

No. 1998-20

## AN ACT

SB 1161

Authorizing the Borough of Carlisle, Cumberland County, to sell certain Project 70 lands free of Project 70 restrictions in return for use of the sale proceeds to assist the Central Pennsylvania Conservancy purchase a tract of land; authorizing the release of Project 70 restrictions imposed on certain lands owned by Hempfield Township, Westmoreland County, in return for the imposition of Project 70 restrictions on certain lands to be conveyed by Robert E. and Ella J. Griffith; and authorizing Hempfield Township to convey to Robert E. and Ella J. Griffith 0.6079 acres of land in Hempfield Township, Westmoreland County.

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

Section 1. (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 two tracts of land described in subsection (b) and owned by the Borough of Carlisle, Cumberland County, in exchange for use of the sale proceeds to assist the Central Pennsylvania Conservancy purchase 15.16 acres of land known as the Seven Gables Tract located in Carlisle Borough and South Middleton Township.

(b) Land to be released from Project 70 restrictions.—  
Tract No. 1

All that certain tract of land situate in North Middleton Township, Cumberland County, Pennsylvania, being Lot No. 2 of the Preliminary/Final Subdivision Plan for the Borough of Carlisle, dated September 2, 1997, and recorded in the office of the Recorder of Deeds for Cumberland County on September 16, 1997, in Plan Book 75, Page 75, to wit:

Beginning at a point in the road bed of Cavalry Road (S.R. 1001) at lands now or formerly of the Cavalry Road Church of God; thence from said point of beginning in and through said road bed the following two courses and distances:

1. South 49 degrees 39 minutes 50 seconds East 390.13 feet to a point;
2. South 30 degrees 05 minutes 10 seconds East 360.28 feet to a point

at lands now or formerly of the Pennsylvania Turnpike Commission; thence leaving said road bed and along said lands of the Pennsylvania Turnpike Commission, South 72 degrees 13 minutes 28 seconds West 776.58 feet to an iron pin set at the corner of Lot No. 1 of the aforementioned Preliminary/Final Subdivision Plan for The Borough of Carlisle; thence along said Lot No. 1 the following five courses and distances:

1. North 26 degrees 44 minutes 00 seconds West 99.24 feet to an iron pin set;
2. North 34 degrees 19 minutes 11 seconds West 157.96 feet to an iron pin set;
3. North 54 degrees 02 minutes 43 seconds West 245.78 feet to an iron pin set;
4. South 88 degrees 55 minutes 26 seconds West 132.65 feet to an iron pin set;
5. South 67 degrees 19 minutes 24 seconds West 147.40 feet to an iron pin set at lands now or formerly of Charles W. Travitz, Jr., and Isabelle M. Travitz;

thence by said lands of Travitz, North 21 degrees 08 minutes 10 seconds West 182.07 feet to a point in the road bed of Spring Road (S.R. 0034); thence in and through said road bed, North 59 degrees 42 minutes 00 seconds East 126.78 feet to a point at lands now or formerly of the Cavalry Road Church of God; thence leaving said road bed of Spring Road (S.R. 0034) and along said lands of the Cavalry Road Church of God, North 72 degrees 10 minutes 00 seconds East 860.34 feet to a point at the place of beginning.

Containing 13.6691 acres.

#### Tract No. 2

All that certain tract of land situate in North Middleton Township, Cumberland County, Pennsylvania, being Lot No. 3 of the Preliminary/Final Subdivision Plan for the Borough of Carlisle dated September 2, 1997, and recorded in the Office of the Recorder of Deeds for Cumberland County on September 16, 1997, in Plan Book 75, Page 75, to wit:

Beginning at a point in the road bed of Spring Road (S.R. 0034) at lands now or formerly of Irvin E. Bidelspach; thence from said point of beginning in and through said road bed the following two courses and distances:

1. North 68 degrees 20 minutes 50 seconds East 582.30 feet to a point;
2. North 59 degrees 55 minutes 50 seconds East 71.65 feet to a point at lands now or formerly of Vivian M. Shaffer;

thence leaving said road bed of Spring Road (S.R. 0034) and along said lands of Shaffer, South 16 degrees 13 minutes 50 seconds East 126.39 feet to an iron pin set at the corner of Lot No. 1 of the aforementioned Preliminary/Final Subdivision Plan for The Borough of Carlisle; thence along said Lot No. 1 the following four courses and distances:

1. South 73 degrees 59 minutes 30 seconds West 261.48 feet to an iron pin set;
2. South 67 degrees 41 minutes 46 seconds West 214.68 feet to an iron pin set;
3. South 09 degrees 46 minutes 46 seconds East 114.43 feet to an iron pin set;
4. South 40 degrees 56 minutes 32 seconds West 158.98 feet to an iron pin set;

thence by the same in part and along lands now or formerly of Irvin E. Bidelspach, North 22 degrees 00 minutes 00 seconds West 277.22 feet to a point at the place of beginning.

Containing 1.9477 acres.

(c) Seven Gables Tract.—All that tract of ground located partly in the Borough of Carlisle and partly in South Middleton Township, bounded and described as follows:

Beginning at a point at the division line between Lots 3A and 3B of the hereinafter referenced plan of lots; thence North 12 degrees 41 minutes 22 seconds East a distance of 619.59 feet to a concrete monument; thence along Giant Lane North 20 degrees 9 minutes 23 seconds East a distance of 316.75 feet to a point; thence continuing along Giant Lane on an arc to the right having a radius of 9,970 feet a distance of 42.87 feet; thence continuing along Giant Lane North 20 degrees 24 minutes 10 seconds East a distance of 44.98 feet; thence along Giant Lane on an arc to the right having a radius of 470 feet a distance of 61.39 feet to a proposed concrete monument; thence along lot boundary line of Lot 3C of the hereinafter mentioned plan of lots South 50 degrees 13 minutes 27 seconds East a distance of 428.95 feet; thence along the same South 39 degrees 46 minutes 33 seconds West a distance of 40 feet to an iron pin; thence South 50 degrees 13 minutes 27 seconds East a distance of 412.92 feet to an iron pin; thence South 24 degrees 14 minutes 40 seconds West a distance of 5.21 feet to a rebar; thence along lands now or formerly of Big Spring Property South 24 degrees 14 minutes 40 seconds West a distance of 779.72 feet; thence along lands now or formerly of Jeffrey S. Smith North 37 degrees 36 minutes 20 West a distance of 147.53 feet to a rebar; thence along the same North 75 degrees 54 minutes 20 seconds West a distance of 437.37 feet to a concrete monument, being the place of beginning.

Consisting of 15.16 acres.

Being Lot 3B of the subdivision plan of Seven Gables Tract to be recorded in the Cumberland County Recorder of Deeds Office. Being a portion of the land conveyed to Seven Gables Estate as noted in Deed 23 P, Page 730, as recorded in the Cumberland County Recorder of Deeds Office.

(d) Use of sale proceeds.—The net proceeds, selling price less expenses, from the sale of the land described in subsection (b) shall be used by the Borough of Carlisle to assist the Central Pennsylvania Conservancy with purchase of the Seven Gables Tract. Any of the net proceeds which are not provided to the Central Pennsylvania Conservancy for the purchase of the Seven Gables Tract shall be deposited into a special account established by the Borough of Carlisle for acquisition or development of other park lands.

(e) Deed clause.—The Central Pennsylvania Conservancy deed to the Seven Gables Tract shall include the following clause:

This land was acquired 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 2. (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 section 20 of the Project 70 Land Acquisition and Borrowing Act from the lands owned by the Township of Hempfield, Westmoreland County, and more particularly described in subsection (c) in exchange for the imposition of the section 20 restrictions on lands to be conveyed to the Township of Hempfield from Robert E. and Ella J. Griffith and more particularly described in subsection (d).

(b) Freedom of restrictions.—The lands described in subsection (c) and owned by the Township of Hempfield, Westmoreland 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 subsection (e) on the parcel of replacement land described in subsection (d) to be conveyed to the Township of Hempfield from Robert E. and Ella J. Griffith contemporaneously with the conveyance of land described in subsection (c).

(c) Land to be free from restrictions.—The parcel of land authorized to be released from restrictions is more particularly described as follows:

All that parcel of land located in Hempfield Township, Westmoreland County, Pennsylvania, described as follows:

Beginning at a point at the southwest corner of the parcel of land of Robert E. and Ella J. Griffith described in subsection (d), which point is at or near the center of S.R. 1032; thence along the approximate center of S.R. 1032 south 19 degrees 00 minutes 19 seconds west 61.00 feet to a point in the approximate center of S.R. 1032; thence along other land of Hempfield Township north 74 degrees 17 minutes 40 seconds west 488.232 feet to a point at land now or formerly of William E. and Pamela M. Pershing; thence along the land of William E. and Pamela M. Pershing north 76 degrees 48 minutes east 125.989 feet to an oak tree; thence along other land of Robert E. and Ella J. Griffith south 74 degrees 17 minutes 40 seconds east 381.45 feet to the place of beginning.

Containing 0.6079 acres of land.

(d) Land on which restrictions are to be imposed.—The replacement parcel to be subject to restrictions in exchange for the parcel described in subsection (c) is more particularly described as follows:

All that certain tract or parcel of land situate in the Township of Hempfield, County of Westmoreland, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a point at the northeast corner of the parcel of land of Hempfield Township described in subsection (c), which point is at or near the

center of S.R. 1032; thence north 14 degrees 15 minutes east 100.00 feet to a telephone line on land of Robert E. and Ella J. Griffith; thence north 83 degrees 09 minutes 30 seconds east 112.44 feet to the approximate center line of S.R. 1032; thence south 40 degrees 00 minutes 00 seconds east 240.40 feet to a point at land of Hempfield Township; thence along the land of Hempfield Township north 75 degrees 45 minutes west 300.00 feet to the place of beginning.

Containing 0.604 acres of land.

(e) Description of deed restrictions.—The deed restrictions 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 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.

(f) Conveyance to Robert E. and Ella J. Griffith.—The Township of Hempfield, Westmoreland County, is hereby authorized to convey the premises described in subsection (c) to Robert E. and Ella J. Griffith in exchange for the premises described in subsection (d).

Section 3. This act shall take effect immediately.

APPROVED—The 18th day of February, A.D. 1998.

THOMAS J. RIDGE