

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1392 Session of  
2009

INTRODUCED BY GIBBONS, APRIL 30, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 30, 2009

AN ACT

1 Authorizing the release of Project 70 restrictions imposed on  
2 certain land owned by Beaver County, being conveyed by Beaver  
3 County in return for the imposition of Project 70  
4 restrictions on certain land being conveyed to Beaver County  
5 by the Department of Transportation.

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

8 Section 1. Beaver County.

9 (a) Authorization.--Pursuant to the requirements of section  
10 20(b) of the act of June 22, 1964 (Sp.Sess., P.L.131, No.8),  
11 known as the Project 70 Land Acquisition and Borrowing Act, the  
12 General Assembly hereby authorizes the release of Project 70  
13 restrictions on a portion of lands owned by Beaver County, which  
14 are more particularly described in subsection (c), in return for  
15 imposition of Project 70 restrictions on land to be vacated by  
16 the Department of Transportation to Beaver County, as described  
17 in subsection (d). This release of Project 70 restrictions is  
18 necessary due to the realignment of State Route 588, Section  
19 B05, through Brush Creek Park, Beaver County.

20 (b) Freedom of restrictions.--The lands described in

subsection (c), owned by Beaver County and being conveyed to the Department of Transportation, shall be free of restrictions on use and alienation imposed by Section 20 of the Project 70 Land Acquisition and Borrowing Act upon the imposition of and recording of the Project 70 deed restriction set forth in subsection (e) on the parcel of replacement land vacated by the Department of Transportation to Beaver County.

(c) Lands to be released from restrictions.--The parcel of land to be released from Project 70 restrictions is situated in the Township of Marion, Beaver County, and more particularly described as follows:

All that certain piece or parcel of land, situated in Marion Township, County of Beaver, and State of Pennsylvania, bounded and described as follows:

Beginning at a point on the northerly legal right of way line of State Route 0588, said point being a distance of 16.5 feet measured at right angles at a northerly direction from the right of way baseline of said State Route at or about Station 16+25.00; thence in a northerly direction along said legal right of way of State Route 0588 to a point, said point being a distance of 18.5 feet measured at right angles at a northerly direction from the right of way baseline of said State Route 0588 at or about Station 11+25.00; thence in a northeasterly direction along said legal right of way line of State Route 0588 to a point, said point being a distance of 18.21 feet measured at right angles at a northerly direction from the right of way baseline of said State Route 0588 at or about Station 15+58.00; thence in a southwesterly direction along the existing legal right of way line of State Route 0588 to a point, said point being a distance of 16.50 feet measure at right angles at a

1 northerly direction from the right of way baseline of said State  
2 Route 0588 at or about Station 15+11.00; thence in a westerly  
3 direction along said existing legal right of way line of State  
4 Route 0588 to a point, said point being a distance of 16.5 feet  
5 measure at right angles at a northerly direction from the right  
6 of way baseline of said State Route 0588 at or about Station  
7 11+25.00; thence through lands in which this is a part to the  
8 point of beginning. Containing 0.019 acres more or less.

9 (d) Land on which restrictions are to be imposed.--The  
10 replacement parcel to be subject to the restrictions in exchange  
11 for the parcel described in subsection (c) is located in the  
12 Township of Marion, Beaver County, and more particularly  
13 described as follows:

14 All that certain piece of parcel of land, situated in Marion  
15 Township, county of Beaver, and state of Pennsylvania, bounded  
16 and described as follows:

17 Beginning at a point on the northerly existing legal right of  
18 way line of State Route 0588, said point being a distance of 48  
19 feet measured at right angles at a northerly direction from the  
20 right of way baseline of said State Route at or about Station  
21 17+31.00; thence in a northeasterly direction along said  
22 existing legal right of way line of State Route 0588 to a point,  
23 said point being a distance of 63 feet measured at right angles  
24 at a northerly direction from the right of way baseline of said  
25 State Route 0588 at or about Station 18+01.00; thence,  
26 southeasterly, with a curve to the right having a radius of 386  
27 feet, with said existing right of way line of State Route 0588  
28 157 feet, more or less, to a point 59.25 feet measured at right  
29 angles at a northerly direction from the right of way baseline  
30 of said State Route 0588 at or about Station 19+59.00; thence in

1 a southeasterly direction along said existing legal right of way  
2 line of State Route 0588 to a point, said point being a distance  
3 of 38 feet measured at right angles at a northerly direction  
4 from the right of way baseline of said State Route 0588 at or  
5 about Station 20+48.00; thence in a southwesterly direction  
6 along a legal right of way line of State Route 0588 to a point,  
7 said point being a distance of 39 feet measured at right angles  
8 at a northerly direction from the right of way baseline of said  
9 State Route 0588 at or about Station 19+72.00; thence in a  
10 northwesterly direction along the lands of Roger Miller and  
11 Sandy Miller to a point, said point being a distance of 43 feet  
12 measured at right angles at a northerly direction from the right  
13 of way baseline of said State Route at or about Station  
14 19+55.00; thence, southwesterly, with a curve to the left having  
15 a radius of 369.65 feet, along the lands of Roger Miller and  
16 Sandy Miller to a point 150 feet, more or less, to a point 47  
17 feet measured at right angles at a northerly direction from the  
18 right of way baseline of said State Route 0588 at or about  
19 Station 18+04.00; thence in a southwesterly direction along said  
20 lands of Roger Miller and Sandy Miller to a point, said point  
21 being a distance of 36 feet measured at right angles at a  
22 northerly direction from the right of way baseline of said State  
23 Route at or about Station 17+53.00; thence in a northwesterly  
24 direction along a legal right of way line of SR 0588 to a point,  
25 said point being a distance of 48 feet measure at right angles  
26 at a northerly direction from the right of way baseline of said  
27 State Route 0588 at or about Station 17+31.00; thence through  
28 lands in which this is a part to the point of beginning.  
29 Containing 0.102 acres more or less.

30 Above described parcel being part of larger parcel or tract

1 of land conveyed to Beaver County (Brush Creek Park) by deed  
2 recorded in the Beaver County Recorder of Deeds in Highway Book  
3 12, Page 182-196.

4 (e) Deed restriction.--The deed restriction to be  
5 transferred to the parcel described in subsection (d) shall read  
6 as follows:

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

12 Section 2. Effective date.

13 This act shall take effect immediately.