

No. 2015-14

AN ACT

SB 699

Authorizing the disposition of certain lands situate in Plymouth Township, Luzerne County, subject to Project 70 restrictions.

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

Section 1. Release of Project 70 restrictions on property in Plymouth Township, 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 disposition of the lands described in subsection (b).

(b) Lands to be disposed of with Project 70 restrictions.—The disposition of property currently owned by the County of Luzerne to be acquired by the Commonwealth of Pennsylvania, by and through the Department of Conservation and Natural Resources, is as follows:

All those eight certain pieces, parcels or lots of land, situate, lying and being in the Township of Plymouth, Luzerne County, Pennsylvania, bounded and described as follows, to wit:

PARCEL ONE
THE FIRST THEREOF:

BEGINNING, a point in the center line of a private road leading from the Public Road running from Cease Mills to Hunlock Creek and extending to property now or late of Joseph Krystopa, said BEGINNING point being in line between lands formerly of Petronela Kapuscinski and lands of now or late of Joseph Krystopa;

THENCE from said beginning point along the center of said private road North 25 degrees 27 minutes West, 323.25 feet to a point in line with the center of a stone wall now standing on the ground.

THENCE along other lands formerly of the said stone wall and its projection North 60 degrees 07 minutes East, 740.38 feet to a point;

THENCE still along line of lands formerly of Petronela Kapuscinski North 6 degrees 02 minutes East, 1700 feet to a corner in line of lands of Spring Brook Water Supply Company;

THENCE along the line of same South 64 degrees 13 minutes East, 320 feet to a corner;

THENCE still along line of said lands South 6 degrees 02 minutes West 1528 feet to a corner in line of land of now or late of Joseph Krystopa, aforesaid, and

THENCE along the line of said Krystopa land South 49 degrees 20 minutes West 1490 feet to the place of BEGINNING. Containing 20 acres of land strict measure.

THE SECOND THEREOF:

BEING part of Lot No.7 described in Deed of Partition among the heirs of Henry Cease, deceased and recorded in the Office of the Recorder of Deeds in Deed Book, Number 77, Page 8, bounded and described as follows:

BEGINNING at a stake and stones corner, same being the Northeast corner of said lot No. 7, described in said Deed of Partition above referred to, said corner being corner of Lot No. 3, described in said Deed of Partition above referred to;

THENCE South 34 degrees East, 100 perches to a corner in Lot No. 6, described in said Deed of Partition referred to;

THENCE South 56 degrees West, 72 perches to a stake and stone corner of land sold by Susan Chaplain and James Williams and conveyed by said James Williams and Jamison Harvey;

THENCE North 34 degrees West, 100 perches to a stake and stone corner;

THENCE North 56 degrees East, 72 perches to place of BEGINNING. Containing 45 acres, more or less.

BEING the same premises conveyed to the GRANTOR herein by Condemnation Proceeding and Declaration of Taking by Deed of dated April 29, 1966 and recorded in Luzerne County Deed Book 1590 at page 896.

PARCEL TWO

BEGINNING, at a white oak tree near a school house THENCE North 34 Degrees West, 147.29 perches to a corner of stone wall; THENCE South 69 3/5 degrees West, 46.9 perches to a corner; THENCE North 44 1/2 Degrees West, 146.21 perches to a post and stone; THENCE South 165.15 perches to Lamoreaux Road; THENCE South 19.1 perches from Lamoreaux Road to Harvey's Creek Road;

THENCE South 76.7 perches to corner of Phineas Budley tract;

THENCE South 66.9 perches to a road near Samuel Atherton;

THENCE North 65 1/2 degrees East, 65.9 perches;

THENCE North 43 1/2 degrees East, 65.9 perches;

THENCE North 43 1/2 degrees East, 61.9 perches;

THENCE North 65 3/5 degrees East, 59.75 perches;

THENCE North 78 1/2 degrees East, 49.75 perches;

THENCE North 70 3/4 degrees East, 29.89 perches; the Place of BEGINNING.

Containing 227 acres, 103.7 perches, more or less. Less 4.61 previously sold John T. Wilson and wife, Elberta Edna Wilson, on the southwest corner of above described parcel of land.

THE SECOND THEREOF:

All the GRANTOR'S undivided interest in and to the undivided 1/2 of all the coal, minerals, and mineral ores in, under, and upon the above described tract of land as described and set forth in Deed dated July 1, 1915, from Harry Cornell and Bertha Cornell, his wife, to A. Decker since deceased, said Deed being recorded in Luzerne County Deed Book Volume 474, page 533.

THE THIRD THEREOF:

BEGINNING at a point in the center of a public road leading from Five Forks to Ceasetown on line of land recently conveyed by H. Cornell to S.E. Atherton;

THENCE along said line North 5 1/2 degrees East, 18 feet, more or less, to line of lands of A. Decker;

THENCE along said line North 70 degrees East, 71 perches to a corner of the public road aforesaid and;

THENCE along said road the several courses and distances thereof to the place of BEGINNING.

The purpose of this deed is to unequivocally assert that this acquisition was to provide land for recreation, conservation, and historical purposes in accordance with Project 70 law.

BEING the same premises conveyed to the County of Luzerne by the GRANTORS herein by Deed dated February 6, 1967 and recorded in Luzerne County Deed Book 1610 at page 983.

PARCEL THREE

BEGINNING, at a corner in the public highway leading from Cease Mills to Hunlock's Creek in line between lands now or formerly of Albert G. Decker and the GRANTOR herein;

THENCE from said beginning point and along line between lands now or formerly of said Decker and the GRANTOR herein, S. 37 deg. 40' E. 1057.5 ft. to a soft maple corner in old fence row;

THENCE from said point and still along line now or formerly of said Decker and the GRANTOR herein, N. 76 deg. 35'E. 600 ft. to a corner at the junction of two stone walls;

THENCE from said point and along line of other lands of the GRANTOR herein it being line of a stonewall, N. 8 deg. 00 min. W. 435 ft. to a corner;

THENCE N. 49 deg. 20 min. E. 1880 ft. to a stakes and stones corner by a knarled hickory witness tree, said corner being common to line between lands now or formerly of the Spring Brook Water Co., and the GRANTOR herein;

THENCE from said corner and along line between lands now or formerly of said Water Company and the GRANTOR herein, N. 6 deg. 02' E. 1528 ft. to a stake and stones corner witnessed;

THENCE sill along line between lands now or formerly of said Water Company and the GRANTOR herein, N. 64 deg. 13 min. W. 1847 ft. to a stake and stones corner, said corner being common to properties now or formerly of the said Water Company, Stoddart & Company and the GRANTOR herein;

THENCE from said corner and along line between lands now or formerly of said Stoddard & Company and the GRANTOR herein, S. 62 deg. 00 Min. W. 125 ft. to the center of the before mentioned public road;

THENCE from said point and along the center line of said Public Road in a Southerly direction on the following courses and distances, S. 7 deg. 35' E. 190 ft., S. 6 deg. 45 min. W. 200 ft., S. 14 deg. 00 min. E. 56 ft., S. 30 deg. 10 min. E. 145 ft. S. 24 deg. 50' E. 200 ft., S. 10 deg. 20' E. 100 ft., S. 0 deg.

25 min. E. 100 ft. to a point at the intersection of the center line of a private roadway;

THENCE continuing along the center line of said public road, S. 46 deg. 35 min. W. 230 ft., S. 40 deg, 00 min. W. 800 ft., S. 31 deg. 30 min. W. 100 ft. S. 5 deg. 00 min. W. 500 ft. S. 12 deg. 40 min. W. 100 ft., S. 22 deg. 50' W. 400 ft., S. 24 deg. 30' W. 400 ft., S. 28 deg. 30 min. W. 100 ft. to the place of BEGINNING.

Containing one hundred forty-one (141) acres be the same more or less.

BEING the same premises conveyed to the GRANTOR herein by Deed of Jacob Hassay and Mary Hassay, his wife, and Mary Hassay, widow, dated February 13, 1967 and recorded in Luzerne County Deed Book 1610 at page 1177.

**PARCEL FOUR
THE FIRST THEREOF:**

BEGINNING, at a stake and stone corner in line of lands now or late of J. Harvey's Estate and lands now or late of Albert G. Decker;

THENCE along the line of lands of said Albert G. Decker, North 34 degrees 00 minutes West, 828.96 feet to a point;

THENCE North 69 degrees 45 minutes West, 160.49 feet to an intersection of stone fences;

THENCE North 12 degrees 45 minutes West, 435 feet to a point;

THENCE along the lands now or late of Joseph and Petronela Kapuscinski, North 43 degrees 11 minutes East, 1880 feet to a knarled hickory tree and as well as a stake and stone corner;

THENCE North 56 degrees 00 minutes East, 396 feet to a fence post, along the line of land of Scranton Springbrook Water Company, now Pennsylvania Gas and Water Company;

THENCE South 32 degrees 20 minutes East, 1690 feet to a stump in line of lands now or late of John B. Smith;

THENCE South 56 degrees 00 minutes West, 2182 feet to the place of BEGINNING.

THE SECOND THEREOF:

BEGINNING at a stake and stone corner on lands now or late of J. Harvey's Estate;

THENCE along the same North 32 degrees 30 minutes West, 1148.0 feet to lands now or late of George Reakes;

THENCE along the same North 56 degrees 00 minutes East 1369.50 feet to lands now or late of John B. Smith;

THENCE along the same South 33 degrees 00 minutes East, 1148.4 feet to a stake and stone corner;

THENCE South 56 degrees 00 minutes West, 1377.75 feet to the place of BEGINNING.

Containing 36.29 acres be the same, more or less.

The property is irregular in shape and contains 113.85 acres. Practically all of the acreage is uncleared Woodland with the exception of the lake which covers about 48 acres and about 5 acres around the improvements and the on-side roads.

BEING the same premises conveyed to the GRANTOR herein by Deed of David John Gorka, Attorney-in-Fact for Ann F. Gorka, his wife, Anthony J. Bartuska and Doris S. Bartuska, his wife, and David John Gorka in his own right and on his own behalf, dated April 3, 1967 and recorded in Luzerne County Deed Book 1612 at page 901.

PARCEL FIVE

BEGINNING, at a stone fence corner on the Northerly side of a dirt road leading from Five Forks to Ceasetown, in Plymouth Township, Luzerne County, Pennsylvania. Said corner being the south-west corner of the plot about to be described:

THENCE along a bush and stone fence and lands of Ethel G. Redmond North $7^{\circ} 30'$ East four hundred thirty-eight (438) feet to a Maple tree corner;

THENCE by lands of Elizabeth Decker South $85^{\circ} 14'$ East four hundred fifty-nine and one-hundredths (459.40) feet to a stake corner;

THENCE still by said lands South $12^{\circ} 51'$ East two hundred seventy-eight and twenty-five hundredths feet (278.25) to a stake corner on the Northerly side of the above mentioned dirt road;

THENCE along the Northerly side of said road South $61^{\circ} 20'$ West two hundred seventeen (217) feet to a stake corner near a white oak tree;

THENCE still along said road South $86^{\circ} 56'$ West three hundred eighty-seven (387) feet to the place of BEGINNING, containing 4.61 acres of land. Being a part of a larger tract of land owned by Elizabeth Decker.

BEING the same premises conveyed to the GRANTOR herein by Deed of Wilfred C. Moore and Mary M. Moore, dated April 26, 1967 and recorded in Luzerne County Deed Book 1613 at page 511.

PARCEL SIX

BEGINNING at a stake corner set sixteen and one-half (16.5) feet North of the centerline of a Township dirt road Rt. #497 and on the line of lands of Aciukewicz;

THENCE along the above mentioned dirt road, South sixty-two degrees thirty minutes ($62^{\circ} 30'$) West one hundred and sixteen and one-half (116.5) feet to a point in road;

THENCE South thirty-three degrees forty minutes ($33^{\circ} 40'$) West three hundred and ninety (390.0) feet to a point inroad;

THENCE South twenty-five degrees forty minutes ($25^{\circ} 40'$) West one hundred and ninety four (194.0) feet to a point inroad;

THENCE South sixty degrees thirty minutes ($60^{\circ} 30'$) West five hundred thirty five (535.0) feet to a point in road;

THENCE South sixty-seven degrees thirty minutes ($67^{\circ} 30'$) West two hundred and thirty-nine (239.0) feet to a point in road;

THENCE starting at a stake set sixteen and one-half feet from the center line of the dirt road and at the corner of stone walls on the East side of an old woods road leading from the Township road to Moon Lake, North twenty-eight degrees thirty minutes ($28^{\circ} 30'$) West four hundred and thirty-six (436.0) feet to a stake corner set at the end of the above mentioned stone wall.

THENCE North sixty degrees (60° 0') East one thousand three hundred and seventy-three (1,373.0) feet to a stake corner set on the line of lands of Aciukewicz;

THENCE along the above mentioned line of lands, South twenty eight degrees fifteen minutes (28° 15') East one hundred thirty-four (134.0) feet to the place of BEGINNING.

Containing eleven and four tenths (11.4) acres of land, more or less.

BEING the same premises conveyed to the GRANTOR herein by Deed of Frank Andruskevitch, Natural Guardian and Court Appointed Guardian for May Ann Andruskevitch, Barbara Frances Andruskevitch, and Richard Harold Hawryshko, dated April 29, 1967 and recorded in Luzerne County Deed Book 1616 at page 337.

PARCEL SEVEN

BEGINNING, at a pile of stones corner set sixteen and one half (16.5) feet North of the center line of a dirt road and in line with a two (2) foot corrugated metal pipe and at the South West corner of the W. A. Pudimott tract of lands;

THENCE along the North side of the above mentioned dirt road, formerly known as Gristmill Hill Road - leading from 29 to the Hartman Road, South fifty-seven degrees fifteen minutes (57° 15') West one-thousand two hundred (1,200.00) feet to a corner;

THENCE still along road, South fifty-four degrees thirty minutes (54° 30') West three hundred (300.00) feet to a corner;

THENCE South sixty two degrees thirty minutes (62° 30') West two hundred and sixty-two (262.00) feet to a stake set sixteen and one half (16.5) feet North of the same road and at the corner of Andruskevitch lands;

THENCE along the line of lands of Andruskevitch and others, North twenty-eight degrees fifteen minutes (28° 15') West on-thousand three hundred and seventeen (1,317.00) feet to and old iron post and stone corner, most of this last course being along a stone wall;

THENCE North fifty-nine degrees fifty-eight minutes (59° 58') East one thousand six hundred and forty-four (1,644.00) feet to a stake and stones set in a stone wall on the Pudimott line of lands;

THENCE along the above mentioned wall South twenty-seven degrees fifteen minutes (27° 15') East nine hundred sixty-one and four tenths (961.4) feet to a stake corner;

THENCE North Seventy degrees thirty-five minutes (70° 35') East forty-one (41.0) feet to a stake corner;

THENCE still along the line of lands of Pudimott, South thirty-six degrees (36°) East two hundred fifty-nine and three tenths (259.3) feet to the place of BEGINNING.

Containing fifty acres of land, more or less.

BEING part of the same premises conveyed to the County of Luzerne, by Deed of Benjamin J. Aciukewicz and Bernadine Aciukewicz, his wife, dated October 13, 1967 and recorded in Luzerne County Deed Book 1626 at page 249.

PARCEL EIGHT
THE FIRST THEREOF:

BEGINNING, at a point in the center line of a private road leading from the Public Road running from Cease Mills to Hunlock Creek and extending to property now or late of Joseph Krystopa, said beginning point being in line between lands formerly of Petronela Kapuscinski and lands of now or late of Joseph Krystopa;

THENCE from said beginning point along the center of said private road North 25 degrees 27 minutes West 323.25 feet to a point in line with the center of a stone wall now standing on the ground;

THENCE along other lands formerly of the said Petronela Kapuscinski and following along the center line of said stone wall and its projection North 60 degrees 07 minutes East 740.38 feet to a point.

THENCE still along line of lands formerly of Petronela Kapuscinski, North 49 degrees 30 minutes East, 420 feet to a point;

THENCE still along the line of lands formerly of said Petronela Kapuscinski North 6 degrees 02 minutes East 1700 feet to a corner in line of lands of Spring Brook Water Supply Company;

THENCE along the line of same South 64 degrees 13 minutes East, 320 feet to a corner;

THENCE still along line of said lands South 6 degrees 02 minutes West 1528 feet to a corner in line of land now or late of Joseph Krystopa, aforesaid, and

THENCE along the line of said Krystopa lands South 49 degrees 20 minutes West 1490 feet to the place of BEGINNING.

Containing twenty (20) acres of land strict measure.

THE SECOND THEREOF:

BEGINNING at a stake and stones corner, same being in the Northeast corner of said Lot No. 7, described in said deed of partition above referenced to, said corner being corner of Lot No. 3, described in said deed of partition above referred to;

THENCE South thirty four (34) degrees East one hundred (100) perches to a corner in Lot No. 6, described in said deed of partition above referenced to;

THENCE South fifty six (56) degrees West seventy two (72) perches to a stake and stone corner of land sold by Susana Chaplain to James Williams and conveyed by said James Williams to Jamison Harvey;

THENCE north thirty-four (34) degrees West one hundred (100) perches to a stake and stones corner;

THENCE North fifty-six (56) degrees East seventy-two (72) perches to the place of BEGINNING.

Containing forty-five (45) acres of land, be the same more or less.

BEING the same premises conveyed to the GRANTOR herein by Deed of John T. Bobeck, Jr. and Dorothy A Bobeck, dated October 9, 1966 and recorded in Luzerne County Deed Book 1688 at page 805 in confirmation of condemnation proceedings taken by the County of Luzerne and filed to No. 173 of 1966 in the Office of the Prothonotary for Luzerne County.

(c) Restriction.—Project 70 restrictions shall be imposed on the lands described in subsection (b) by the following deed clause:

This land to be used for park, recreation, and conservation purposes in accordance with 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.

Section 2. Effective date.

This act shall take effect immediately.

APPROVED—The 30th day of June, A.D. 2015

TOM WOLF