

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1244 Session of  
2010

INTRODUCED BY WAUGH, FEBRUARY 26, 2010

REFERRED TO STATE GOVERNMENT, FEBRUARY 26, 2010

AN ACT

1 Authorizing the release of Project 70 restrictions imposed on  
2 certain lands owned by the City of York, York County; and  
3 imposing Project 70 restrictions on certain lands being  
4 conveyed to the City of York.

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

7 Section 1. Authorization.

8 Pursuant to the requirements of section 20(b) of the act of  
9 June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70  
10 Land Acquisition and Borrowing Act, the General Assembly hereby  
11 authorizes the release of the restrictions imposed by section 20  
12 of the Project 70 Land Acquisition and Borrowing Act from the  
13 land owned by the City of York, York County, more particularly  
14 described under section 3, in exchange for the imposition of the  
15 section 20 restrictions on lands owned by the Housing Authority  
16 of the City of York being conveyed to the City of York and more  
17 particularly described in section 4.

18 Section 2. Freedom of restrictions.

19 The land described in section 3, owned by the City of York,

1 shall be free of the restrictions on use and alienation imposed  
2 by section 20 of the act of June 22, 1964 (Sp.Sess., P.L.131,  
3 No.8), known as the Project 70 Land Acquisition and Borrowing  
4 Act, upon the imposition of and recording of the Project 70 deed  
5 restrictions set forth under section 5 on the parcel of  
6 replacement land owned by the Housing Authority of the City of  
7 York, and being conveyed to the City of York, described under  
8 section 4.

9 Section 3. Land to be free from restrictions.

10 The parcel of land authorized to be released from  
11 restrictions is located in the City of York, York County, and  
12 more particularly described as follows:

13 BEGINNING at a point 110 feet south from where the south right-  
14 of-way line of West Princess Street intersects with the west  
15 right-of-way line of South Newberry Street; THENCE, South 22  
16 degrees 22 minutes 10 seconds East along the west right-of-way  
17 line of South Newberry Street for a distance of 377.80 feet to a  
18 point where said line intersects with the north right-of-way  
19 line of West College Avenue; THENCE, South 67 degrees 34 minutes  
20 00 seconds West along the north right-of-way line of West  
21 College Avenue for a distance of 140.00 feet to a point where  
22 said line intersects with the east property line of property  
23 owned now or formerly by Kenneth R. and Shirley A. Thoman;  
24 THENCE, North 22 degrees 22 minutes 10 seconds West along said  
25 property line of Kenneth R. and Shirley A. Thoman and projected  
26 across a 12 foot wide unnamed public alley for a total distance  
27 of 132.05 feet to a point where said line intersects with the  
28 North right-of-way line of the aforementioned 12 foot wide  
29 unnamed public alley; THENCE, South 67 degrees 41 minutes 00  
30 seconds West along the north right-of-way line of said alley for

1 a distance of 200.12 feet to a point where said line intersects  
2 with the West right-of-way line of Stone Alley; THENCE, South.  
3 22 degrees 23 minutes 00 seconds East along the west right-of-  
4 way line of Stone Alley for a distance of 132.44 feet to a point  
5 where said line intersects with the north right-of-way line of  
6 West College Avenue; THENCE, South 67 degrees 34 minutes 00  
7 seconds West along the north right-of-way line of West College  
8 Avenue for a distance of 194.32 feet to a point where said line  
9 intersects with the east right-of-way line of Brooklyn Alley, a  
10 20 foot wide public alley; THENCE, North 21 degrees 44 minutes  
11 50 seconds West along the east right-of-way line of Brooklyn  
12 Alley for a total distance of 338.35 feet to a point where said  
13 line intersects with the South right-of-way line of a 12 foot  
14 wide unnamed public alley; THENCE, North 22 degrees 19 minutes  
15 00 seconds West across said 12 foot wide unnamed public alley  
16 for a distance of 12.00 feet to a point where said line  
17 intersects the North right-of-way line of aforementioned 12 foot  
18 unnamed public alley and the South property line of 364 West  
19 Princess Street, owned now or formerly by Oscar W. and Marie M.  
20 Hudson; THENCE, South 67 degrees 41 minutes 00 seconds West  
21 along the North right-of-way line of aforementioned 12 foot wide  
22 unnamed public alley the South property line of 364 West  
23 Princess Street for a distance of 8.67 feet to a point where  
24 said line intersects with the east right-of-way line of Brooklyn  
25 Alley and the west property line of 364 West Princess Street,  
26 owned now or formerly by Oscar W. and Marie M. Hudson; THENCE,  
27 North 22 degrees 19 minutes 00 seconds West along the east  
28 right-of-way line of Brooklyn Alley and the west property line  
29 of 364 West Princess Street, owned now or formerly by Oscar W.  
30 and Marie M. Hudson, for a distance of. 48.54 feet to a point,

1 said point being 90 feet south of the south right-of-way line of  
2 West Princess Street; THENCE, North 67 degrees 41 minutes 00  
3 seconds East across 364 West Princess Street, owned now or  
4 formerly by Oscar W. and Marie M. Hudson, for a distance of  
5 22.76 feet to a point on the east property line of 364 West  
6 Princess Street, owned now or formerly by Oscar W. and Marie M.  
7 Hudson, and the west property line of 362 West Princess Street,  
8 said point being 90 feet south of the south right-of-way line of  
9 West Princess Street, THENCE, South 22 degrees 32 minutes 00  
10 seconds East along, the east property line of 364 West Princess  
11 Street, owned now or formerly by Oscar W. and Marie M. Hudson,  
12 for a distance of 20.00 feet to a point on the east property  
13 line of 364 West Princess Street, owned now or formerly by Oscar  
14 W. and Marie M. Hudson, said point being 110 feet south of the  
15 south right-of-way line of West Princess Street; THENCE, North  
16 67 degrees 41 minutes 00 seconds East along a line projected  
17 across 362 West Princess Street and 358 West Princess Street for  
18 a distance of 44.07 feet to a point where said line intersects  
19 with the west property line of 356 West Princess Street, owned  
20 now or formerly by the New Bethel A.M.E. Church, said point  
21 being 110 feet south of the south right-of-way line of West  
22 Princess Street; THENCE, South 21 degrees 49 minutes 40 seconds  
23 East along the west property line of 356 West Princess Street,  
24 owned now or formerly by the New Bethel A.M.E. Church, for a  
25 distance of 28.54 feet to a point where said line intersects  
26 with the south property line of 356 West Princess Street, owned  
27 now or formerly by the New Bethel A.M.E. Church, and the north  
28 right-of-way line of a 12 foot unnamed public alley; THENCE,  
29 North 67 degrees 41 minutes 00 seconds East along said south  
30 property line of 356 West Princess Street and 350 West Princess

1 Street, owned now or formerly by the New Bethel A.M.E. Church,  
2 and the north right-of-way line of the 12 foot unnamed public  
3 alley for a distance of 76.96 feet to a point where said line  
4 intersects with east property line of 350 West Princess Street,  
5 owned now or formerly by the New Bethel A.M.E. Church; THENCE,  
6 North 21 degrees 59 minutes 40 seconds West along the east  
7 property line of 350 West Princess Street, owned now or formerly  
8 by the New Bethel A.M.E. Church, for a distance of 28.54 feet to  
9 a point, said point being 110 feet south of the south right-of-  
10 way line of West Princess Street; THENCE, North 67 degrees 41  
11 minutes 00 seconds East along a line projected 110 feet south of  
12 the south right-of-way line of West Princess Street and along  
13 and across properties from 346 West Princess Street through 320  
14 West Princess Street, across a 9 foot unnamed public alley, and  
15 along and across properties from 316 West Princess Street  
16 through 300 West Princess Street for a distance of 395.74 feet  
17 to a point in the west right-of-way line of South Newberry  
18 Street, said point being the. point of BEGINNING.

19 Containing approximately 3.982 acres.

20 A majority of this property shall continue to be protected by  
21 conservation easements as set forth under section 5 of this act.  
22 Section 4. Land on which restrictions are to be imposed.

23 The replacement parcel to be subject to restrictions in  
24 exchange for the parcel described under section 3 is located in  
25 the City of York, York County, and more particularly described  
26 as follows:

27 ALL that certain tract of land situate in the Ninth (9th)  
28 Ward of the City of York, Pennsylvania, within an area more  
29 particularly bounded and described as follows:

30 BEGINNING at a point on the east side of South Penn Street, a

1 fifty and zero hundredths foot (50.00 Ft.) in width street, at  
2 lands now or formerly belonging to the Housing Authority of the  
3 City of York, said point being two-hundred forty and sixty  
4 hundredths feet (240.60 Ft.) southwardly from the southeast  
5 corner of the intersection of said South Penn Street and West  
6 Church Avenue, a twenty and zero hundredths feet (20.00 Ft.) in  
7 width public avenue;

8 THENCE, through property now or formerly belonging to the  
9 Housing Authority of the City of York, the following bearings  
10 and measurements:

11 1. On a curve to the left, having a radius of two-hundred  
12 seventy-nine and forty-one hundredths feet (279.41 Ft.), an  
13 arc length of one-hundred twenty-six and thirty-seven  
14 hundredths feet (126.37 Ft.), a chord bearing of North eighty  
15 degrees, twenty-four minutes, and forty-six seconds East (N  
16 80 degrees 24 minutes 41 seconds E), and a chord distance of  
17 one-hundred twenty-five and thirty hundredths feet (125.30  
18 Ft.) to a point of tangency,

19 2. North sixty-seven degrees, thirty-three minutes, and ten  
20 seconds East (N 67 degrees 33 minutes 10 seconds E), three  
21 and ninety-eight hundredths feet (3.98 Ft.) to a point on a  
22 curve,

23 3. On a curve to the left, having a radius of two-hundred  
24 twenty- seven and twenty-seven hundredths feet (227.27 Ft.),  
25 an arc length of thirty-one and ninety-three hundredths feet  
26 (31.93 Ft.), a chord bearing of North sixty-three degrees,  
27 twenty minutes, and eleven seconds East (N 63 degrees 20  
28 minutes 11 seconds E), and a chord distance of thirty-one and  
29 ninety hundredths feet (31.90 Ft.) to a point of tangency

30 4. North fifty-seven degrees, thirty-four minutes, and ten

seconds East (N 57 degrees 34 minutes 10 seconds E), twenty-seven and fifty-eight hundredths feet (27.58 Ft.) to a point,

5. North forty-seven degrees, ten minutes, and twenty seconds East (N 47 degrees 10 minutes 20 seconds E), sixty-eight and eighty-six hundredths feet (68.86 Ft.) to a point,

6. North thirty-seven degrees, forty-seven minutes, and fifty seconds East (N 37 degrees 47 minutes 50 seconds E), seventeen and eighty-six hundredths feet (17.86 Ft.) to a point,

7. North twenty-six degrees, forty-five minutes, and fifty seconds East (N 26 degrees 45 minutes 50 seconds E), sixty-nine and ninety hundredths feet (69.90 Ft.) to a point,

8. North eighteen degrees, forty-one minutes, and zero seconds East (N 18 degrees 41 minutes 00 seconds E), eighty-three and seventy-nine hundredths feet (83.79 Ft.) to a point,

9. North sixteen degrees, twenty-seven minutes, and twenty seconds East (N 16 degrees 27 minutes 20 seconds E), thirty-three and sixty-nine hundredths feet (33.69 Ft.) to a point,

10. North eight degrees, nineteen minutes, and zero seconds East (N 08 degrees 19 minutes 00 E), thirty-five and fifty-four hundredths feet (35.54 Ft.) to a point,

11. North seven degrees, six minutes, and zero seconds East (N 07 degrees 06 minutes 00 seconds E), sixty-eight and seventy-two hundredths feet (68.72 Ft.) to a point on the southern side of West Church Avenue;

THENCE, along the southern side of West Church Avenue, North sixty-seven degrees, fifty-six minutes, and twenty seconds East (N 67 degrees 56 minutes 20 seconds E), two-hundred and eighty-

1 three hundredths feet (200.83 Ft.) to a point at the top of the  
2 left bank (north side) of Codorus Creek;

3 THENCE, running along the top left bank (north side) of  
4 Codorus Creek the following courses and distances:

5 1. South three degrees, fourteen minutes, and ten seconds  
6 West (S 03 degrees 14 minutes 10 seconds W), sixty-eight and  
7 sixty-four hundredths feet (68.64 Ft) to a point,

8 2. South seven degrees, six minutes, and zero seconds West  
9 (S 07 degrees 06 minutes 00 seconds West), one-hundred and  
10 zero hundredths feet (100.00 Ft.) to a point,

11 3. South eight degrees, nineteen minutes, and zero seconds  
12 West (S 08 degrees 19 minutes 00 seconds W), fifty and  
13 twenty-six hundredths feet (50.26 Ft.) to a point.

14 4. South sixteen degrees, twenty-seven minutes, and twenty  
15 seconds West (S 16 degrees 27 minutes 20 seconds W), fifty  
16 and zero hundredths feet (50.00 Ft.) to a point.

17 5. South eighteen degrees, forty-one minutes, and zero  
18 seconds West (S 18 degrees 41 minutes 00 seconds W), one-  
19 hundred and zero hundredths feet (100.0 Ft.) to a point,

20 6. South twenty-six degrees, forty-five minutes, and fifty  
21 seconds West (S 26 degrees 45 minutes 50 seconds W), one-  
22 hundred and zero hundredths feet (100.00 Ft.) to a point.

23 7. South thirty-seven degrees, forty-seven minutes, and  
24 fifty seconds West (S 37 degrees 47 minutes 50 seconds W),  
25 fifty and zero hundredths feet (50.00 Ft.) to a point,

26 8. South forty-seven degrees, ten minutes, and twenty  
27 seconds West (S 47 degrees 10 minutes 20 seconds W), one-  
28 hundred and zero hundredths feet (100.00 Ft.) to a point,

29 9. South fifty-seven degrees, thirty-four, and ten seconds  
30 West (S 57 degrees 34 minutes 10 seconds W), fifty and zero



1 hundredths feet (50.00 Ft.) to a point on a curve,  
2 10. On a curve to the right, having a radius of four-hundred  
3 seven and twenty-seven hundredths feet (407.27 Ft.), an arc  
4 length of fifty-seven and twenty-six hundredths feet (57.26  
5 Ft.), a chord bearing of South sixty-three degrees, thirty-  
6 one minutes, and thirty seconds West (S 63 degrees 31 minutes  
7 30 seconds W), and a chord distance of fifty-seven and twenty  
8 hundredths feet (57.20 Ft.) to a point of tangency,

9 11. South sixty-seven degrees, thirty-three minutes, and ten  
10 seconds West (S 67 degrees 33 minutes 30 seconds W), four and  
11 forty-four hundredths feet (4.44 Ft.) to a point on a curve,

12 12. On a curve to the right, having a radius of four-hundred  
13 fifty-nine and forty-one hundredths feet (459.41 Ft.), an arc  
14 length of one-hundred twenty-five and seventy-one hundredths  
15 feet (125.71 Ft.), a chord bearing of South seventy-five  
16 degrees, twenty-three minutes, and twenty seconds West (S 75  
17 degrees 20 seconds W), and a chord distance of one-hundred  
18 twenty-five and thirty-two hundredths feet (125.32 Ft.) to a  
19 point on the east side of South Penn Street;

20 THENCE, Along the east side of said South Penn Street, North  
21 twenty-one degrees, forty-two minutes, and forty seconds West (N  
22 21 degrees 42 minutes 40 seconds W), one-hundred ninety and  
23 eighty-one hundredths feet (190.81 Ft.) to a point, the place of  
24 BEGINNING. Containing:Q 128,176.7679 square feet, or 2.9425  
25 acres more or less.

26 Section 5. Description of deed restriction.

27 The deed restriction to be transferred to the parcel  
28 described under section 4 shall read as follows:

29 This indenture is given to provide land for recreation,  
30 conservation and historical purposes as said purposes are

1 defined in the act of June 22, 1964 (Sp.Sess., P.L.131, No.8),  
2 known as the Project 70 Land Acquisition and Borrowing Act.  
3 Section 6. Effective date.  
4 This act shall take effect immediately.