

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1620 Session of
2004

INTRODUCED BY YUDICHAK, MAY 10, 2004

SENATOR LEMMOND, STATE GOVERNMENT, IN SENATE, AS AMENDED,
NOVEMBER 15, 2004

AN ACT

1 Authorizing the release of Project 500 restrictions on certain
2 land owned by the Township of Wright, Luzerne County, in
3 return for the imposition of Project 500 restrictions on
4 other land owned by the Township of Wright, Luzerne County. <—
5 ~~and authorizing the release of Project 70 restrictions~~ <—
6 ~~imposed on certain lands owned by the City of Scranton,~~
7 ~~Lackawanna County, being conveyed by the city in return for~~
8 ~~the imposition of Project 70 restrictions on certain lands~~
9 ~~being conveyed to the city.~~

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

12 Section 1. ~~Township of Wright; Luzerne County.~~ AUTHORIZATION. <—

13 (a) Authorization to release restriction.--The land
14 described in subsection (b) is hereby released from any
15 restrictions or encumbrances on the title resulting from the
16 provisions of the act of January 19, 1968 (1967 P.L.996,
17 No.443), known as The Land and Water Conservation and
18 Reclamation Act, in exchange for the imposition of The Land and
19 Water Conservation and Reclamation Act provisions on land owned
20 by the Township of Wright and described in subsection (c).

1 (b) Description of land to be released of restrictions.--All
2 that certain piece, parcel or plot of land situate in the
3 Township of Wright, County of Luzerne and Commonwealth of
4 Pennsylvania, bounded and described as follows, to wit:

5 Wright Township Parcel No. 1
6 1997 Property Line Realignment

7 BEGINNING at a point in the West line of land now or formerly
8 of Lawrence Kansky. Said point being the southeast corner of the
9 Wright Township Park land and being also the northeast corner of
10 the Wright Township Municipal Building parcel:

11 THENCE, along said municipal building parcel the following
12 two (2) courses:

13 1. THENCE North 64 degrees 45 minutes West 121.19 feet;

14 2. THENCE, North 73 degrees 25 minutes West 229.58 feet to
15 the TRUE POINT OF BEGINNING of Parcel No. 1;

16 THENCE continuing along the North line of the municipal building
17 parcel North 73 degrees 25 minutes West 242.16 feet to a point
18 in line of other land of Wright Township;

19 THENCE along said other township land North 08 degrees 58
20 minutes West 113.63 feet;

21 THENCE through land of the Wright Township Park the following
22 two (2) bearings and distances:

23 1. THENCE South 81 degrees 39 minutes 35 seconds East 238.45
24 feet;

25 2. THENCE South 08 degrees 20 minutes 25 seconds West 148.29
26 feet to the TRUE POINT OF BEGINNING;

27 CONTAINING 0.719 Acres.

28 Being all of Parcel No. 1 as shown on a certain Plan of Property
29 Line Realignment of Land of Wright Township dated June 4, 1997
30 and recorded in Luzerne County Map Book 104 at Page 67.

1 (c) Description of land to be restricted.--All that certain
2 piece or parcel of land situate in Wright Township, Luzerne
3 County, Pennsylvania bounded and described as follows, to wit:
4 BEGINNING at a corner on the Northerly side of a proposed
5 Twenty-five (25) foot Road and corner of lots number 11 and 12;
6 THENCE along said proposed road South 82-04 East Two hundred
7 seventy-five and thirty-seven one-hundredths (275.37) feet to a
8 corner on line of land of Thomas and Mary Peter;
9 THENCE along said land North 7-56 East Seven hundred eleven and
10 forty-five one-hundredths (711.45) feet to a corner on line of
11 land of Thomas and Mary Peter;
12 THENCE along said land North 82 03 West Two hundred seventy-five
13 and thirty-seven one-hundredths (275.37) feet to a corner
14 between lots number 11 and 12;
15 THENCE on line between lots number 11 and 12 South 7-56 West
16 Seven hundred eleven and fifty-three one-hundredths (711.53)
17 feet to said proposed road the place of Beginning.
18 CONTAINING Four and five-tenths (4.5) Acres of land, being lot
19 number 12 on plot of lots of Thomas Peter and Mary Peter, his
20 wife.
21 SUBJECT to such exceptions or reservations as may appear in
22 prior deeds in chain of title.
23 Being the same premises conveyed to the Grantor herein as parcel
24 No. 7 in Deed dated March 18, 1969 and recorded in the Office of
25 the Recorder of Deeds in and for Luzerne County in Deed Book
26 1671 at page 966.
27 PIN M9S1B3L7.
28 ALL THAT CERTAIN lot or piece, parcel or lot of land situate in
29 the Township of Wright, Luzerne County, Pennsylvania, bounded
30 and described as follows, to wit:

BEGINNING at a corner on the Northerly side of a proposed
twenty-five (25) foot road and corner of Lots No. 10 and 11;

(1) THENCE along said proposed road South eighty-two degrees
four minutes East two hundred seventy-five and thirty-
seven hundredths (275.37) feet to a corner between Lots
No. 11 and 12;

(2) THENCE on line between Lots No. 11 and 12, North seven
degrees fifty-six minutes East, seven hundred eleven and
fifty-three hundredths (711.53) feet to a corner of land
now or late of Thomas and Mary Peter;

(3) THENCE along said line North eighty-two degrees three
minutes West, two hundred seventy-five and thirty-seven
hundredths (275.37) feet to a corner between Lots No. 10
and 11;

(4) THENCE on line between Lots No. 10 and 11 South seven
degrees fifty-six minutes West, seven hundred eleven and
sixty-one hundredths (711.61) feet to said proposed road,
the place of beginning.

CONTAINING 4.5 acres of land.

UNDER AND SUBJECT to the same exceptions, reservations,
covenants, conditions, waivers and restrictions as are contained
in prior Deeds or other instruments forming the chain of title
to said premises.

Being all of Lot No. 11 on plot of lots now or late of Thomas
and Mary Peter, his wife.

ALSO BEING part of the premises conveyed by Deed of Dora
Petroski to Edward J. Milliski, et ux., dated November 15, 1971,
recorded in Luzerne County Deed Book 1736, page 107, and
described as "The Second Thereof."

(d) Authorization to impose restrictions.--The following

1 restriction shall be added to the deed for the land described in
2 subsection (c):

3 "This land is to be used for municipal park, recreation and
4 open space purposes as defined in The Land and Water
5 Conservation and Reclamation Act."

6 ~~Section 2. City of Scranton; Lackawanna County.~~ <—

7 ~~(a) Authorization. Pursuant to the requirements of section~~
8 ~~20(b) of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8),~~
9 ~~known as the Project 70 Land Acquisition and Borrowing Act, the~~
10 ~~General Assembly hereby authorizes the release of the~~
11 ~~restrictions imposed by section 20 of the Project 70 Land~~
12 ~~Acquisition and Borrowing Act from the land owned by the City of~~
13 ~~Scranton, Lackawanna County, being conveyed to Lackawanna Land &~~
14 ~~Energy, Inc., and more particularly described in subsection (c),~~
15 ~~in exchange for the imposition of section 20 of the Project 70~~
16 ~~Land Acquisition and Borrowing Act restriction on lands owned by~~
17 ~~Lackawanna Land & Energy, Inc., being conveyed to the City of~~
18 ~~Scranton, and more particularly described in subsection (d).~~

19 ~~(b) Freedom of restrictions. The lands described in~~
20 ~~subsection (c), owned by the City of Scranton and being conveyed~~
21 ~~to Lackawanna Land & Energy, Inc., shall be free of the~~
22 ~~restrictions on use and alienation imposed by section 20 of the~~
23 ~~Project 70 Land Acquisition and Borrowing Act upon the~~
24 ~~imposition of and recording of the Project 70 deed restrictions~~
25 ~~set forth in subsection (c) on the parcel of replacement land~~
26 ~~owned by Lackawanna Land & Energy, Inc., and being conveyed to~~
27 ~~the City of Scranton.~~

28 ~~(c) Land to be released from restrictions. The parcel of~~
29 ~~land authorized to be released from restrictions is located in~~
30 ~~the City of Scranton, Lackawanna County, and more particularly~~

1 ~~described as follows:~~

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

5 ~~Beginning at a point along the southerly side of Gilbert Street,~~
6 ~~on a bearing South fifty three Degrees thirty two Minutes forty~~
7 ~~three Seconds East, (S 53 Degrees 32 Minutes 43 Seconds E), a~~
8 ~~distance of four hundred eighty and no hundredths feet, (480.00~~
9 ~~feet) from the intersection of the southerly right of way line~~
10 ~~of Gilbert Street, and the easterly right of way line of~~
11 ~~Rockwell Avenue.~~

12 ~~THENCE continuing along said southerly right of way line of~~
13 ~~Gilbert Street, South fifty three Degrees thirty two Minutes~~
14 ~~forty three Seconds East, (S 53 Degrees 32 Minutes 43 Seconds~~
15 ~~E), a distance of one hundred one and twenty one hundredths~~
16 ~~feet, (101.21 feet), to a point;~~

17 ~~THENCE North twenty eight Degrees fifty two Minutes seventeen~~
18 ~~Seconds East, (N 28 Degrees 52 Minutes 17 Seconds E), a distance~~
19 ~~of two hundred five and fifty hundredths feet, (205.50 feet), to~~
20 ~~a point;~~

21 ~~THENCE North fifty six Degrees twenty five Minutes fifty eight~~
22 ~~Seconds West, (N 56 Degrees 25 Minutes 58 Seconds W), a distance~~
23 ~~of two hundred seventeen and forty seven hundredths feet,~~
24 ~~(217.47 feet), to a point, along the easterly right of way line~~
25 ~~of Leach Street;~~

26 ~~THENCE along the easterly right of way line of Leach Street,~~
27 ~~North thirty five Degrees thirty five Minutes thirty six Seconds~~
28 ~~East, (N 35 Degrees 35 Minutes 36 Seconds E), a distance of two~~
29 ~~hundred eighty one and ninety one hundredths feet, (218.91~~
30 ~~feet), to a point;~~

1 ~~THENCE South sixty Degrees twelve Minutes six Seconds East, (S~~
2 ~~60 Degrees 12 Minutes 06 Seconds E), a distance of three hundred~~
3 ~~sixty eight and sixty nine hundredths feet, (368.69 feet), to a~~
4 ~~point;~~

5 ~~THENCE South fifty nine Degrees eight Minutes forty nine Seconds~~
6 ~~East (S 59 Degrees 08 Minutes 49 Seconds E), a distance of six~~
7 ~~hundred seventy two and sixty two hundredths feet, (672.62~~
8 ~~feet), to a point;~~

9 ~~THENCE South sixty seven Degrees fifty one Minutes ten Seconds~~
10 ~~West, (S 67 Degrees 51 Minutes 10 Seconds W), a distance of~~
11 ~~three hundred nine and ninety three hundredths feet, (309.93~~
12 ~~feet), to a point;~~

13 ~~THENCE North twenty two Degrees eight Minutes fifty Seconds~~
14 ~~West, (N 22 Degrees 08 Minutes 50 Seconds W), a distance of one~~
15 ~~hundred forty and no hundredths feet, (140.00 feet), to a point,~~
16 ~~along the southerly right of way line of Gilbert Street, on a~~
17 ~~curve;~~

18 ~~THENCE along the southerly right of way line of said Gilbert~~
19 ~~Street, on a curve to the right having a radius of three hundred~~
20 ~~twenty five and no hundredths feet, (325.00 feet), having a~~
21 ~~chord bearing South seventy seven Degrees forty Minutes forty~~
22 ~~nine Seconds West, (S 77 Degrees 40 Minutes 49 Seconds W), a~~
23 ~~chord distance of one hundred ten and ninety three hundredths~~
24 ~~feet, (110.93 feet), to a point, the start of a tangent, along~~
25 ~~the southerly right of way line of Gilbert Street;~~

26 ~~THENCE South eighty seven Degrees thirty Minutes seventeen~~
27 ~~Seconds West, (S 87 Degrees 30 Minutes 17 Seconds W), a distance~~
28 ~~of one hundred forty and no hundredths feet, (140.00 feet), to a~~
29 ~~point;~~

30 ~~THENCE South two Degrees twenty nine Minutes forty three Seconds~~

1 ~~East (S 02 Degrees 29 Minutes 43 Seconds E), a distance of one~~
2 ~~hundred thirty four and ninety eight hundredths feet, (134.98~~
3 ~~feet), to a point;~~
4 ~~THENCE South eighty seven Degrees thirty Minutes seventeen~~
5 ~~Seconds West, (S 87 Degrees 30 Minutes 17 Seconds W), a distance~~
6 ~~of four hundred thirty seven and forty three hundredths feet,~~
7 ~~(437.43 feet), to a point;~~
8 ~~THENCE North fifty three Degrees thirty two Minutes forty three~~
9 ~~Seconds West, (N 53 Degrees 32 Minutes 43 Seconds W), a distance~~
10 ~~of one hundred seventy and no hundredths feet, (170.00 feet), to~~
11 ~~a point;~~
12 ~~THENCE North thirty six Degrees twenty seven Minutes seventeen~~
13 ~~Seconds East, (N 36 Degrees 27 Minutes 17 Seconds E), a distance~~
14 ~~of one hundred sixty and no hundredths feet, (160.00 feet), to a~~
15 ~~point, the place of beginning.~~
16 ~~Containing 8.784 Acres of land, more or less.~~

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

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

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

29 ~~Thence along the southerly right of way line of Wells Street,~~
30 ~~South fifty five Degrees forty four Minutes forty four seconds~~

~~1 East (S 55 Degrees 44 Minutes 44 Seconds E), a distance of one~~
~~2 hundred thirty six and sixty five hundredths (136.65 feet) feet,~~
~~3 to a point;~~
~~4 Thence leaving said right of way, South seventeen Degrees twenty~~
~~5 four Minutes four Seconds West (S 17 Degrees 24 Minutes 04~~
~~6 Seconds W), a distance of one hundred forty one and thirty four~~
~~7 hundredths (141.34 feet) feet, to a point;~~
~~8 Thence South sixty Degrees forty nine Minutes fourteen Seconds~~
~~9 West (S 60 Degrees 49 Minutes 14 Seconds W), a distance of one~~
~~10 hundred and no hundredths (100.00 feet) feet; to a point;~~
~~11 Thence South eighty eight Degrees twenty four Minutes forty four~~
~~12 Seconds West (S 88 Degrees 24 Minutes 44 Seconds W), a distance~~
~~13 of one thousand one hundred eleven and ninety seven hundredths~~
~~14 (1111.97 feet) feet, to a point;~~
~~15 Thence South seventy two degrees four Minutes thirty three~~
~~16 Seconds West (S 72 degrees 04 Minutes 33 Seconds W) a distance~~
~~17 of twenty seven and ninety eight hundredths (27.98 feet) feet,~~
~~18 to a point;~~
~~19 Thence along Lands of The City of Scranton, North fifty nine~~
~~20 Degrees eight Minutes forty nine Seconds West (N 59 Degrees 08~~
~~21 Minutes 49 Seconds W), a distance of four hundred sixty eight~~
~~22 and sixty eight hundredths (468.68 feet) feet, to a point, at~~
~~23 the southwest corner of Lot No. 75;~~
~~24 Thence along the southerly line of Lots Nos. 75, 76, 77, 78, 79,~~
~~25 80 and 81, North eighty six degrees thirty four Minutes fifty~~
~~26 Seconds East (N 86 Degrees 34 Minutes 50 Seconds E), a distance~~
~~27 of six hundred forty three and forty two hundredths (643.42~~
~~28 feet) feet, to a point;~~
~~29 Thence along Lot No. 81 of the Leggetts Creek Subdivision North~~
~~30 three Degrees twenty five Minutes ten Seconds West (N 03 Degrees~~

~~1 25 Minutes 10 Seconds W) a distance of one hundred seventy four
2 and ninety two hundredths (174.92 feet) feet, to the point,
3 along the southerly right of way line of Gilbert Street;
4 Thence along the southerly right of way line of Gilbert Street
5 on a curve to the left having a radius of 225.00 ft., having an
6 arc length of 200.45 ft., Chord Bearing North sixty one Degrees
7 three Minutes thirty Seconds East (N 61 Degrees 03 Minutes 30
8 Seconds E), a chord distance of one hundred ninety three and
9 eighty nine hundredths (193.89 feet) feet, to a point, along
10 lands of the Marvine Dutch Gap Little League;
11 Thence leaving said southeasterly right of way line of Gilbert
12 Street, and along lands of the Little League South fifty six
13 Degrees twenty six Minutes Eighteen Seconds East (S 56 Degrees
14 26 Minutes 18 Seconds E), a distance of sixty seven and fifty
15 six hundredths (67.56 feet) feet to a point;
16 Thence along said Marvine Gap Little League South eighteen
17 Degrees thirty seven Minutes forty two Seconds West (S 18
18 Degrees 37 Minutes 42 Seconds W), a distance of two hundred
19 thirty five and no hundredths (235.00 feet) feet, to a point;
20 Thence continuing along said Little League property North eighty
21 five Degrees seven Minutes forty two Seconds East (N 85 Degrees
22 07 Minutes 42 Seconds E), a distance of two hundred seventy five
23 and no hundredths (275.00 feet) feet, to a point;
24 Thence along a curve to the left, having a radius of six hundred
25 eighty and no hundredths (680.00 feet) feet, arc length of three
26 hundred forty two and eighty seven hundredths (342.87 feet)
27 feet, Chord of three hundred thirty nine and twenty five
28 hundredths (339.25 feet) feet, Chord Bearing North seventy
29 degrees forty one Minutes no Seconds East (N 70 Degrees 41
30 Minutes 00 Seconds E), to the point.~~

~~1 Thence along the southerly right of way line of Wells Street,
2 South fifty five degrees forty four Minutes forty four Seconds
3 East (S 55 Degrees 44 Minutes 44 Seconds E), a distance of
4 eighteen and six hundredth (18.06 feet) feet, to a point, common
5 to Lot No. 92 and Lot No. 90;
6 Thence along line of Lot No. 92 South thirty five Degrees seven
7 Minutes five Seconds West (S 35 Degrees 07 Minutes 05 Seconds
8 W), a distance of one hundred forty four and eighty seven
9 hundredths (144.87 feet) feet to a point at the start of a curve
10 to the right;
11 Thence along a curve to the right, having a radius of two
12 hundred fifty and thirty hundredths (250.30 feet) feet, are
13 length of fifty and eleven hundredths (55.11 feet) feet and a
14 Chord of fifty five (55 feet) feet, Chord Bearing South fifty
15 nine Degrees twenty six Minutes twenty six Seconds West (S 59
16 Degrees 26 Minutes 26 Seconds W), to a point.
17 Thence along the westerly line of Lot No. 92 and Lot No. 93,
18 South thirty five Degrees twenty nine Minutes four Seconds East
19 (S 35 Degrees 29 Minutes 04 Seconds E), a distance of one
20 hundred forty eight and twenty four hundredths (148.24 feet)
21 feet, to a point;
22 Thence along Lot No. 93, North seventy eight Degrees ten Minutes
23 forty two seconds East (N 78 Degrees 10 Minutes 42 Seconds E), a
24 distance of fifty five and forty seven hundredths (55.47 feet)
25 feet, to a point;
26 Thence along Lot No. 93, North sixty one Degrees nine Minutes
27 forty four seconds East, (N 61 Degrees 09 Minutes 44 Seconds E),
28 a distance of one hundred thirty and eighty eight hundredths
29 (130.88 feet), to a point;
30 Thence along Lot No. 93, North twenty seven Degrees six Minutes~~

1 ~~thirty one seconds East, (N 27 Degrees 06 Minutes 31 Seconds E),~~
2 ~~a distance of eighty nine and ninety nine hundredths (89.99~~
3 ~~feet) feet, to a point, along the southerly right of way line of~~
4 ~~Wells Street, to the point of beginning.~~

5 ~~Containing 9.253 Acres of land, more or less.~~

6 ~~(e) Deed restriction. The Deed restriction to be~~
7 ~~transferred to the parcel described in subsection (d) shall read~~
8 ~~as follows:~~

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

14 ~~(f) Costs. The parties to this transaction shall bear their~~
15 ~~respective costs.~~

16 ~~(g) Execution. The deed of conveyance shall be executed and~~
17 ~~approved as provided by law.~~

18 Section 3 2. Effective date.

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19 This act shall take effect immediately.