

No. 2004-41

AN ACT

SB 1047

Authorizing the sale and transfer of ownership of Project 70 land located in Wharton Township, Fayette County, Pennsylvania.

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

Section 1. Authorization to sell and transfer of title.

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 sale and transfer of title for the Project 70 lands owned by Fayette County which are more particularly described in section 3 for a consideration of \$190,000, which sum represents the fair market value of the property as determined by an appraisal.

Section 2. Restrictions.

The lands described in section 3 shall be transferred with all existing restrictions currently imposed by the Project 70 Land Acquisition and Borrowing Act upon conveyance of said lands to Woodlands Zoo, Inc.

Section 3. Land to be sold with Project 70 restrictions.

The parcel of land to be sold with existing Project 70 restrictions is situated in Wharton Township, Fayette County, Pennsylvania, and more particularly bounded and described as follows:

BEGINNING at a point on the center line of Route 40 known as the National Highway, at a corner of land owned by Estella A. Craig; thence along Craig land, South 57 degrees 16 minutes 50 seconds West, 303.50 feet to a point; thence along same South 13 degrees 6 minutes 50 seconds West, 310.05 feet to a point; thence along same South 9 degrees 43 minutes 30 seconds East, 316.60 feet to a point corner of land of Alvin R. Sowers; thence along Sowers land South 45 degrees 15 minutes 30 seconds West, 1826.41 feet to a point; thence by same South 63 degrees 58 minutes 50 seconds West, 952.24 feet to a point; thence by same South 39 degrees 5 minutes 40 seconds West, 276.49 feet to a point thence by same South 59 degrees 50 minutes 10 seconds West, 71.05 feet to a point; thence by same South 67 degrees 44 minutes 10 seconds West, 141.29 feet to a point; thence by same South 71 degrees 29 minutes 50 seconds West, 216.90 feet to a point; thence by same South 4 degrees 26 minutes 50 seconds West, 829.39 feet to a point corner of Fort Necessity Park; thence by same South 54 degrees 22 minutes West, 192.29 feet to a point in line of land of Katherine Zimmerli; thence by said line North 18 degrees 58 minutes 20 seconds West, 1319.38 feet to a point; thence by same North 8 degrees 45 minutes East, 1089 feet to a point; thence by same North 66 degrees 45 minutes East,

1359.61 feet to a point; thence by same North 21 degrees 30 minutes East, 1155 feet to line of lands of C.H. Sherry; thence by Sherry land South 69 degrees 5 minutes 20 seconds East, 1283.20 feet to a point in line of land of Asa O. Stimmel; thence by Stimmel North 52 degrees 55 minutes 40 seconds East, 682.14 feet to point in aforesaid National Highway; thence in said Highway South 34 degrees 55 minutes 20 seconds East, 115 feet to a point, the place of beginning.

Containing 122.8175 Acres.

BEING a part of that tract of land conveyed to Earl G. Hager, one of the within grantors by deed of Thomas G. Hager and his wife dated February 11, 1928 and recorded in Deed Book 496 page 179 in the Fayette County's Recorders Office.

Section 4. Project 70 deed clause.

The following restrictions shall remain in the deed for the land described in section 3:

This indenture is given to provide land for recreation, conservation and historical purposes, as said purposes are defined in the 'Project 70 Land Acquisition and Borrowing Act,' approved June 22, 1964, P.L.131.

Section 5. Special account.

The \$190,000 consideration from the sale of the land shall be deposited in a special account established by Fayette County for acquisition or development of parkland. Use of funds from the special account must be approved in accordance with a plan approved by the Department of Conservation and Natural Resources, Bureau of Recreation and Conservation. Any funds remaining in the special account after five years of the effective date of this act shall be paid to the Commonwealth for deposit into the Project 70 Land Acquisition Sinking Fund.

Section 6. Effective date.

This act shall take effect immediately.

APPROVED—The 23rd day of June, A.D. 2004.

EDWARD G. RENDELL