

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1937

Session of
1997

INTRODUCED BY MASLAND, OCTOBER 21, 1997

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
FEBRUARY 10, 1998

AN ACT

1 Authorizing the Borough of Carlisle, Cumberland County, to sell
2 certain Project 70 lands free of Project 70 restrictions in
3 return for use of the sale proceeds to assist the Central
4 Pennsylvania Conservancy purchase a tract of land; AND <—
5 AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES TO CONVEY A
6 TRACT OF LAND LOCATED IN SOMERSET TOWNSHIP, SOMERSET COUNTY.

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

9 ~~Section 1. Authorization.~~ <—

10 SECTION 1. (A) AUTHORIZATION.--Under the requirements of <—
11 section 20(b) of the act of June 22, 1964 (Sp.Sess., P.L.131,
12 No.8), known as the Project 70 Land Acquisition and Borrowing
13 Act, the General Assembly hereby authorizes the release of
14 Project 70 restrictions from the two tracts of land described in
15 section 2 and owned by the Borough of Carlisle, Cumberland
16 County, in exchange for use of the sale proceeds to assist the
17 Central Pennsylvania Conservancy purchase 15.03 acres of land
18 known as the Seven Gables Tract located in Carlisle Borough and
19 South Middleton Township.

1 ~~Section 2. Land to be released from Project 70 restrictions.~~ <—

2 (B) LAND TO BE RELEASED FROM PROJECT 70 RESTRICTIONS.-- <—

3 Tract No. 1

4 All that certain tract of land situate in North Middleton
5 Township, Cumberland County, Pennsylvania, being Lot No. 2 of
6 the Preliminary/Final Subdivision Plan for the Borough of
7 Carlisle, dated September 2, 1997, and recorded in the office of
8 the Recorder of Deeds for Cumberland County on September 16,
9 1997, in Plan Book 75, page 75, to wit:

10 BEGINNING at a point in the road bed of Cavalry Road (S.R.1001)
11 at lands now or formerly of the Cavalry Road Church of God;
12 thence from said point of beginning in and through said road bed
13 the following two courses and distances:

14 1. South 49 degrees 39 minutes 50 seconds East 390.13
15 feet to a point;

16 2. South 30 degrees 05 minutes 10 seconds East 360.28
17 feet to a point at lands now or formerly of the
18 Pennsylvania Turnpike Commission;

19 thence leaving said road bed and along said lands of the
20 Pennsylvania Turnpike Commission, South 72 degrees 13 minutes 28
21 seconds West 776.58 feet to an iron pin set at the corner of Lot
22 No. 1 of the aforementioned Preliminary/Final Subdivision Plan
23 for The Borough of Carlisle: thence along said Lot No. 1 the
24 following five courses and distances:

25 1. North 26 degrees 44 minutes 00 seconds West 99.24
26 feet to an iron pin set;

27 2. North 34 degrees 19 minutes 11 seconds West 157.96
28 feet to an iron pin set;

29 3. North 54 degrees 02 minutes 43 seconds West 245.78
30 feet to an iron pin set;

1 Shaffer;
2 thence leaving said road bed of Spring Road (S.R. 0034) and
3 along said lands of Shaffer, South 16 degrees 13 minutes 50
4 seconds East 126.39 feet to an iron pin set at the corner of Lot
5 No. 1 of the aforementioned Preliminary/Final Subdivision Plan
6 for The Borough of Carlisle; thence along said Lot No. 1 the
7 following four courses and distances:

8 1. South 73 degrees 59 minutes 30 seconds West 261.48
9 feet to an iron pin set;

10 2. South 67 degrees 41 minutes 46 seconds West 214.68
11 feet to an iron pin set;

12 3. South 09 degrees 46 minutes 46 seconds East 114.43
13 feet to an iron pin set;

14 4. South 40 degrees 56 minutes 32 seconds West 158.98
15 feet to an iron pin set;

16 thence by the same in part and along lands now or formerly of
17 Irvin E. Bidelspach North 22 degrees 00 minutes 00 seconds West
18 277.22 feet to a point at the place of Beginning.

19 CONTAINING 1.9477 acres.

20 ~~Section 3. Use of sale proceeds.~~

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21 (C) USE OF SALE PROCEEDS.-- The net proceeds, selling price
22 less expenses, from the sale of the land described in section 2
23 shall be used by the Borough of Carlisle to assist the Central
24 Pennsylvania Conservancy with purchase of the Seven Gables
25 Tract. Any of the net proceeds which are not provided to the
26 Central Pennsylvania Conservancy for the purchase of the Seven
27 Gables Tract shall be deposited into a special account
28 established by the Borough of Carlisle for acquisition or
29 development of other park lands.

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30 ~~Section 4. Deed clause.~~

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1 (D) DEED CLAUSE.--The Central Pennsylvania Conservancy deed <—
2 to the Seven Gables Tract shall include the following clause:
3 "This land was acquired for recreation, conservation and
4 historical purposes as said purposes are defined in the
5 act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as
6 the Project 70 Land Acquisition and Borrowing Act."

7 SECTION 2. (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL <—
8 SERVICES, WITH THE APPROVAL OF THE GOVERNOR, IS HEREBY
9 AUTHORIZED AND DIRECTED, ON BEHALF OF THE COMMONWEALTH OF
10 PENNSYLVANIA, TO GRANT AND CONVEY, SOMERSET CHRISTIAN
11 FELLOWSHIP, THE DESCRIBED TRACT OF LAND IN SUBSECTION (B) FOR
12 FAIR MARKET VALUE AS DETERMINED BY AN INDEPENDENT APPRAISAL.

13 (B) DESCRIPTION.--BEGINNING AT AN EXISTING IRON PIN/CAP AND
14 ON THE JURISDICTIONAL DIVISION LINE BETWEEN LANDS OF THE
15 SOMERSET CHRISTIAN FELLOWSHIP AND LANDS OF THE COMMONWEALTH OF
16 PENNSYLVANIA. THENCE ALONG LANDS OF THE COMMONWEALTH OF
17 PENNSYLVANIA AND THE SOMERSET CHRISTIAN FELLOWSHIP THE FOLLOWING
18 COURSES AND DISTANCES;

19 (1) SOUTH 65 DEGREES 43 MINUTES 09 SECONDS EAST, 403.22
20 FEET TO SET IRON PIN/CAP;

21 (2) NORTH 39 DEGREES 36 MINUTES 00 SECONDS EAST, 238.77
22 FEET TO SET IRON PIN/CAP;

23 (3) SOUTH 22 DEGREES 49 MINUTES 30 SECONDS WEST, 32.30
24 FEET TO SET IRON PIN/CAP;

25 (4) SOUTH 38 DEGREES 46 MINUTES 00 SECONDS WEST, 139.80
26 FEET TO SET IRON PIN/CAP;

27 (5) SOUTH 66 DEGREES 05 MINUTES 15 SECONDS EAST, 49.00
28 FEET TO SET IRON/PIN CAP;

29 (6) SOUTH 20 DEGREES 05 MINUTES 15 SECONDS WEST, 145.67
30 FEET TO SET IRON/PIN CAP;

1 (7) NORTH 65 DEGREES 21 MINUTES 15 SECONDS WEST, 370.50
2 FEET TO SET IRON/PIN CAP;

3 (8) NORTH 32 DEGREES 20 MINUTES 00 SECONDS WEST, 145.30
4 FEET TO SET IRON/PIN CAP;

5 CONTAINING APPROXIMATELY .936 ACRES.

6 (C) EASEMENT.--THE CONVEYANCE SHALL BE MADE UNDER AND
7 SUBJECT TO ALL EASEMENTS, SERVITUDES AND RIGHTS OF OTHERS,
8 INCLUDING BUT NOT CONFINED TO, STREETS, ROADWAYS AND RIGHTS OF
9 TELEPHONE, TELEGRAPH, WATER, ELECTRIC, SEWER, GAS OR PIPELINE
10 COMPANIES, AS WELL AS UNDER AND SUBJECT TO ANY INTEREST, ESTATES
11 OR TENANCIES VESTED IN THIRD PERSONS, WHETHER OR NOT APPEARING
12 OF RECORD, FOR ANY PORTION OF THE LAND OR IMPROVEMENTS ERECTED
13 THEREON.

14 (D) DEED.--THE DEED OF CONVEYANCE SHALL BE APPROVED AS
15 PROVIDED BY LAW AND SHALL BE EXECUTED BY THE SECRETARY OF
16 GENERAL SERVICES IN THE NAME OF THE COMMONWEALTH OF
17 PENNSYLVANIA.

18 (E) COSTS.--THE COSTS AND FEES INCIDENTAL TO THIS CONVEYANCE
19 SHALL BE BORNE BY THE GRANTEE.

20 Section 5 3. Effective date.

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21 This act shall take effect immediately.