

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 126 Session of
1997

INTRODUCED BY CORMAN, JANUARY 21, 1997

SENATE AMENDMENTS TO HOUSE AMENDMENTS, JUNE 11, 1997

AN ACT

1 Authorizing the Pennsylvania Fish and Boat Commission to convey
2 a portion of a Project 70 tract of land in Porter Township,
3 Clinton County, under certain conditions to the Township of
4 Porter, a municipal corporation of the Commonwealth of
5 Pennsylvania; authorizing Harrison Township, Allegheny
6 County, to exchange certain real property with Wood
7 Development Partnership; and authorizing the release of
8 Project 70 restrictions imposed on certain lands owned by the
9 City of Jeannette, Westmoreland County, in return for the
10 imposition of Project 70 restrictions placed on certain lands
11 purchased by the City of Jeannette.

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

14 Section 1. Porter Township, Clinton County.

15 (a) Authorization.--Under the requirements of section 20(b)
16 of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as
17 the Project 70 Land Acquisition and Borrowing Act, the General
18 Assembly hereby authorizes the Pennsylvania Fish and Boat
19 Commission to convey a portion of its Cedar Springs Fish Culture
20 Station located in the Township of Porter, County of Clinton, to
21 the Township of Porter for inclusion into the right-of-way of
22 Porter Township Road No. 321 of the township roadway system

1 allowing for the continued use and enjoyment of the public at
2 large.

3 (b) Freedom of restrictions.--The Pennsylvania Fish and Boat
4 Commission is authorized to convey a portion of its Cedar
5 Springs Fish Culture Station being approximately 0.09 acres,
6 lying adjacent to the right-of-way of Porter Township Road No.
7 321 from the Commonwealth of Pennsylvania for use of the
8 Pennsylvania Fish and Boat Commission to the Township of Porter
9 free of the restrictions on use and alienation prescribed by the
10 act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the
11 Project 70 Land Acquisition and Borrowing Act, provided the
12 conveyance shall be subject to all easements of record and the
13 following conditions:

14 (1) If, at any time, Porter Township shall abandon the
15 property described in subsection (d) or restrict its use in
16 any way that it is not open to free public use and enjoyment,
17 the said property shall revert to the ownership of the
18 Commonwealth of Pennsylvania for use by the Pennsylvania Fish
19 and Boat Commission.

20 (2) The Pennsylvania Fish and Boat Commission shall
21 retain at all times the unrestricted right of ingress, egress
22 and regress over the said property.

23 (c) Execution.--The deed of conveyance from the Pennsylvania
24 Fish and Boat Commission to the Township of Porter shall be
25 executed by the Executive Director of the Pennsylvania Fish and
26 Boat Commission in the name of the Commonwealth of Pennsylvania
27 for use by the Pennsylvania Fish and Boat Commission and shall
28 be approved for legality and form by the Chief Counsel of the
29 Pennsylvania Fish and Boat Commission and the Office of Attorney
30 General.

(d) Description of premises to be conveyed.--The portion of the Pennsylvania Fish and Boat Commission's Cedar Springs Fish Culture Station to be conveyed under this section is described as follows: All that land situated adjacent to the right-of-way of Porter Township Road No. 321 in Porter Township, Clinton County, Commonwealth of Pennsylvania, further described as:

Being all that area defined by the widening of the right-of-way of the said township road from 16.5 feet from centerline to 25 feet from centerline beginning at the intersection of the said township road and State Route 2018 and extending in a westerly direction from the said intersection approximately 225 feet on the south of township road centerline (upstream side of road) and approximately 184 feet on the north of the township road centerline; and

Also including all that area along the aforementioned area south of the said township road at its intersection with State Route 2018 required for the development of a 35-foot turning radius joining the cartway of the said State Route and Township Road; and

Further including a drainage swale area being all that area north of the said Township Road at its intersection with the State Route having an approximate width of 10 feet along the State Route right-of-way to a 0 width at approximately 75 feet from the said intersection running along the aforementioned right-of-way line to the north of the said Township Road.

Containing approximately 0.09 acres.

Section 2. Land in THE CITY OF JEANNETTE, Westmoreland County. <—

(a) Authorization.--The lands IN THE CITY OF JEANNETTE described in subsection (b) are hereby released from restrictions imposed under the act of June 22, 1964 (Sp.Sess.,

1 P.L.131, No.8), known as the Project 70 Land Acquisition and
2 Borrowing Act, in exchange for the imposition of restrictions
3 under the Project 70 Land Acquisition and Borrowing Act on the
4 lands IN THE CITY OF JEANNETTE described in subsection ~~(e)~~ (C). <—

5 (b) Land to be released from restrictions.--The land
6 authorized to be released from restrictions ~~are more~~ <—

7 ~~particularly described as follows:~~ IS THAT CERTAIN PARCEL OF <—

8 LAND SITUATE IN THE CITY OF JEANNETTE, WESTMORELAND COUNTY,
9 BEING MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

10 Beginning at a point where the northerly line of College
11 Avenue intersects with the easterly line of Whiteman Street,
12 thence along the easterly line of Whiteman Street north 44
13 degrees 45 minutes east a distance of 455 feet to a point;
14 thence south 42 degrees 15 minutes east a distance of 66.5 feet
15 to a point; thence north 36 degrees 5 minutes east a distance of
16 178 feet, more or less, to a point; thence south 24 degrees 41
17 minutes east a distance of 315 feet, more or less, to a point;
18 thence south 42 degrees west a distance of 120 feet, more or
19 less, to a point; thence south 16 degrees 13 minutes east a
20 distance of 345 feet, more or less, to a point; thence north 72
21 degrees 42 minutes west a distance of 181.67 feet to a point;
22 thence south 17 degrees 18 minutes west a distance of 40 feet to
23 a point; thence north 72 degrees 42 minutes west a distance of
24 40 feet to a point; thence north 17 degrees 18 minutes east a
25 distance of 131 feet to a point on the northerly line of College
26 Avenue; thence along the northerly line of College Avenue north
27 72 degrees 42 minutes west a distance of 448 feet to a point on
28 the easterly line of Whiteman Street, the place of beginning.

29 Containing approximately 4.7 acres.

30 (c) Land to be made subject to restrictions.--The land to be

1 subject to restrictions is ~~more particularly described as~~ <—
2 ~~follows~~: ALL THAT CERTAIN PARCEL OF LAND SITUATE IN THE CITY OF <—
3 JEANNETTE, WESTMORELAND COUNTY, BEING MORE PARTICULARLY BOUNDED
4 AND DESCRIBED AS FOLLOWS:

5 Beginning at a point at the southwesterly line of Harrison
6 Avenue and the easterly line of School Street, thence along the
7 southwesterly line of Harrison Avenue south 77 degrees 4 minutes
8 east 145 feet to a point; thence by same by a line curving to
9 the right, having a radius of 23 feet, an arc distance of 31.50
10 feet to a point in the westerly line of Sellers Avenue; thence
11 along the westerly line of Sellers Avenue south 10 degrees 40
12 minutes west 20.6 feet to a point; thence along same by a line
13 curving to the left, having a radius of 332.56 feet, an arc
14 distance of 97.27 feet to a point; thence leaving Sellers Avenue
15 south 67 degrees 48 minutes west 5.87 feet to a point; thence
16 again along Sellers Avenue south 24 degrees 25 minutes east
17 126.20 feet to a point, corner of property of the Jeannette
18 School District; thence along line of lands of Jeannette School
19 District south 78 degrees 1 minute west 130.92 feet to a point;
20 thence along the same north 40 degrees 42 minutes west 38.78
21 feet to a point; thence along the northerly line of Morris
22 Avenue, an unopened street in the Westmoreland Home and Land Co.
23 Plan, north 77 degrees 4 minutes west 125.76 feet to a point,
24 corner of the northerly line of Morris Avenue and School Street,
25 north 12 degrees 56 minutes east 265 feet to the point at the
26 place of beginning.

27 Containing approximately 1.3 acres.

28 (d) Deed restrictions.--The restrictions to be ~~included in~~ <—
29 ADDED TO the deed to the land described in subsection (c) shall <—
30 read as follows:

1 This indenture is given to provide recreation, conservation
2 and historical purposes as defined in the act of June 22, 1964
3 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land
4 Acquisition and Borrowing Act.

5 (e) Funds to be placed in special account.--The sum of
6 \$20,000 or proceeds from the sale of the land described in
7 subsection (b), whichever is greater, shall be deposited into a
8 special account established by the City of Jeannette and used
9 exclusively by the City of Jeannette for recreational
10 improvements on the land described in subsection (c).

11 Section 3. Harrison Township, Allegheny County.

12 (a) Authorization.--Harrison Township, Allegheny County, is
13 hereby authorized to exchange certain real property with Wood
14 Development Partnership.

15 (b) Property conveyed to Wood Development Partnership.--The
16 property of Harrison Township to be RELEASED FROM PROJECT 70
17 RESTRICTIONS AND conveyed to Wood Development Partnership is
18 described as follows:

19 All that certain parcel of land situate in the Township of
20 Harrison, Allegheny County, Pennsylvania, being part of lands of
21 the Township of Harrison, designated as Block 1367-J, Lot 75 and
22 recorded in Deed Book Volume 4605, page 637, being more
23 particularly bounded and described as follows:

24 Beginning at a point on the westerly line of the above
25 referenced lands of the Township of Harrison, said point being
26 common with lands now or formerly Ira R. and Frances Wood
27 recorded in Deed Book Volume 7374, page 312; thence along said
28 westerly line north 05 degrees 54 minutes 58 seconds east,
29 957.00 feet to a point on the northerly line of the above
30 referenced lands of the Township of Harrison, said point also

1 being common with the aforementioned lands now or formerly Ira
2 R. and Frances Wood; thence along said northerly line north 51
3 degrees 24 minutes 58 seconds east, 280.50 feet to a point on
4 the easterly line of the above referenced lands of the Township
5 of Harrison, said point also being common with the
6 aforementioned lands now or formerly Ira R. and Frances Wood;
7 thence along said easterly line south 23 degrees 35 minutes 02
8 seconds east, 603.18 feet to a point on the centerline of Little
9 Bull Creek; thence along the centerline of Little Bull Creek and
10 through the above referenced lands of the Township of Harrison
11 the following ten courses and distances, south 72 degrees 00
12 minutes 03 seconds west, 49.66 feet; thence by an arc curving to
13 the left having a radius of 60.00 feet, an arc distance of 68.11
14 feet and a chord bearing and distance of south 39 degrees 28
15 minutes 43 seconds west, 64.52 feet; thence south 06 degrees 57
16 minutes 22 seconds west, 43.10 feet; thence by an arc curving to
17 the right and having a radius of 125.00 feet, an arc distance of
18 77.15 feet and a chord bearing and distance of south 24 degrees
19 38 minutes 15 seconds west, 75.93 feet; thence south 42 degrees
20 19 minutes 09 seconds west, 128.13 feet; thence by an arc
21 curving to the left having a radius of 325.00 feet, an arc
22 distance of 217.85 feet and a chord bearing and distance of
23 south 23 degrees 06 minutes 59 seconds west, 213.79 feet; thence
24 south 03 degrees 54 minutes 50 seconds west, 152.57 feet; thence
25 south 08 degrees 33 minutes 25 seconds west, 98.72 feet; thence
26 south 20 degrees 21 minutes 30 seconds west, 128.76 feet; thence
27 south 18 degrees 55 minutes 43 seconds west, 70.23 feet to a
28 point on the westerly line of the above referenced lands of the
29 Township of Harrison, said point being common with other lands
30 now or formerly Ira R. and Frances Wood recorded in Deed Book

1 Volume 8759, page 186; thence along said westerly line north 27
2 degrees 20 minutes 02 seconds west, 372.90 feet to the point of
3 beginning.

4 Containing 410,630 square feet or 9.427 acres.

5 (c) Property conveyed to Harrison Township.--The property of
6 Wood Development Partnership to be conveyed to Harrison Township
7 is described as follows:

8 All that certain parcel of land situate in the Township of
9 Harrison, Allegheny County, Pennsylvania, being part of lands
10 now or formerly Ira R. and Frances Wood, designated as Block
11 1518-R, Lot 250 and recorded in Deed Book Volume 7808, page 620,
12 being more particularly bounded and described as follows:

13 Beginning at point on the southerly line of the above
14 referenced lands now or formerly Ira R. and Frances Wood and
15 being common with the northwesterly corner of lands now or
16 formerly Allegheny Valley Hospital Association recorded in Deed
17 Book Volume 3004, page 206, also being common with the easterly
18 50 foot right-of-way line of Alabama Avenue, also being common
19 with the easterly line of lands of the Woodside Plan of Lots
20 Extension No. 2 recorded in Deed Book Volume 57, page 182;
21 thence along said easterly line north 26 degrees 08 minutes 19
22 seconds west, 220.00 feet to a point on the northerly line of
23 the aforementioned Woodside Plan of Lots Extension No. 2; thence
24 along said northerly line the following seven courses and
25 distances, south 63 degrees 51 minutes 41 seconds west, 227.79
26 feet; thence south 78 degrees 44 minutes 41 seconds west, 612.81
27 feet; thence south 61 degrees 52 minutes 41 seconds west, 183.50
28 feet; thence south 25 degrees 46 minutes 11 seconds west, 188.03
29 feet; thence south 02 degrees 19 minutes 59 seconds east, 188.49
30 feet; thence south 28 degrees 05 minutes 19 seconds east, 234.12

1 feet; thence south 61 degrees 54 minutes 41 seconds west, 425.00
2 feet; thence through lands of Grantors north 28 degrees 05
3 minutes 19 seconds west, 154.21 feet to the centerline of Little
4 Bull Creek as it now exists; thence through lands of the
5 Grantors herein and along the centerline of Little Bull Creek
6 the following eighteen courses and distances:

- 7 1. north 87 degrees 47 minutes 02 seconds east, 55.39 feet;
- 8 2. north 67 degrees 13 minutes 06 seconds east, 32.18 feet;
- 9 3. by a curve to the left, radius 66.50 feet, an arc
10 distance of 132.09 feet (chord: north 10 degrees 18
11 minutes 57 seconds east, 111.42 feet);
- 12 4. north 46 degrees 35 minutes 12 seconds west, 171.92 feet;
- 13 5. by a curve to the right, radius 176.00 feet, an arc
14 distance of 145.62 feet (chord: north 22 degrees 52
15 minutes 59 seconds west, 141.51 feet);
- 16 6. north 00 degrees 49 minutes 14 seconds east, 137.63 feet;
- 17 7. north 09 degrees 36 minutes 58 seconds east, 146.99 feet;
- 18 8. north 60 degrees 14 minutes 52 seconds east, 178.79 feet;
- 19 9. north 74 degrees 34 minutes 29 seconds east, 111.15 feet;
- 20 10. north 32 degrees 11 minutes 31 seconds east, 95.33 feet;
- 21 11. by a curve to the right, radius 42.50 feet, an arc
22 distance of 53.43 feet (chord: north 68 degrees 12
23 minutes 20 seconds east, 49.98 feet);
- 24 12. south 75 degrees 46 minutes 52 seconds east, 12.35 feet;
- 25 13. by a curve to the left, radius 45.00 feet, an arc
26 distance of 49.39 feet (chord: north 72 degrees 46
27 minutes 33 seconds east, 46.95 feet);
- 28 14. north 41 degrees 19 minutes 58 seconds east, 72.13 feet;
- 29 15. north 32 degrees 21 minutes 55 seconds east, 44.85 feet;
- 30 16. north 21 degrees 09 minutes 59 seconds east, 41.84 feet;

1 17. north 34 degrees 07 minutes 07 seconds east, 53.99 feet;
2 18. north 49 degrees 25 minutes 45 seconds east, 80.61 feet
3 to the confluence of Little Bull Creek and an unnamed
4 tributary;
5 thence continuing through lands of the Grantors herein and along
6 the centerline of said unnamed tributary the following fourteen
7 courses and distances:
8 1. south 40 degrees 34 minutes 15 seconds east, 47.01 feet;
9 2. by a curve to the left, radius 45.00 feet, an arc
10 distance of 44.69 feet (chord: south 69 degrees 01 minute
11 25 seconds east, 42.88 feet);
12 3. north 82 degrees 31 minutes 26 seconds east, 24.34 feet;
13 4. north 27 degrees 58 minutes 26 seconds east, 35.44 feet;
14 5. by a curve to the right, radius 15.00 feet, an arc
15 distance of 23.06 feet (chord: north 72 degrees 00
16 minutes 46 seconds east, 20.85 feet);
17 6. south 63 degrees 56 minutes 53 seconds east, 57.90 feet;
18 7. north 85 degrees 35 minutes 28 seconds east, 58.67 feet;
19 8. south 36 degrees 26 minutes 34 seconds east, 87.12 feet;
20 9. north 42 degrees 25 minutes 07 seconds east, 56.55 feet;
21 10. by a curve to the right, radius 33.00 feet, an arc
22 distance of 75.98 feet (chord: south 71 degrees 37
23 minutes 05 seconds east, 60.28 feet);
24 11. south 05 degrees 39 minutes 18 seconds east, 17.89 feet;
25 12. by a curve to the left, radius 10.00 feet, an arc
26 distance of 20.62 feet (chord: south 64 degrees 43
27 minutes 52 seconds east, 17.16 feet);
28 13. north 56 degrees 11 minutes 33 seconds east, 109.50
29 feet; and
30 14. north 85 degrees 08 minutes 41 seconds east, 33.96 feet;

1 thence leaving said unnamed tributary and continuing through
2 lands of the Grantors herein north 50 degrees 37 minutes 32
3 seconds east, 424.40 feet to the southerly right-of-way line of
4 Pleasantville Road (a 33 foot right-of-way); thence along said
5 right-of-way the following six courses and distances:
6 1. south 61 degrees 29 minutes 03 seconds east, 71.64 feet;
7 2. south 69 degrees 51 minutes 15 seconds east, 213.78 feet;
8 3. south 78 degrees 46 minutes 55 seconds east, 251.81 feet;
9 4. south 81 degrees 36 minutes 42 seconds east, 178.75 feet;
10 5. by a curve to the right, radius 176.50 feet, an arc
11 distance of 73.34 feet (chord: south 69 degrees 42
12 minutes 29 seconds east, 72.81 feet); and
13 6. south 57 degrees 48 minutes 16 seconds east, 62.94 feet
14 to the northwesterly line of lands of the Allegheny Valley
15 Hospital Association (Deed Book Volume 7937, page 70); thence
16 along said lands of Allegheny Valley Hospital Association and
17 along the northeasterly line of other lands of the Allegheny
18 Valley Hospital Association (Deed Book Volume 3004, page 206)
19 south 63 degrees 51 minutes 41 seconds west, 822.71 feet to the
20 point of beginning.

21 Containing 898,565 square feet or 20.628 acres.

22 (D) RESTRICTION.--THE DEED TO THE LAND DESCRIBED IN
23 SUBSECTION (C) SHALL INCLUDE THE FOLLOWING RESTRICTION: THIS
24 INDENTURE IS GIVEN TO PROVIDE LAND FOR RECREATION, CONSERVATION
25 AND HISTORICAL PURPOSES AS DEFINED IN THE ACT OF JUNE 22, 1964
26 (SP.SESS., P.L.131, NO.8), KNOWN AS THE PROJECT 70 LAND
27 ACQUISITION AND BORROWING ACT.

28 Section 4. Effective date.

29 This act shall take effect immediately.

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