

## No. 2003-30

## AN ACT

## SB 846

Authorizing the release of Project 70 restrictions imposed on certain lands owned by the Township of Willistown, Chester County, and imposing Project 70 restrictions on certain lands being conveyed to the township.

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

**Section 1. Authorization.**

Pursuant to the requirements of section 20(b) of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, the General Assembly hereby authorizes the release of the restrictions imposed by section 20 of the Project 70 Land Acquisition and Borrowing Act from the land owned by the Township of Willistown, Chester County, more particularly described in section 3, in exchange for the imposition of the section 20 restrictions on lands owned by Okehocking Associates, LLP, being conveyed to the Township of Willistown and more particularly described in section 4.

**Section 2. Freedom of restrictions.**

The land described in section 3, owned by the Township of Willistown, shall be free of the restrictions on use and alienation imposed by section 20 of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, upon the imposition of and recording of the Project 70 deed restrictions set forth in section 5 on the parcel of replacement land owned by Okehocking Associates, LLP, and being conveyed to the Township of Willistown, described in section 4.

**Section 3. Land to be free from restrictions.**

The parcel of land authorized to be released from restrictions is located in the Township of Willistown, Chester County, and more particularly described as follows:

All that certain 25.375 acre tract situate in the Township of Willistown, County of Chester, Commonwealth of Pennsylvania bounded and described in accordance with a survey plan made for Willistown Township, dated February 27, 2002, by Yerkes Associates, Inc., West Chester Pennsylvania and being more particularly described as follows; to wit:

Beginning at a point in the northerly side of the bed of Providence Road (variable width) in line of lands of the Richard G. White and Joan King subdivision (recorded plan number 12780); thence extending within the bed of Providence Road, north 83 degrees 44 minutes 17 seconds west, 140.34 feet to a point; thence extending along same, north 73 degrees 07 minutes 50 seconds west, 206.92 feet to a point, a corner of lands of Leonard Andrews; thence extending along said lands, north 16 degrees 33 minutes

34 seconds east, crossing a pipe found at the distance of 23.16 feet and a concrete monument set at the distance of 30.00 feet the total distance of 305.16 feet to a concrete monument found; thence extending along said lands of Andrews and lands of Leonard E. B. Andrews, north 73 degrees 07 minutes 50 seconds west, 259.08 feet to a concrete monument found; thence extending along lands of John C. and Margaret R. Nagy, north 22 degrees 25 minutes 00 seconds west, 540.80 feet to a concrete monument found; thence extending by same north 21 degrees 28 minutes 00 seconds west, 251.04 feet to a concrete monument found on the southerly side of Spring Road (variable width); thence extending along said Spring Road, north 32 degrees 41 minutes 40 seconds east, 199.22 feet to a concrete monument set in line of lands of Richard and Mary M. Mang; thence extending along said lands of Mang, south 52 degrees 06 minutes 20 seconds east, 325.00 feet to a concrete monument set; thence extending by same, north 77 degrees 31 minutes 10 seconds east, 303.93 feet to a concrete monument set; thence extending along lands of Patrica A. Torna and Ronald Disimone, north 37 degrees 53 minutes 40 seconds east, 750.00 feet to a concrete monument found; thence extending by same, north 52 degrees 06 minutes 20 seconds west, 30.74 feet to a concrete monument found; thence extending along lands of Arno M. and Isobel W. Meyer, north 75 degrees 06 minutes 00 seconds east, 430.06 feet to a concrete monument set; thence extending by same, south 56 degrees 54 minutes 00 seconds east, 344.55 feet to a concrete monument set in line of lands of Richard A. and Afra Barlow, a portion of Bentley Construction Corp., Inc., recorded subdivision plan number 6699; thence extending along said lands of Barlow and various lot owners of the Richard G. White and Joan King subdivision, recorded plant number 12780, south 51 degrees 42 minutes 17 seconds west, 1211.03 feet to a concrete monument found; thence extending along said recorded plan number 12780, south 03 degrees 08 minutes 20 seconds west, the total distance of 994.48 feet to the first mentioned point and place of beginning, having crossed a concrete monument at the distance of 14.28 feet and 19.22 feet from said point and place of beginning. Containing: twenty-five and three hundred seventy-five one-thousandths of an acre (25.375 acres). Being UPI number 54-6-9.6.

A majority of this property shall continue to be protected by conservation easements as set forth in section 6 of this act.

**Section 4. Land on which restrictions are to be imposed.**

The replacement parcel to be subject to restrictions in exchange for the parcel described in section 3 is located in the Township of Willistown, Chester County, and more particularly described as follows:

All that certain parcel of land situate in Willistown Township, Chester County, Pennsylvania, being shown as parcel A-2 on exhibit A for Okehocking Associates dated October 3, 2002 by Chester Valley Engineers, Inc., Paoli, Pennsylvania, and being more fully described as follows:

Beginning at the southerly corner in common of parcel A-1 and parcel A-2 on the northerly legal right of way line of West Chester Pike-S.R. 0003, variable width; thence from the point of beginning, leaving said right of way line, along parcel A-1, north 07 degrees 50 minutes 08 seconds west 751.73 feet to a point on line of parcel 2; thence along parcel 2, north 68 degrees 21 minutes 06 seconds east 658.26 feet to a corner of parcel B; thence along parcel B, south 21 degrees 38 minutes 54 seconds east 789.99 feet to a point on the northerly legal right of way line of West Chester Pike, aforesaid; thence along said right of way line, the following thirteen (13) courses and distances: (1) south 68 degrees 21 minutes 06 seconds west 137.74 feet; (2) south 85 degrees 03 minutes 03 seconds west 52.20 feet; (3) south 62 degrees 38 minutes 28 seconds west 50.25 feet; (4) south 68 degrees 21 minutes 06 seconds west 150.00 feet; (5) south 57 degrees 02 minutes 30 seconds west 50.99 feet; (6) south 74 degrees 03 minutes 44 seconds west 50.25 feet; (7) south 85 degrees 03 minutes 03 seconds west 52.20 feet; (8) north 80 degrees 41 minutes 05 seconds west 58.31 feet; (9) south 74 degrees 03 minutes 44 seconds west 50.25 feet; (10) south 68 degrees 21 minutes 06 seconds west 50.00 feet; (11) south 79 degrees 39 minutes 42 seconds west 50.99 feet; (12) south 57 degrees 02 minutes 30 seconds west 50.99 feet; (13) south 74 degrees 03 minutes 44 seconds west 50.25 feet to the point of beginning, and containing 13.241 acres of land. Being UPI number 54-8-14.2A.

**Section 5. Description of deed restriction.**

The deed restriction to be transferred to the parcel described in section 4 shall read as follows:

This indenture is given to provide land for recreation, conservation and historical purposes as said purposes are defined in the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act.

**Section 6. Conservation easement.**

Conservation easements shall be placed on at least 15 acres of the parcel authorized to be released from restrictions 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, and described in section 3. The conservation easements shall include provisions for no residential or commercial development and for the protection of natural resources and important habitat. Further, the easements shall allow for public access, a trail easement corridor and recreational uses.

**Section 7. Proceeds from sale of property.**

Proceeds from the sale of any portion of that certain parcel owned by the Township of Willistown, Chester County, and described in section 3 will be utilized for open space and/or parkland acquisition and/or acquiring conservation easements.

**Section 8. Effective date.**

This act shall take effect immediately.

APPROVED—The 23rd day of October, A.D. 2003.

EDWARD G. RENDELL