

No. 2004-93

## AN ACT

SB 1184

Authorizing the release of Project 70 restrictions imposed on certain lands owned by the City of Scranton, Lackawanna County, being conveyed by the city in return for the imposition of Project 70 restrictions on certain lands being conveyed to the city.

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

Section 1. Conveyance in City of Scranton, Lackawanna County.

(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 land owned by the City of Scranton, Lackawanna County, being conveyed to Lackawanna Land & Energy, Inc., and more particularly described in subsection (c) in exchange for the imposition of the section 20 restriction on lands owned by Lackawanna Land & Energy, Inc., being conveyed to the City of Scranton and more particularly described in subsection (d).

(b) Freedom of restrictions.—The lands described in subsection (c), owned by the City of Scranton and being conveyed to Lackawanna Land & Energy, Inc., shall be free of the restrictions on use and alienation imposed by section 20 of 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 Lackawanna Land & Energy, Inc., and being conveyed to the City of Scranton.

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

All that certain lot, piece or parcel of land situate, lying and being in the City of Scranton, County of Lackawanna and State of Pennsylvania, bounded and described as follows:

Beginning at a point along the southerly side of Gilbert Street, on a bearing South fifty three Degrees thirty two Minutes forty three Seconds East, a distance of four hundred eighty and no hundredths feet, from the intersection of the southerly right-of-way line of Gilbert Street, and the easterly right-of-way line of Rockwell Avenue.

THENCE continuing along said southerly right-of-way line of Gilbert Street, South fifty three Degrees thirty two Minutes forty three Seconds East, a distance of one hundred one and twenty one hundredths feet, to a point;

THENCE North twenty eight Degrees fifty two Minutes seventeen Seconds East, a distance of two hundred five and fifty hundredths feet, to a point;

THENCE North fifty six Degrees twenty five Minutes fifty eight Seconds West, a distance of two hundred seventeen and forty seven hundredths feet, to a point, along the easterly right-of-way line of Leach Street;

THENCE along the easterly right-of-way line of Leach Street, North thirty five Degrees thirty five Minutes thirty six Seconds East, a distance of two hundred eighty one and ninety one hundredths feet, to a point;

THENCE South sixty Degrees twelve Minutes six Seconds East, a distance of three hundred sixty eight and sixty nine hundredths feet, to a point;

THENCE South fifty nine Degrees eight Minutes forty nine Seconds East, a distance of six hundred seventy two and sixty two hundredths feet, to a point;

THENCE South sixty seven Degrees fifty one Minutes ten Seconds West, a distance of three hundred nine and ninety three hundredths feet, to a point;

THENCE North twenty two Degrees eight Minutes fifty Seconds West, a distance of one hundred forty and no hundredths feet, to a point, along the southerly right-of-way line of Gilbert Street, on a curve;

THENCE along the southerly right-of-way line of said Gilbert Street, on a curve to the right having a radius of three hundred twenty five and no hundredths feet, having a chord bearing South seventy seven Degrees forty Minutes forty nine Seconds West, a chord distance of one hundred ten and ninety three hundredths feet, to a point, the start of a tangent, along the southerly right-of-way line of Gilbert Street;

THENCE South eighty seven Degrees thirty Minutes seventeen Seconds West, a distance of one hundred forty and no hundredths feet, to a point;

THENCE South two Degrees twenty nine Minutes forty three Seconds East, a distance of one hundred thirty four and ninety eight hundredths feet, to a point;

THENCE South eighty seven Degrees thirty Minutes seventeen Seconds West, a distance of four hundred thirty seven and forty three hundredths feet, to a point;

THENCE North fifty three Degrees thirty two Minutes forty three Seconds West, a distance of one hundred seventy and no hundredths feet, to a point;

THENCE North thirty six Degrees twenty seven Minutes seventeen Seconds East, a distance of one hundred sixty and no hundredths feet, to a point, the place of beginning.

Containing 8.784 Acres of land, more or less.

(d) Land on which restrictions are to be imposed.—The replacement parcel to be subject to the restrictions in exchange for the parcel described in subsection (c) is located in the City of Scranton, Lackawanna County, and more particularly described as follows:

ALL that certain lot, piece or parcel of land, situate, lying and being in the City of Scranton, County of Lackawanna and Commonwealth of Pennsylvania, bounded and described as follows to wit:

Beginning along the southerly right-of-way line of Wells Street, at the intersection of the lot herein described and Lot No. 93 of the Leggetts Creek Park Subdivision;

Thence along the southerly right-of-way line of Wells Street, South fifty five Degrees forty four Minutes forty four seconds East, a distance of one hundred thirty six and sixty five hundredths feet, to a point;

Thence leaving said right-of-way, South seventeen Degrees twenty four Minutes four Seconds West, a distance of one hundred forty one and thirty four hundredths feet, to a point;

Thence South sixty Degrees forty nine Minutes fourteen Seconds West, a distance of one hundred and no hundredths feet; to a point;

Thence South eighty eight Degrees twenty four Minutes forty four Seconds West, a distance of one thousand one hundred eleven and ninety seven hundredths feet, to a point;

Thence South seventy two degrees four Minutes thirty three Seconds West a distance of twenty seven and ninety eight hundredths feet, to a point;

Thence along Lands of The City of Scranton, North fifty nine Degrees eight Minutes forty nine Seconds West, a distance of four hundred sixty eight and sixty eight hundredths feet, to a point, at the southwest corner of Lot No. 75;

Thence along the southerly line of Lots Nos. 75, 76, 77, 78, 79, 80 and 81, North eighty six degrees thirty four Minutes fifty Seconds East, a distance of six hundred forty three and forty two hundredths feet, to a point;

Thence along Lot No. 81 of the Leggetts Creek Subdivision North three Degrees twenty five Minutes ten Seconds West a distance of one hundred seventy four and ninety two hundredths feet, to the point, along the southerly right-of-way line of Gilbert Street;

Thence along the southerly right-of-way line of Gilbert Street on a curve to the left having a radius of 225.00 ft., having an arc length of 200.45 ft., Chord Bearing North sixty one Degrees three Minutes thirty Seconds East, a chord distance of one hundred ninety three and eighty nine hundredths feet, to a point, along lands of the Marvine Dutch Gap Little League;

Thence leaving said southeasterly right-of-way line of Gilbert Street, and along lands of the Little League South fifty six Degrees twenty six Minutes Eighteen Seconds East, a distance of sixty seven and fifty six hundredths feet to a point;

Thence along said Marvine Gap Little League South eighteen Degrees thirty seven Minutes forty two Seconds West, a distance of two hundred thirty five and no hundredths feet, to a point;

Thence continuing along said Little League property North eighty five Degrees seven Minutes forty two Seconds East, a distance of two hundred seventy five and no hundredths feet, to a point;

Thence along a curve to the left, having a radius of six hundred eighty and no hundredths feet, arc length of three hundred forty two and eighty seven hundredths feet, Chord of three hundred thirty nine and twenty five hundredths feet, Chord Bearing North seventy degrees forty one Minutes no Seconds East, to the point.

Thence along the southerly right-of-way line of Wells Street, South fifty five degrees forty four Minutes forty four Seconds East, a distance of eighteen and six hundredth feet, to a point, common to Lot No. 92 and Lot No. 90;

Thence along line of Lot No. 92 South thirty five Degrees seven Minutes five Seconds West, a distance of one hundred forty four and eighty seven hundredths feet to a point at the start of a curve to the right;

Thence along a curve to the right, having a radius of two hundred fifty and thirty hundredths feet, arc length of fifty and eleven hundredths feet and a Chord of fifty five feet, Chord Bearing South fifty nine Degrees twenty six Minutes twenty six Seconds West, to a point.

Thence along the westerly line of Lot No. 92 and Lot No. 93, South thirty five Degrees twenty nine Minutes four Seconds East, a distance of one hundred forty eight and twenty four hundredths feet, to a point;

Thence along Lot No. 93, North seventy eight Degrees ten Minutes forty two seconds East, a distance of fifty five and forty seven hundredths feet, to a point;

Thence along Lot No. 93, North sixty one Degrees nine Minutes forty four seconds East, a distance of one hundred thirty and eighty eight hundredths, to a point;

Thence along Lot No. 93, North twenty seven Degrees six Minutes thirty one seconds East, a distance of eighty nine and ninety nine hundredths feet, to a point, along the southerly right-of-way line of Wells Street, to the point of beginning.

Containing 9.253 Acres of land, more or less.

(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 2. This act shall take effect in 60 days.

APPROVED—The 15th day of July, A.D. 2004.

EDWARD G. RENDELL