

No. 1994-81

AN ACT

HB 1140

Authorizing the release of Project 70 restrictions on certain lands owned by Union Township, Lawrence County, in return for the imposition of Project 70 restrictions on certain lands being conveyed to Union Township; authorizing the release of Project 70 restrictions on certain lands owned by the Pennsylvania Fish and Boat Commission in Lawrence County being conveyed by the commission in return for the imposition of Project 70 restrictions on certain lands to be conveyed to the commission in Lawrence County; authorizing the release of Project 70 restrictions imposed on certain lands owned by the Borough of Whitehall, Allegheny County, being conveyed by the borough in return for the imposition of Project 70 restrictions on certain lands being conveyed to the borough; authorizing the release of Project 70 and Project 500 restrictions imposed on certain lands owned by Allegheny County in return for the imposition of Project 70 and Project 500 restrictions on certain lands to be conveyed to Allegheny County; authorizing and directing the Pennsylvania Fish and Boat Commission to convey a Project 70 tract of land in Northampton County under certain conditions; and authorizing the conveyance of certain lands owned by the Pennsylvania Fish and Boat Commission in Luzerne County.

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

Section 1. Lawrence County - Union Township.

(a) Authorization.—Under 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 Project 70 restrictions from the land owned by Union Township, Lawrence County, which is described in subsection (b), in exchange for the imposition of Project 70 restrictions on the land described in subsection (c) which is being conveyed to Union Township, Lawrence County.

(b) Land to be released from restrictions.—The parcel of land to be released from Project 70 restrictions is located in Union Township, Lawrence County, and more particularly described as follows:

Beginning at the northeast corner thereof, said point being at the northwest corner of Lot No. 6 of the Arch D. Wilson Plan No. 2 and the south line of the Sherry Plan; thence south 3 degrees 27 minutes east 496.36 feet along Lots No. 6 and 34 in the Arch D. Wilson Plan to the north line of Wilson Drive; thence by the north line of Wilson Drive south 86 degrees 33 minutes west 483.08 feet to a point on the right-of-way line of the Pennsylvania Power Company; thence by the same right-of-way line north 27 degrees east 577.35 feet to a point on the south line of the Sherry Plan of lots; thence by the same north 83 degrees 46 minutes east 14.92 feet to a point; thence by the same north 87 degrees 13 minutes 45 seconds east 175.58 feet to a point and the place of beginning.

Containing 3.85 acres, more or less.

(c) Land on which restrictions are to be imposed.—The parcel of land on which Project 70 restrictions are to be imposed is located in Union Township, Lawrence County, and more particularly described as follows:

Beginning at a point in the center line of Covert Road (T-372) at the south line of the Pennsylvania Power Company; thence by the same south 80 degrees 18 minutes 11 seconds east 275.70 feet to an iron pin; thence by the same south 82 degrees 5 minutes 58 seconds east 440.79 feet to an iron pin on other lands of grantor; thence by lands of grantor south 11 degrees 7 minutes 11 seconds west 215.95 feet to an iron pin, which is on the right-of-way line of the CSX Transportation Railroad; thence by the same north 76 degrees 50 minutes 29 seconds west 858.63 feet to an iron pin; thence by the same north 11 degrees 7 minutes 11 seconds east 67.52 feet to a point in the center line of Covert Road (T-372); thence by the center line of said road north 74 degrees 1 minute 31 seconds east 28.33 feet; thence by the same north 69 degrees 3 minutes 17 seconds east 138.24 feet to a point and the place of beginning.

Containing 3.40 acres, more or less.

(d) Deed restriction.—The restriction to be included in the deed of conveyance for the parcel described in subsection (c) shall be as follows:

This indenture is given to provide land for recreation, conservation and historical purposes as those 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 2. Lawrence County - Bessemer Borough and North Beaver Township.

(a) Authorization.—Under 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 Pennsylvania Fish and Boat Commission to exchange 6.25 acres of land, more or less, in North Beaver Township, Lawrence County, hereinafter described as Tract No. 1, at the project known as Bessemer Quarry Lakes, to Saint Anthony's Church for use as part of its cemetery in consideration of the transfer of 10.627 acres of land, more or less, in North Beaver Township, Lawrence County, hereinafter described as Tract No. 2, to the Pennsylvania Fish and Boat Commission, which parcel would give the Pennsylvania Fish and Boat Commission control of the upper end of the Bessemer Quarry Lakes project.

(b) Freedom of restrictions.—The Pennsylvania Fish and Boat Commission shall transfer Tract No. 1 to Saint Anthony's Church free from the restrictions on use and alienation prescribed by the Project 70 Land Acquisition and Borrowing Act, subject, however, to all easements of record upon:

(1) The execution and filing of a general warranty deed transferring Tract No. 2 to the Commonwealth of Pennsylvania for use by the

Pennsylvania Fish and Boat Commission with good and marketable title satisfactory to the Pennsylvania Fish and Boat Commission.

(2) The execution and filing of a deed transferring Tract No. 1 from the Commonwealth of Pennsylvania for use by the Pennsylvania Fish and Boat Commission to Saint Anthony's Church.

(c) Execution.—The deed of conveyance from the Pennsylvania Fish and Boat Commission to Saint Anthony's Church shall be executed by the Executive Director of the Pennsylvania Fish and Boat Commission in the name of the Commonwealth of Pennsylvania for use by the Pennsylvania Fish and Boat Commission and shall be approved for legality and form by the Chief Counsel of the Pennsylvania Fish and Boat Commission and the Office of Attorney General.

(d) Imposition of restrictions.—When Tract No. 2 is conveyed to the Commonwealth of Pennsylvania for use by the Pennsylvania Fish and Boat Commission, it shall be subject to the restrictions on use and alienation prescribed by the Project 70 Land Acquisition and Borrowing Act.

(e) Description of lands.—Tract No. 1 is more particularly bounded and described as follows:

Tract No. 1

All that certain piece or parcel of land situate in the Township of North Beaver, County of Lawrence, State of Pennsylvania, bounded and described as follows:

Beginning at a point in the center line of State Route 317, west of the Borough of Bessemer, at the southwestern corner of lands now or formerly of W. Summers and southeastern corner of lands herein described; thence along center line of State Route 317, north 87 degrees 40 minutes west a distance of 179.06 feet to a point in center line of State Route 317 and southeastern corner of remaining lands now or formerly of the Pennsylvania Fish and Boat Commission; thence leaving State Route 317 and along remaining lands now or formerly of the Pennsylvania Fish and Boat Commission the following (3) courses and distances:

(1) north 07 minutes 24 seconds west a distance of 999.33 feet to a point;

(2) south 87 degrees 40 minutes east a distance of 80.58 feet to a point;

(3) south 88 degrees 58 minutes 23 seconds east a distance of 193.58 feet to a point in lands now or formerly of M. and V. Cunningham;

thence along lands now or formerly of M. and V. Cunningham the following (2) courses and distances:

(1) south 01 degree 02 minutes 18 seconds east a distance of 148 feet to a point;

(2) south 79 degrees 31 minutes 19 seconds east a distance of 115.36 feet to a point on the Bessemer Borough line;

thence along borough line, south 01 degree 10 minutes 08 seconds east a distance of 87.25 feet to a concrete monument in center line of cemetery

drive and lands of the Yugoslav Civil Cemetery; thence along center line of cemetery drive and lands of the Yugoslav Civil Cemetery, south 89 degrees 32 minutes 07 seconds west a distance of 115.87 feet to a pipe post in concrete; thence continuing along lands of the Yugoslav Civil Cemetery, south 07 minutes 34 seconds east a distance of 368.07 feet to an iron pin and common corner of lands of Yugoslav Civil Cemetery and Saint Anthony Catholic Cemetery; thence along lands of St. Anthony Catholic Cemetery, south 07 minutes 24 seconds east a distance of 227.48 feet to a point at northeastern corner of lands now or formerly of W. Summers; thence along lands now or formerly of W. Summers the following (2) courses and distances:

(1) north 88 degrees 28 minutes 30 seconds west a distance of 99.95 feet to a point;

(2) south 01 degree 22 minutes 15 seconds east a distance of 149.90 feet to a point in the center line of State Route 317 and place of beginning.

Containing 6.250 acres (272,255 square feet) of land as shown on "Saint Anthony's Council Cemetery Association's Property Survey of the Pennsylvania Fish Commission Land Exchange," prepared by the Pennsylvania Fish Commission, dated September 1983.

Being a portion and/or part of the same premises granted and conveyed to the Commonwealth of Pennsylvania acting through the Pennsylvania Fish Commission by Declaration of Taking from Marie E. Craft, Clarence B. Eckman and Claud F. Eckman, dated November 28, 1967, and recorded in the Office of the Recorder of Deeds of Lawrence County in Deed Book 529, Page 638, excepting and reserving any mineral rights to which the Commonwealth of Pennsylvania may hold title and under and subject to any easements of record appertaining to the said Tract No. 1.

Tract No. 2 is more particularly bounded and described as follows:

Tract No. 2

Beginning at an iron pin at the corner of the D'Amico tract and the Pennsylvania Fish Commission; thence by the line of the Pennsylvania Fish Commission south 14 minutes 41 seconds east 561 feet to a point; thence south 14 minutes 41 seconds east 250 feet to an iron pin at the corner of the tracts of the Pennsylvania Fish Commission and S.M.E. Bessemer Cement, Inc.; thence by the line of S.M.E. Bessemer Cement, Inc., north 85 degrees 02 minutes west 100 feet to an iron pin; thence north 14 minutes 41 seconds east 250 feet to an iron pin thence north 85 degrees 02 minutes west 89 feet to an iron pin then by the line of the remaining lands of S.M.E. Bessemer Cement, Inc., south 73 degrees 24 minutes 29 seconds west 688.44 feet to an iron pin; thence north 23 degrees 18 minutes west 300 feet to an iron pin; thence north 55 degrees 07 minutes east 475 feet to an iron pin; thence north 61 degrees 26 minutes east 440 feet to an iron pin at the corner of the tracts now or formerly of S.M.E. Bessemer Cement, Inc., and D'Amico; then by the

line of D'Amico south 85 degrees 02 minutes east 189 feet to an iron pin the point of the beginning.

Containing 10.627 acres being lands wholly within the boundaries of the land described in the deed recorded in Lawrence County Deed Book Volume 656, Page 1029.

Section 3. Allegheny County - Borough of Whitehall.

(a) 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 the Project 70 Land Acquisition and Borrowing Act from the land owned by the Borough of Whitehall, Allegheny County, being conveyed to Caste Development, Inc., and more particularly described in subsection (c), in exchange for the imposition of Project 70 restrictions on lands owned by Caste Development, Inc., being conveyed to the Borough of Whitehall, and more particularly described in subsection (d).

(b) Freedom of restrictions.—The lands described in subsection (c) owned by the Borough of Whitehall and being conveyed to Caste Development, Inc., shall be free of the restrictions on use and alienation imposed by the Project 70 Land Acquisition and Borrowing Act upon the imposition of and recording of the Project 70 deed restrictions set forth in subsection (e) on the parcel of replacement land owned by Caste Development, Inc., and being conveyed to the Borough of Whitehall, described in subsection (d).

(c) Land to be free from restrictions.—The parcel of land authorized to be released from restrictions is located in the Borough of Whitehall, Allegheny County, and more particularly described as follows:

Beginning at a point on the easterly line of Lot No. 720 and Lot No. 721 in the Overlook Acres Plan No. 10 as recorded in the Plan Book Volume 60 Pages 93 through 96; thence by line through property now or formally of Felix Caste, Sr., north 35 degrees 15 minutes east a distance of 370 feet to a point on the line of the original Whitehall Borough Park at the true place of beginning; thence along said park and along said Felix Caste, Sr., property north 54 degrees 44 minutes west a distance of 385 feet to a point; thence still along the same north 17 degrees 16 minutes east a distance of 390.52 feet to a point; thence still along the same north 83 degrees 16 minutes east a distance of 463.39 feet to a point; thence still along the same south 15 degrees 46 minutes west a distance of 297.21 feet to a point of curvature; thence still along the same in a southwesterly direction by an arc of a circle curving to the left having a radius of 1,578 feet for an arc distance of 426.89 feet to a point; thence north 89 degrees 44 minutes east 40,000 feet to a point; thence still along the same north 54 degrees 44 minutes west a distance of 100 feet to a point at the true place of beginning.

Containing an area of 5.727 acres.

(d) Land on which restrictions are to be imposed.—The replacement parcel to be subject to restriction in exchange for the parcel described in

subsection (c) is located in the Borough of Whitehall, Allegheny County, and more particularly described as follows:

Beginning at a point on the northwesterly right-of-way line of Lantern Hill Drive, a 50-foot right-of-way, where the same is intersected by the dividing line of Lot No. 103 in the Caste Hill Plan No. 1 as recorded in Plan Book Volume 128, Pages 49 and 50 and property now or formerly of Felix Caste, Sr.; thence along said right-of-way line north 04 degrees east a distance of 67.70 feet to a point at terminus of said Lantern Hill Drive as shown on said plan; thence by a line along proposed Lantern Hill Drive extension north 04 degrees east a distance of 57.84 feet to a point of curvature; thence still along said proposed right-of-way line in a northwesterly direction by an arc of a circle curving to the left having a radius of 725 feet for an arc distance of 184.63 feet to a point of tangency; thence still along the same north 10 degrees 35 minutes 28 seconds west a distance of 150 feet to a point of curvature; thence along the same in a northwesterly direction by an arc of a circle curving to the left having a radius of 300 feet for an arc distance of 72 feet to a point of tangency; thence along the same north 24 degrees 20 minutes 32 seconds west a distance of 19 feet to a point at the true place of beginning; thence from said true point of beginning and leaving said proposed right-of-way line for the following seven courses and distances, viz:

- (1) thence north 81 degrees west a distance of 210 feet to a point, viz;
- (2) thence north 38 degrees 50 minutes 42 seconds west a distance of 107.28 feet to a point, viz;
- (3) thence north 24 degrees 16 minutes west a distance of 550 feet to a point, viz;
- (4) thence north 05 degrees 30 minutes east a distance of 115 feet to a point, viz;
- (5) thence north 87 degrees 50 minutes east a distance of 250 feet to a point, viz;
- (6) thence south 72 degrees 14 minutes east a distance of 265 feet to a point, viz;
- (7) thence south 57 degrees 24 minutes 37 seconds east a distance of 116.21 feet to a point on the aforementioned proposed right-of-way line of Lantern Hill Drive extension;

Thence along said proposed right-of-way line the following five courses and distances, viz:

- (1) thence in a southwesterly direction by an arc of a circle curving to the left having a radius of 60 feet for an arc distance of 113.73 feet to a point of reverse curvature, viz;
- (2) thence in a southwesterly direction by an arc of a circle curving to the right having a radius of 50 feet for an arc distance of 38.61 feet to a point of reverse curvature, viz;
- (3) thence in a southwesterly direction by an arc of a circle curving to the left having a radius of 800 feet for an arc distance of 209.38 feet to a point of compound curvature, viz;

(4) thence in a southeasterly direction by an arc of a circle curving to the left having a radius of 250 feet for an arc distance of 191.99 feet to a point of tangency, viz;

(5) thence south 24 degrees 20 minutes 32 seconds a distance of 131 feet to a point at the true place of beginning.

Containing an area of 5.9204 acres.

(e) Description of deed restriction.—The deed restriction to be transferred to the parcel described in subsection (d) shall read as follows:

This indenture is given to provide land for recreation, conservation and historical purposes as those 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 4. Allegheny County - Townships of Harrison and Frazer.

(a) Authorization.—The lands 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 restrictions under the Project 70 Land Acquisition and Borrowing Act and The Land and Water Conservation and Reclamation Act on land to be conveyed to Allegheny County described in subsection (c).

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

All those certain tracts of land situate in the Township of Harrison, County of Allegheny, Commonwealth of Pennsylvania, bounded and described as follows:

PARCEL 1

Beginning at a point being distant the following three bearings and distances from the iron pin on the southeasterly right-of-way line of State Route 28, Legislative Route 70, known as Tarentum-Freeport Road, as relocated by a plan approved by the Governor of the Commonwealth of Pennsylvania on September 12, 1940, said iron pin also being located at Station 1430+30, offset 37 feet right, as shown on the drawings for Legislative Route 70, Section 23 R/W, signed by the Governor of the Commonwealth of Pennsylvania on January 18, 1962, and recorded in Allegheny County Office of Recorder of Deeds in State Highway Plan Book Volume 24, Page 66, said point being on the dividing line between land formerly of Matthew A. Palko and Mary A. Palko, his wife, on the northerly side and J. Koenig on the southerly side, said land of Palko having been conveyed to Allegheny County by their deed dated April 28, 1970, and recorded in Allegheny County Office of Recorder of Deeds in Deed Book Volume 4832, Page 685, and said land of J. Koenig having been conveyed to County of Allegheny by their deed recorded in Allegheny County Office

of Recorder of Deeds in Deed Book Volume 4313, Page 165, viz, along the southeasterly right-of-way line of State Route 28 north 39 minutes 30 seconds east a distance of 131.65 feet to a point; thence continuing along said right-of-way line north 39 degrees 33 minutes east a distance of 431.23 feet to a point; thence through land formerly of Gary E. Ekas and Shirley Jean Ekas, his wife, and conveyed to County of Allegheny by their deed dated March 31, 1970, and recorded in the Allegheny County Office of Recorder of Deeds in Deed Book Volume 4514, Page 51, north 68 degrees 26 minutes 46 seconds east a distance of 269.38 feet to a corner hub, the point of beginning; thence continuing through former Ekas land north 68 degrees 26 minutes 46 seconds east a distance of 100 feet to a corner hub; thence continuing through former Ekas land and through land conveyed to County of Allegheny from Leo A. and Emma E. Gallagher by their deed dated April 2, 1970, and recorded in the Allegheny County Office of Recorder of Deeds in Deed Book Volume 4827, Page 617, south 21 degrees 33 minutes 14 seconds east a distance of 100 feet to a corner hub; thence through former Gallagher land south 68 degrees 26 minutes 46 seconds west a distance of 100 feet to a corner hub; thence through former Gallagher land and former Ekas land north 21 degrees 33 minutes 14 seconds west a distance of 100 feet to the point of beginning.

Containing .2296 acres, more or less.

PARCEL 2

Beginning at a point being distant the following three bearings and distances from the iron pin on the southeasterly right-of-way line of State Route 28, Legislative Route 70, known as Tarentum-Freeport Road, as relocated by a plan approved by the Governor of the Commonwealth of Pennsylvania on September 12, 1940, said iron pin also being located at Station 1430+30, offset 37 feet right, as shown on the drawings for Legislative Route 70, Section 23 R/W, signed by the Governor of the Commonwealth of Pennsylvania on January 18, 1962, and recorded in the Allegheny County Office of Recorder of Deeds in State Highway Plan Book Volume 29, Page 66, said point being on the dividing line between land formerly of Matthew A. Palko and Mary A. Palko, his wife, on the northerly side and J. Koenig on the southerly side, and land of Palko having been conveyed to Allegheny County by their deed dated April 28, 1970, and recorded in Allegheny County Office of Recorder of Deeds in Deed Book Volume 4832, Page 685, and said land of J. Koenig having been conveyed to County of Allegheny by their deed recorded in Allegheny County Office of Recorder of Deeds in Deed Book Volume 4313, Page 165, viz: along the southeasterly right-of-way line of State Route 28 north 39 degrees 30 minutes east a distance of 131.65 feet to a point; thence continuing along said right-of-way line north 39 degrees 33 minutes east a distance of 20.53 feet to a point; thence through land conveyed by Matthew A. Palko and Mary A. Palko, his wife, to the County of Allegheny by their deed dated April 28, 1970, and recorded in the Allegheny County Office of Recorder of Deeds in

Deed Book Volume 4832, Page 685, south 78 degrees 56 minutes 44 seconds east a distance of 116.29 feet to the corner hub, the point of beginning; thence continuing through former Palko land south 78 degrees 56 minutes 44 seconds east a distance of 100 feet to a corner hub; thence through former Palko land and former J. Koenig land south 11 degrees 03 minutes 16 seconds west a distance of 100 feet to a corner hub; thence through former J. Koenig land north 78 degrees 56 minutes 44 seconds west a distance of 100 feet to a corner hub; thence through former land of J. Koenig and Palko north 11 degrees 03 minutes 16 seconds east a distance of 100 feet to the point of beginning.

Containing .2296 acres, more or less.

(c) Land on which restrictions are to be imposed.—The parcel to be subject to restrictions is more particularly described as follows:

All that certain lot or piece of ground situate in the Township of Frazer, Count of Allegheny and Commonwealth of Pennsylvania, being all that small triangular parcel of land between the easterly side of property now or late of Frances Anne Forrester and the westerly side of property now of Elsie B. Christy, being more particularly bounded and described as follows:

Beginning at a copper plug near the center at the Tarentum-Bakerstown Road at the intersection of said road with State Highway Route 908; thence along the center of the Tarentum and Bakerstown Road south 06 degrees 12 minutes west a distance of 582.51 feet, more or less, to a point in the center of the said road; thence in an easterly direction 30 feet, more or less, to land now or late of Elsie B. Christy; thence in a northeasterly direction along the westerly boundary of property now or late of Elsie B. Christy to the copper plug at the place of beginning.

Containing .48 acres of land, more or less.

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

The indenture is given to provide land for recreation, conservation and historical purposes as defined in the Project 70 Land Acquisition and Borrowing Act and The Land and Water Conservation and Reclamation Act.

(e) Use of revenue from lease of lands.—Any revenue received from the lease of the lands described in subsection (b) shall be used by the County of Allegheny for acquisition or development of park and recreation lands. The County of Allegheny shall not sell the lands described in subsection (b) without approval of the General Assembly.

Section 5. Northampton County.

(a) Conveyance of land.—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 authorizes the Pennsylvania Fish and Boat Commission to convey the East Entrance Access Drive at Minsi Lake in Upper Mount Bethel Township, Northampton County, to Upper Mount Bethel Township for continued use and enjoyment

of the public at large and inclusion in the Upper Mount Bethel Township roadway program.

(b) Restrictions.—The commission shall convey the roadway tract from the Commonwealth of Pennsylvania for use by the Pennsylvania Fish and Boat Commission to Upper Mount Bethel Township free of the restrictions on use and alienation prescribed by section 20 of the Project 70 Land Acquisition and Borrowing Act, provided the conveyance shall be subject to all easements of record and the following conditions:

(1) If, at any time, Upper Mount Bethel Township shall abandon the roadway or restrict its use in any way that it is not open to free public use and enjoyment, the said roadway tract shall revert to the ownership of the Commonwealth of Pennsylvania for use by the Pennsylvania Fish and Boat Commission.

(2) The Pennsylvania Fish and Boat Commission and the County of Northampton shall retain at all times the unrestricted right of ingress, egress and regress over the said roadway tract.

(c) Deed.—The deed of conveyance from the Pennsylvania Fish and Boat Commission to Upper Mount Bethel Township shall be executed by the Executive Director of the Pennsylvania Fish and Boat Commission in the name of the Commonwealth of Pennsylvania for use by the Pennsylvania Fish and Boat Commission and shall be approved for legality and form by the Chief Counsel of the Pennsylvania Fish and Boat Commission and the Office of Attorney General.

(d) Description.—The roadway tract to be conveyed under this section is more particularly bounded and described as follows:

Beginning at a point in the center line of the herein described road and Legislative Route 48032, being Station 0+00 as shown on a plan titled "Plan of Roadway Acquisition by Township for the Extension of Township Road T-705, situated in Upper Mount Bethel Township, Northampton County, Pennsylvania"; thence along the said center line along a curve to the right having a radius of 185.51 feet for an arc length of 145.97 feet to a point, being Station 1+45.97; thence south 64 degrees 13 minutes east 616.64 feet to a point, being Station 7+62.61; thence along a curve to the left having a radius of 400.00 feet for an arc length of 389.09 feet to a point, being Station 11+51.7; thence north 60 degrees 03 minutes east 1,219.32 feet to a point, being Station 23+71.02; thence along a curve to the right having a radius of 280.38 feet for an arc length of 322.32 feet to a point, being Station 26+93.34 at which the East Entrance Access Drive joins Township Road 705 of Upper Mount Bethel Township.

Being a road corridor 2,693.34 feet in length and having a width of 50 feet, 25 feet on each side of the herein above described center line.

Also included in the roadway tract is all that certain area beginning at a point 25 feet right of center line at Station 0+00 of the aforementioned road corridor and thence along a line 25 feet right of center line of the said road corridor to a point 25 feet right of Station 16+25, and thence south 50

degrees 44 minutes west a distance of 548.85 feet to a point; thence south 55 degrees 29 minutes 59 seconds west a distance of 161.42 feet to a point; thence along a curve to the left having a radius of 570.8 feet for an arc length of 93.49 feet (chord with bearing north 47 degrees 18 minutes west and a distance of 93.43 feet) to a point; thence north 64 degrees 13 minutes west a distance of 926.64 feet to a point; thence south 70 degrees 03 minutes west 26.27 feet to the point of beginning.

Excepting and reserving to the Commonwealth of Pennsylvania for use by the Pennsylvania Fish and Boat Commission the stone arch bridge carrying the East Entrance Access Drive over the Minsi Lake Outlet on East Branch Martins Creek and the adjacent lands necessary for the bridge's operation and maintenance.

And further excepting and reserving to the Pennsylvania Fish and Boat Commission and the County of Northampton a perpetual easement for unrestricted ingress, egress and regress at all times over the said road.

And under and subject to the condition that the property conveyed will be maintained by Upper Bethel Township for free public ingress and egress to the Minsi Lake Project as the East Entrance Access Drive and that, should Upper Bethel Township fail to so maintain the said East Entrance Access Drive, the said property shall revert to the ownership of the Commonwealth of Pennsylvania for use by the Pennsylvania Fish and Boat Commission.

And further under and subject to all easements of record.

Section 6. Luzerne County.

(a) Authorization.—Under 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 Pennsylvania Fish and Boat Commission to convey the Forrest Avenue right-of-way at Lily Lake, Slocum and Conyngham Townships, Luzerne County, to Slocum Township for continued use and enjoyment of the public at large and inclusion in the Slocum Township roadway program.

(b) Freedom of restrictions.—The Pennsylvania Fish and Boat Commission shall convey the Forrest Avenue right-of-way from the Commonwealth of Pennsylvania for use of the Pennsylvania Fish and Boat Commission to Slocum Township free of the restrictions on use and alienation prescribed by the Project 70 Land Acquisition and Borrowing Act, provided the conveyance shall be subject to all easements of record and the following conditions:

(1) If, at any time, Slocum Township shall abandon the Forrest Avenue right-of-way or restrict its use in any way that it is not open to free public use and enjoyment, the said tract shall revert to the ownership of the Commonwealth of Pennsylvania for use by the Pennsylvania Fish and Boat Commission.

(2) The Pennsylvania Fish and Boat Commission shall retain at all times the unrestricted right of ingress, egress and regress over the said tract.

(c) Execution.—The deed of conveyance from the Pennsylvania Fish and Boat Commission to Slocum Township shall be executed by the Executive Director of the Pennsylvania Fish and Boat Commission in the name of the Commonwealth of Pennsylvania for use by the Pennsylvania Fish and Boat Commission and shall be approved for legality and form by the Chief Counsel of the Pennsylvania Fish and Boat Commission and the Office of Attorney General.

(d) Land to be released from restrictions.—The Forrest Avenue right-of-way tract to be conveyed under this section is more particularly bounded and described as follows:

All that certain piece or parcel of land situate in the Township of Slocum and Township of Conyngham, County of Luzerne and State of Pennsylvania, bounded and described as follows:

Beginning at the point situated north 48 degrees 47 minutes 48 seconds west a distance of 100.86 feet from a cut stone (Pennsylvania Fish and Boat Commission Corner #1), said point being on the northerly right-of-way line of S.R.3005 (a 50-foot right-of-way), the center line of the Pennsylvania Fish and Boat Commission Access Drive (a 20-foot paved cartway) and center line of the Forrest Avenue right-of-way (50 feet wide) herein described;

Thence along said S.R.3005 right-of-way north 72 degrees 03 minutes 18 seconds west a distance of 25.01 feet to a point in lands of the Pennsylvania Fish and Boat Commission and edge of the Forrest Avenue right-of-way;

Thence along said lands of the Pennsylvania Fish and Boat Commission and said Forrest Avenue right-of-way (50 feet wide) the following three (3) courses and distances:

- (1) north 19 degrees 28 minutes 01 second east a distance of 112.43 feet to a point;
- (2) north 59 degrees 41 seconds east a distance of 267.44 feet to a point;
- (3) north 72 degrees 58 minutes 10 seconds east a distance of 193.77 feet to a point in lands of others;

Thence along said lands of others and said Forrest Avenue right-of-way (variable width) the following three (3) courses and distances:

- (1) south 19 degrees 25 minutes 25 seconds east a distance of 18.25 feet to a concrete monument (Pennsylvania Fish and Boat Commission Corner #55);
- (2) north 72 degrees 39 minutes 28 seconds east a distance of 657.84 feet to a point (Pennsylvania Fish and Boat Commission Corner #60);
- (3) north 17 degrees 20 minutes 32 seconds west a distance of 30.00 feet to a point in lands of the Pennsylvania Fish and Boat Commission;

Thence along said lands of the Pennsylvania Fish and Boat Commission and unnamed road right-of-way (50 feet wide) the following six (6) courses and distances:

- (1) north 20 degrees 02 minutes 01 second east a distance of 204.87 feet to a point;

(2) north 44 degrees 09 minutes east a distance of 262.99 feet to a point;

(3) north 37 degrees 54 minutes 01 second east a distance of 160.94 feet to a point (unnamed road right-of-way changes to a variable width);

(4) north 52 degrees 05 minutes 59 seconds west a distance of 30.00 feet to a point at the edge of Lily Lake and along the said edge;

(5) north 30 degrees 08 minutes 23 seconds east a distance of 110.67 feet to a point at the edge of Lily Lake and leaving said lake;

(6) north 89 degrees 15 minutes 06 seconds east a distance of 55.00 feet to an iron pin (Pennsylvania Fish and Boat Commission Corner #46) in lands of others:

Thence along said lands of others and unnamed road right-of-way (variable width) the following four (4) courses and distances:

(1) south 44 minutes 54 seconds east a distance of 57.61 feet to a point (Pennsylvania Fish and Boat Commission Corner #47);

(2) south 28 degrees 43 minutes west a distance of 100.30 feet to a point (Pennsylvania Fish and Boat Commission Corner #48);

(3) south 37 degrees 54 minutes 01 second west a distance of 162.30 feet to a point (Pennsylvania Fish and Boat Commission Corner #49);

(4) south 82 degrees 34 minutes 01 second east a distance of 39.30 feet to a point (Pennsylvania Fish and Boat Commission Corner #50), in lands of the Pennsylvania Fish and Boat Commission:

Thence along said lands of the Pennsylvania Fish and Boat Commission and unnamed road right-of-way (variable width) the following five (5) courses and distances:

(1) south 44 degrees 09 minutes west a distance of 80.00 feet to a point;

(2) north 82 degrees 34 minutes 01 second west a distance of 39.11 feet to a point (right-of-way changes to 50 feet wide);

(3) south 44 degrees 09 minutes west a distance of 176.50 feet to a point;

(4) south 20 degrees 02 minutes 01 second west a distance of 132.72 feet to a point (right-of-way changes to a variable width);

(5) south 17 degrees 08 minutes 26 seconds east a distance of 52.92 feet to a point in the Forrest Avenue right-of-way;

Thence along said land of the Pennsylvania Fish and Boat Commission and said Forrest Avenue right-of-way (50 feet wide) the following three (3) courses and distances:

(1) north 72 degrees 51 minutes 34 seconds east a distance of 198.95 feet to a point (right-of-way changes to a variable width);

(2) north 58 degrees 06 minutes east a distance of 294.20 feet to a point;

(3) north 40 degrees 24 minutes 01 second east a distance of 102.00 feet to a point in lands of others;

Thence along said lands of others and said Forrest Avenue right-of-way (variable width) the following four (4) courses and distance:

- (1) south 20 degrees 29 minutes east a distance of 180.00 feet to an iron pin (Pennsylvania Fish and Boat Commission Corner #52);
- (2) south 72 degrees 51 minutes 34 seconds west a distance of 1225.65 feet to a point (Pennsylvania Fish and Boat Commission Corner #53);
- (3) north 20 degrees 42 minutes 32 seconds west a distance of 19.94 feet to a point (Pennsylvania Fish and Boat Commission Corner #54);
- (4) south 72 degrees 58 minutes 10 seconds west a distance of 276.30 feet to a point (Pennsylvania Fish and Boat Commission Corner #61) in lands of the Pennsylvania Fish and Boat Commission;

Thence along said lands of the Pennsylvania Fish and Boat Commission and said Forrest Avenue right-of-way (50 feet wide) the following two (2) courses and distances;

- (1) south 59 degrees 41 seconds west a distance of 243.35 feet to a point;
- (2) south 19 degrees 28 minutes 01 second west a distance of 99.35 feet to a point in the northerly right-of-way of S.R.3005 (a 50-foot right-of-way);

Thence along said S.R.3005 right-of-way north 58 degrees 43 seconds west a distance of 25.61 feet to a point, the place of beginning.

Containing 3.64 acres of land, as shown on Lily Lake - Forrest Avenue, Right-of-Way Disposition Plan, prepared August 20, 1993, by the Pennsylvania Fish and Boat Commission.

Being a portion and/or part of the same premises granted and conveyed to the Commonwealth of Pennsylvania by deed of the Estate of Forrest A. Boyd, dated May 3, 1968, and recorded in the Office of the Recorder of Deeds of Luzerne County, Pennsylvania, in Deed Book 1653, Page 876.

And under and subject to all easements of record.

Section 7. Effective date.

This act shall take effect immediately.

APPROVED—The 5th day of October, A.D. 1994.

ROBERT P. CASEY