 437.63 feet to a point; thence (2) north 41 degrees 07 minutes 19 seconds east 315.00 feet to a point at the northern corner of said herein described lot; thence (3) south 46 degrees 12 minutes 40 seconds east 121.77 feet to a point at the western corner of said lands now or formerly of Hawbaker, Zimmerman and Heimer, Lot 10 Plan Book 33, Page 170; thence along said lands now or formerly of Hawbaker, Zimmerman and Heimer, Lot 10 Plan Book 33, Page 170, south 46 degrees 12 minutes 40 seconds east 521.23 feet to the point or place of beginning.

Containing 9.8522 acres, more or less.

(c) The parcel of land to be subject to restrictions is more particularly described as follows:

A parcel of land situated in Patton Township, Centre County, being more fully shown on a plan entitled "Graysdale Subdivision Phase I" prepared by Fahringer, McCarty, Grey, Inc., dated January 6, 1992, and bounded and described as follows:

Beginning at the most southerly corner of the proposed Graysdale Subdivision, to be recorded, said corner also being on the proposed northeasterly right-of-way line of Meeks Lane 30.000 feet to center line to be recorded in the aforementioned Graysdale Subdivision and also being the southwesterly corner of property now or formerly of State Game Lands No.176; thence from said point of beginning along the northeasterly right-of-way line of said Meeks Lane in a northwesterly direction by a curve to the right having a radius of 320.000 feet for an arc distance of 82.470 feet, subtended by a chord bearing of north 35 degrees 19 minutes 29 seconds west, for a chord distance of 82.240 feet; thence along same north 27 degrees 56 minutes 30 seconds west 52.800 feet; thence along same in a northwesterly direction by a curve to the left having a radius of 480.000 feet for an arc distance of 214.255 feet; thence along same north 53 degrees 31 minutes 00 seconds west 28.195 feet to a point on the southeasterly right-of-way line of Graysdale Boulevard 80-foot width to be recorded in the aforementioned Graysdale Subdivision; thence along said southeasterly right-of-way line of Graysdale Boulevard in a northerly direction by a curve to the right having a radius of 50.000 feet for an arc distance of 79.865 feet; thence along same north 37 degrees 59 minutes 58 seconds east 11.565 feet; thence along same in a northerly direction by a curve to the left having a radius of 740.000 feet for an arc distance of 396.605 feet; thence along same north 07 degrees 17 minutes 30 seconds east 58.945 feet; thence along same in a northerly direction by a curve to the right having a radius of 2400.000 feet for an arc distance of 333.010 feet; thence along same in a northeasterly direction by a curve to the right having a radius of 825.000 feet for an arc distance of 415.695 feet to a point on the center line of an existing 40 foot wide utility easement; thence along the center line of said utility easement south 26 degrees 13 minutes 47 seconds east 915.570 feet to a point on line of lands now or formerly of James A. and Nancy C. Bennett; thence along line of lands of said James A. and Nancy C. Bennett, lands now or formerly of Gary L. and Diane S. Hartman, land now or formerly of Richard P. and Wanda K. Meyers and lands now or formerly of State Game Lands No.176 south 42 degrees 18 minutes 49 seconds west 884.620 feet to the point of beginning.

Containing 14.103 acres, more or less.

(d) The restriction to be included in the deed to the parcel described in subsection (c) shall read as follows:

This indenture is given to provide land for recreation, conservation and historical purposes as 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, and the act of January 19, 1968 (1967 P.L.996, No.443), known as The Land and Water Conservation and Reclamation Act.

Section 4. (a) The Department of General Services, with the approval of the Department of Environmental Resources and the Governor, is hereby

authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to Somerset County, for a consideration of one dollar, a right-of-way on the following tract of land lying in the Township of Ogle, Somerset County, Pennsylvania, bounded and described as follows:

Beginning at a point on the northern right-of-way line of Township Road T-773, said point being on a common line between the Commonwealth of Pennsylvania and lands owned by H. Clifford Wissinger and Helen C. Wissinger, husband and wife, said point of beginning is further located and described as being approximately 12 feet northerly, measured at right angles, from or about T-773 Right-of-Way Baseline Station 0+91; thence in a northwesterly direction leaving said T-773 legal right-of-way line to a point on a line of land of H. Clifford Wissinger and Helen C. Wissinger located approximately 36 feet northerly, measured at right angles, from T-773 Right-of-Way Baseline Station 0+60; thence in a northerly direction through lands of the Commonwealth of Pennsylvania (residue) to a point located 37 feet northerly, measured at right angles, from T-773 Right-of-Way Baseline Station 0+60; thence in an easterly direction through lands of the Commonwealth of Pennsylvania (residue) to a point located 34 feet northerly, measured at right angles, from T-773 Right-of-Way Baseline Station 1+48; thence in an easterly direction through lands of the Commonwealth of Pennsylvania (residue) to a point located 25 feet northerly, measured at right angles, from T-773 Right-of-Way Baseline Station 2+21; thence in a southerly direction through lands of the Commonwealth of Pennsylvania to a point on the northerly legal Right-of-Way line of T-773 located approximately 17.4 feet northerly, measured at right angles, from T-773 Right-of-Way Baseline Station 2+21; thence in a westerly direction with the legal Right-of-Way line of T-773 to the point of beginning.

Containing 2601.67 square feet or 0.060 of an acre, more or less.

(b) The right-of-way conveyance shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

(c) The right-of-way deed shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(d) Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 5. Section 2 of the act of April 4, 1990 (P.L.85, No.20), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Corrections, to convey a tract of land in Lower Allen Township, Cumberland County, Pennsylvania, to the Christian Life Assembly of Camp Hill Borough; and authorizing and directing the Department of General Services, with the approval of the Department of Public Welfare, to convey a tract of land and an easement situate in the City of Pittsburgh, Allegheny County, Pennsylvania, to the

Urban Redevelopment Authority of Pittsburgh," is repealed insofar as it is inconsistent with this act.

Section 6. This act shall take effect immediately.

APPROVED—The 2nd day of July, A. D. 1992.

ROBERT P. CASEY