

## No. 1994-26

## AN ACT

## HB 1513

Authorizing the release of Project 70 restrictions imposed on certain land owned by Allegheny County in return for the imposition of Project 70 restrictions on certain land to be acquired by Allegheny County.

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

Section 1. (a) The land described in subsection (b) is hereby released from any restrictions or encumbrances on the title resulting from the 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, in exchange for the imposition of the Project 70 Land Acquisition and Borrowing Act provisions on land to be acquired by the County of Allegheny from the Wexford Plaza Associates of Pittsburgh, Allegheny County, and described in subsection (c).

(b) The land to be released from restrictions imposed by the Project 70 Land Acquisition and Borrowing Act is more particularly described as follows:

All that certain parcel of ground situate in Pine Township, Allegheny County, Pennsylvania, bounded and described as follows:

Beginning at a point on the easterly line of Perry Highway, S.R.0019, at the northwesterly corner of Lot 7 in Wexford Plaza Subdivision No. 1, recorded in Plan Book Volume 176, Pages 8 through 11; thence along the easterly line of Perry Highway, S.R.0019, north 10 degrees 51 minutes 30 seconds west 109.12 feet to a point on the southerly line of land now or formerly of William L. Bauerle, et ux.; thence along the southerly line of Bauerle, north 88 degrees 8 minutes 30 seconds east 369.63 feet to a point; thence continuing along the easterly line of Bauerle, north 10 degrees 51 minutes 30 seconds west 189.68 feet to a point in the center of Brooker Drive, 50-foot wide private right-of-way; thence along the center line of Brooker Drive, north 88 degrees 8 minutes 30 seconds east 253.64 feet to a point at the center line terminus of Brooker Drive; thence along the easterly terminus of Brooker Drive and easterly line of land now or formerly of Mary M. Brooker, et al., north 10 degrees 51 minutes 30 seconds west 225.31 feet to a point at the southwest corner of Lot 3 in the Lake Drive Plan of Lots recorded in Plan Book Volume 154, Pages 50 and 51; thence along the southerly line of Lot 3 and through property of which this is a part, north 88 degrees 8 minutes 30 seconds east 226.80 feet to a point; thence continuing through property of which this is a part the following two courses and distances, viz: south 10 degrees 51 minutes 30 seconds east 448.93 feet to a point; thence south 79 degrees 8 minutes 30 seconds west 50 feet to the

northeast corner of Lot 7 in said Wexford Plaza Subdivision No. 1; thence along the northerly line of said Lot 7 the following two courses and distances viz: by the arc of a circle deflecting to the right in a westerly direction having a radius of 370 feet an arc distance of 225.19 feet to a point; thence south 88 degrees 8 minutes 30 seconds west 577.39 feet to the point at the place of beginning.

Containing 5.135 acres, more or less, including 0.146 acres, more or less, within the right-of-way of Brooker Drive and all of the land in Lot 1, Lot 2, Lot 3 and Wexford Plaza Drive, as shown on Wexford Plaza Subdivision No. 3, recorded in Plan Book Volume , Page , subject to Brooker Drive as shown on said Wexford Plaza Subdivision No. 3 and existing sanitary sewer easements, and excepting and reserving therefrom all that certain land identified in said Wexford Plaza Subdivision No. 3 as "Park Entrance (Private)," title to which shall remain in the County of Allegheny.

Together with and subject to rights-of-way reasonably required for surface water.

Being part of the property conveyed by North Suburban Land Company to County of Allegheny by deed dated June 25, 1969, of record in the Office of the Recorder of Deeds of Allegheny County, Pennsylvania, in Deed Book Volume 4747, Page 381.

(c) The land on which the Project 70 Land Acquisition and Borrowing Act restrictions shall be imposed is more particularly described as follows:

All that certain parcel of ground situate in the Town of McCandless, Allegheny County, Pennsylvania, being part of Lot 3 of the Wexford Plaza Subdivision No. 2, recorded in Plan Book Volume 176, Pages 148 and 149, bounded and described as follows:

Beginning at a point on the southeasterly corner of Lot 3 of the Wexford Plaza Subdivision No. 2, recorded in Plan Book Volume 176, Pages 148 and 149; thence along the southerly line of said Lot 3, south 88 degrees 46 minutes west 225 feet; thence through said Lot 3, north 30 degrees 57 minutes 17 seconds west 663.42 feet to a point on the northerly line of said Lot 3; thence along the northerly line of said Lot 3, north 88 degrees 23 minutes east 560 feet to the northeasterly corner of said Lot 3; thence along the easterly line of said Lot 3, south 38 minutes east 579.93 feet to the point at the place of beginning.

Containing 5.215 acres, more or less, being Lot 3B in Wexford Plaza Subdivision No. 4, recorded in Plan Book Volume 181, Pages 24 and 25, subject to existing sanitary sewer easements but without being burdened or benefited by or under that certain Amended and Restated Reciprocal Easement Agreement dated April 30, 1992, and recorded in Deed Book Volume 8721, Page 375, it being understood that the land herein is intended to be used by the Grantee as part of and in connection with other land of the Grantee and that Grantee's only access to the land herein will be over or through such other land of the Grantee; otherwise the land herein is and shall be landlocked.

Together with and subject to rights-of-way reasonably required for surface water.

Being part of the property which was conveyed to Wexford Plaza Associates by the following deeds dated December 15, 1988: from Diana McCargo Hardie, recorded in Deed Book Volume 7928, Page 359; from Heather M. McCargo, recorded in Deed Book Volume 7928, Page 351; from Grant McCargo III, recorded in Deed Book Volume 7928, Page 363; from Thomas W. McCargo, recorded in Deed Book Volume 7928, Page 355; from Gra-Co, Incorporated, recorded in Deed Book Volume 7928, Page 372; and from Graham Realty Company and Grant McCargo, recorded in Deed Book Volume 7928, Page 367.

(d) The following restriction shall be added to the deed for the land described in subsection (c):

“This land is to be used for municipal, recreation, conservation and historical purposes as defined in the Project 70 Land Acquisition and Borrowing Act.”

Section 2. This act shall take effect immediately.

APPROVED—The 29th day of April, A.D. 1994.

ROBERT P. CASEY