

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1168 Session of
1997

INTRODUCED BY KASUNIC, OCTOBER 22, 1997

REFERRED TO STATE GOVERNMENT, OCTOBER 22, 1997

AN ACT

1 Authorizing and directing the Department of Conservation and
2 Natural Resources, with the approval of the Governor, to
3 convey to Turkeyfoot Fish and Game Association, Inc., a
4 certain tract of land situate in Henry Clay Township, Fayette
5 County, in exchange for certain tracts of land.

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

8 Section 1. The Department of Conservation and Natural
9 Resources, with the approval of the Governor, is hereby
10 authorized and directed on behalf of the Commonwealth of
11 Pennsylvania to grant and convey to the Turkeyfoot Fish and Game
12 Association, Inc. the following tract of land bounded and
13 described as follows:

14 All that certain lot, piece or parcel of land situated in the
15 Township of Henry Clay, County of Fayette, Commonwealth of
16 Pennsylvania, bounded and described as follows:

17 Beginning at a point, said point being the first described
18 point of that parcel of land conveyed by W. H. Reiber, et ux, to
19 the Connellsville and State Line Railway Company by deed dated

1 June 6, 1910, and recorded in the Office of the Recorder of
2 Deeds of Fayette County, Pennsylvania in Deed Book 296 at Page
3 308; thence from said point of beginning South 9 degrees 24
4 minutes 00 seconds East, 89.90 feet to an iron pin; thence,
5 North 51 degrees 16 minutes 00 seconds West 143.50 feet to a
6 point of curve; thence by a railroad curve to the right, having
7 a radius of 1,391.32 feet (through which curve a chord bears
8 North 48 degrees 09 minutes 42 seconds West), an arc distance of
9 150.80 feet to a point; thence on a radial line to the
10 aforementioned curve North 44 degrees 56 minutes 34 seconds
11 East, 10.00 feet to a point; thence by a railroad curve to the
12 right (said curve being concentric to the last mentioned curve)
13 having a radius of 1,381.32 feet (through which curve a chord
14 bears North 16 degrees 06 minutes 47 seconds West), an arc
15 distance of 1,395.58 feet to a point of tangency; thence North
16 12 degrees 49 minutes 50 seconds East, 1,282.12 feet to a point
17 along the western right-of-way line of a township road known as
18 Ramcat Road; thence in a Southerly direction by said right-of-
19 way line by the following course and distances, to wit:

20 (1) South 18 degrees 59 minutes 23 seconds East, 69.65 feet
21 to a point;

22 (2) South 11 degrees 17 minutes 43 seconds East, 99.06 feet
23 to a point;

24 (3) South 8 degrees 06 minutes 38 seconds East, 63.76 feet
25 to a point;

26 thence leaving the aforesaid right-of-way and continuing South
27 12 degrees 49 minutes 50 seconds West, 1,011.18 feet to a point;
28 thence South 77 degrees 10 minutes 10 seconds East 25.00 feet to
29 a point; thence South 12 degrees 49 minutes 50 seconds West,
30 61.80 feet to a point of curve; thence by a railroad curve to

1 the left (said curve being concentric to the last mentioned
2 curve) having a radius of 1,256.32 feet (through which curve a
3 chord bears South 7 degrees 22 minutes 53 seconds West) an arc
4 distance of 238.96 feet to a point; thence, on a radial line
5 extended of the aforementioned curve North 88 degrees 04 minutes
6 03 seconds West 25.00 feet to a point; thence by a railroad
7 curve to the left (said curve being concentric to the last
8 mentioned curve) having a radius of 1,281.32 feet (through which
9 curve a chord bears South 21 degrees 33 minutes 44 seconds East)
10 an arc distance of 1,050.83 feet to a point, thence on a radial
11 line of the aforementioned curve North 44 degrees 56 minutes 34
12 seconds East, 10.00 feet to a point; thence by a railroad curve
13 to the left (said curve being concentric to the last mentioned
14 curve) having a radius of 1,271.32 feet (through which curve a
15 chord bears South 48 degrees 09 minutes 42 seconds East) an arc
16 distance of 137.79 feet to a point of tangency; thence South 51
17 degrees 16 minutes 00 seconds East, 9.50 feet to a point; thence
18 South 9 degrees 24 minutes 00 seconds East, 89.90 feet to a
19 point and place of beginning.

20 Containing 6.5978 acres.

21 Being a portion of that land conveyed by the Western
22 Pennsylvania Conservancy to the Commonwealth of Pennsylvania by
23 deed dated November 15, 1978, and recorded in the Office of the
24 Recorder of Deeds of Fayette County, Pennsylvania, in Deed Book
25 1246 at Page 109.

26 Section 2. The conveyance authorized by section 1 shall be
27 in exchange for the conveyance by Turkeyfoot Fish and Game
28 Association, Inc. to the Commonwealth of Pennsylvania of all
29 those certain tracts of land bounded and described as follows:

30 Tract No. 1

1 All that certain lot, piece or parcel of land situated in the
2 Township of Henry Clay, County of Fayette, Commonwealth of
3 Pennsylvania, bounded and described as follows:

4 Beginning at an iron pin corner, said corner lying on the
5 easterly right-of-way of Ramcat Road (Township Route 892) and
6 being further defined as lying 270 feet more or less north of
7 the intersection of said TR 892 with the center of State Route
8 281 and common to lands herein and lands of the Borough of
9 Confluence; Thence from said point of beginning by and along the
10 eastern right-of-way line of said TR 892 the following nineteen
11 (19) courses and distances:

12 (1) North 18 degrees 32 minutes 44 seconds West, 152.96 feet
13 to a point;

14 (2) North 24 degrees 38 minutes 36 West, 97.67 feet to a
15 point;

16 (3) North 26 degrees 02 minutes 46 seconds West, 137.85 feet
17 to a point;

18 (4) North 10 degrees 38 minutes 34 seconds West, 56.96 feet
19 to a point;

20 (5) North 09 degrees 23 minutes 18 seconds West, 231.45 feet
21 to a point;

22 (6) North 07 degrees 39 minutes 38 seconds West, 171.16 feet
23 to a point;

24 (7) North 09 degrees 22 minutes 57 seconds West, 144.80 feet
25 to a point;

26 (8) North 13 degrees 22 minutes 17 seconds West, 82.56 feet
27 to a point;

28 (9) North 17 degrees 04 minutes 22 seconds West, 116.87 feet
29 to a point;

30 (10) North 17 degrees 31 minutes 10 seconds West, 127.11

1 feet to a point;
2 (11) North 15 degrees 11 minutes 57 seconds West, 257.50
3 feet to a point;
4 (12) North 08 degrees 16 minutes 56 seconds West, 169.54
5 feet to a point;
6 (13) North 00 degrees 57 minutes 32 seconds West, 208.80
7 feet to a point;
8 (14) North 01 degree 48 minutes 02 seconds East, 308.07 feet
9 to a point;
10 (15) North 01 degrees 53 minutes 31 seconds East, 167.85
11 feet to a point;
12 (16) North 00 degrees 51 minutes 39 seconds West, 210.81
13 feet to a point;
14 (17) North 00 degrees 05 minutes 00 seconds East, 125.41
15 feet to a point;
16 (18) North 03 degrees 22 minutes 40 seconds West, 151.09
17 feet to a point;
18 (19) North 12 degrees 06 minutes 21 seconds West, 70.46 feet
19 to an iron pin corner, said corner being along the eastern
20 right-of-way line of said TR 892 at its intersection with the
21 easterly right-of-way line of the Western Maryland Railroad;
22 thence along lands of the Western Maryland Right-of-Way by lands
23 herein North 12 degrees 38 minutes 08 seconds East, 114.74 feet
24 to a point, thence continuing by the easterly right-of-way line
25 of the Western Maryland Railroad on a curve to the left with a
26 radius of 2,342.0 feet (subtended by a chord bearing of North 09
27 degrees 36 minutes 39 seconds East and chord distance of 247.16
28 feet), a distance of 247.27 feet to an iron pin corner common to
29 lands last mentioned and lands now or formerly of William
30 Gilmore; thence by lands now or formerly of said William Gilmore

1 North 89 degrees 48 minutes 02 seconds East, 70.84 feet to a
2 point on the edge of the Youghiogheny River; thence along the
3 edge of said Youghiogheny River the following seventeen (17)
4 courses and distances:

5 (1) South 11 degrees 00 minutes 01 seconds East, 95.01 feet
6 to a point;

7 (2) South 03 degrees 50 minutes 20 seconds East, 209.19 feet
8 to a point;

9 (3) South 04 degrees 34 minutes 57 seconds East, 172.03 feet
10 to a point;

11 (4) South 03 degrees 25 minutes 47 seconds West, 277.33 feet
12 to a point;

13 (5) South 04 degrees 34 minutes 23 seconds East, 193.16 feet
14 to a point;

15 (6) South 20 degrees 28 minutes 54 seconds West, 80.62 feet
16 to a point;

17 (7) South 24 degrees 11 minutes 12 seconds West, 117.09 feet
18 to a point;

19 (8) South 11 degrees 45 minutes 56 seconds West, 180.07 feet
20 to a point;

21 (9) South 04 degrees 05 minutes 08 seconds West, 167.59 feet
22 to a point;

23 (10) South 01 degree 55 minutes 20 seconds East, 148.14 feet
24 to a point;

25 (11) South 15 degrees 18 minutes 56 seconds East, 275.62
26 feet to a point;

27 (12) South 16 degrees 51 minutes 58 seconds East, 198.04
28 feet to a point;

29 (13) South 07 degrees 44 minutes 27 seconds East, 115.17
30 feet to a point;

1 (14) South 14 degrees 58 minutes 15 seconds East, 210.34
2 feet to a point;
3 (15) South 06 degrees 29 minutes 05 seconds East, 443.98
4 feet to a point;
5 (16) South 06 degrees 11 minutes 08 seconds East, 108.70
6 feet to a point;
7 (17) South 25 degrees 37 minutes 21 seconds East, 371.86
8 feet to a point on the westerly edge of the Youghiogheny River,
9 said point being common to lands of the Borough of Confluence
10 and lands herein; thence by land of the Borough of Confluence
11 South 81 degrees 17 minutes 00 seconds West, 42.14 feet to an
12 iron pin, place of beginning.

13 Containing 5.98 acres of land.

14 Tract No.2

15 All that certain lot, piece or parcel of land situated in the
16 Township of Henry Clay, County of Fayette, Commonwealth of
17 Pennsylvania, bounded and described as follows:

18 Beginning at an iron pin corner, said corner lying on the
19 westerly right-of-way line of Ramcat Road (Township Route 892)
20 and further defined as lying 270 feet more or less North of the
21 intersection of said TR 892 with the center of State Route 281
22 and also lying South 81 degrees 17 minutes 00 seconds West,
23 33.49 feet from the beginning point of Tract No.1 previously
24 described: Thence from point of beginning along lands of the
25 Borough of Confluence South 81 degrees 17 minutes 00 seconds
26 West, 29.55 feet to an iron pin corner; thence by same South 08
27 degrees 43 minutes 00 seconds East, 123.32 feet to a point;
28 thence by same on a curve to the right with a radius of 666.62
29 feet (subtended by a chord bearing of South 05 degrees 25
30 minutes 07 seconds East and chord distance of 76.64 feet) for a

1 distance of 76.68 feet to an iron pin corner; thence by same and
2 by lands now or formerly of James Prothero North 78 degrees 15
3 minutes 07 seconds West, 61.90 feet to an iron pin corner;
4 thence by lands now or formerly of James Prothero and lands now
5 or formerly of Paul Wass North 09 degrees 22 minutes 21 seconds
6 West, 548.86 feet to an iron pin corner on the westerly right-
7 of-way line of the Western Maryland Railroad; thence along said
8 right-of-way North 81 degrees 17 minutes 00 seconds East, 4.92
9 feet to a point on the westerly right-of-way line of TR 892;
10 thence by said westerly right-of-way the following three (3)
11 courses and distances:

12 (1) South 26 degrees 02 minutes 46 seconds East, 142.14 feet
13 to a point;

14 (2) South 24 degrees 38 minutes 36 seconds East, 95.25 feet
15 to a point;

16 (3) South 18 degrees 32 minutes 44 seconds East, 145.48 feet
17 to an iron pin corner, place of beginning.

18 Containing 0.75 acre of land.

19 Tract No. 3

20 All that certain lot, piece or parcel of land situated in the
21 Township of Henry Clay, County of Fayette, Commonwealth of
22 Pennsylvania, bounded and described as follows:

23 Beginning at a point on the westerly right-of-way line of the
24 Western Maryland Railroad, said point being common to lands now
25 or formerly of William Gilmore and further defined as lying
26 South 89 degrees 48 minutes 02 seconds West, 100.74 feet from an
27 iron pin on the easterly right-of-way of said railroad where
28 Tract No.1 previously described intersects with lands now or
29 formerly of William Gilmore; thence from said point of beginning
30 by the westerly right-of-way line of the Western Maryland

1 Railroad on a curve to the right with a radius of 2,242.0 feet
2 (subtended by a chord bearing of South 08 degrees 44 minutes 07
3 seconds West and a chord distance of 144.37 feet), a distance of
4 144.40 feet to the intersection of said right-of-way line with
5 the eastern right-of-way of TR 892; thence along said eastern
6 right-of-way of TR 892 North 19 degrees 04 minutes 16 seconds
7 West, 35.46 feet to a point; thence by the same North 12 degrees
8 14 minutes 34 seconds West, 111.52 feet to a point at the
9 southwest corner of lands now or formerly of William Gilmore;
10 thence along the south line of lands now or formerly of William
11 Gilmore North 89 degrees 48 minutes 02 seconds East, 57.16 to a
12 point and place of beginning.

13 Containing 0.10 acre of land.

14 Being a portion of the same tract of land conveyed by the
15 Borough of Confluence to the Turkeyfoot Fish and Game
16 Association, Inc. by deed dated July 31, 1987, and recorded in
17 the Office of the Recorder of Deeds of Somerset County,
18 Pennsylvania, in Deed Book 1005 at Page 765. Also being a
19 portion of the same tract of land conveyed by Roy Leber, et ux,
20 to the Turkeyfoot Fish and Game Association, Inc. by deed dated
21 September 23, 1967, and recorded in the Office of the Recorder
22 of Deeds of Fayette County, Pennsylvania, in Deed Book 1050 at
23 Page 922. Also being a portion of the same tract of land
24 conveyed by Rob Leber, et ux, to the Turkeyfoot Fish and Game
25 Association, Inc. by deed dated September 23, 1967, and recorded
26 in the Recorder of Deeds Office of Fayette County, Pennsylvania,
27 in Deed Book 1050 at Page 925. Also being a portion of the same
28 tract of land conveyed by the Borough of Confluence to the
29 Turkeyfoot Fish and Game Association, Inc. by deed dated March
30 3, 1987, and recorded in the Office of the Recorder of Deeds of

1 Fayette County, Pennsylvania, in Deed Book 333 at Page 210.

2 Section 3. Conveyance of the land described in section 1
3 shall be made under and subject to all easements, servitudes and
4 rights of others, including, but not confined to, streets,
5 roadways and rights of telephone, telegraph, water, electric,
6 sewer, gas or pipeline companies, as well as under and subject
7 to any interest, estates or tenancies vested in third persons,
8 whether or not appearing of record, for any portion of the land
9 or improvements erected thereon.

10 Section 4. The deed of conveyance of the property described
11 in section 1 shall be approved as provided by law and shall be
12 executed by the Secretary of Conservation and Natural Resources
13 in the name of the Commonwealth of Pennsylvania.

14 Section 5. The parties to the transaction shall bear their
15 respective costs.

16 Section 6. This act shall take effect immediately.