THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2228 Session of 1993

INTRODUCED BY VANCE, NOVEMBER 24, 1993

REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 24, 1993

AN ACT

- 1 Authorizing the release of Project 70 restrictions on certain
- 2 land owned by the Township of Silver Spring, Cumberland
- 3 County, in return for the imposition of Project 70
- 4 restrictions on certain land to be obtained by the Township
- of Silver Spring, Cumberland County.
- 6 The General Assembly of the Commonwealth of Pennsylvania
- 7 hereby enacts as follows:
- 8 Section 1. Authorization.
- 9 Under the requirements of section 20(b) of the act of June
- 10 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land
- 11 Acquisition and Borrowing Act, the General Assembly hereby
- 12 authorizes the release of Project 70 restrictions from the land
- 13 owned by the Township of Silver Spring, Cumberland County
- 14 described in section 2, in exchange for the imposition of
- 15 Project 70 restrictions on the land described in section 3 to be
- 16 obtained by the Township of Silver Spring, Cumberland County.
- 17 Section 2. Land to be released from Project 70 restrictions.
- 18 All that certain lot, piece or parcel of land situate in the
- 19 Township of Silver Spring, Cumberland County, designated Lot 3

- 1 on the final subdivision plan of "Project 70" Property prepared
- 2 by Pennoni Associates Inc., and being more particularly
- 3 described as follows, to wit:
- 4 Beginning at a point in the centerline of Carlisle Pike, the
- 5 point being a common corner for this lot and lands now or
- 6 formerly of Fredrick C. and Carole M. Frattaroli; thence south
- 7 87 degrees 19 minutes east 548 feet along said centerline of
- 8 Carlisle Pike, to a common corner with lands now or formerly of
- 9 Lawrence Associates, Inc.; thence along the common line with
- 10 lands of Lawrence Associates, Inc., south 4 degrees 2 minutes
- 11 west 463.81 feet to a point; thence continuing along lands of
- 12 Lawrence Associates, Inc., and along lands now or formerly of
- 13 Jesse N. Aycock south 64 degrees 48 minutes west 505.74 feet to
- 14 a point; thence by a new line of subdivision through "Project
- 15 70" Property and along the common line with Lot 4 of the
- 16 aforesaid plan of "Project 70" Property, north 25 degrees 12
- 17 minutes west 192.55 feet to a common corner with the aforesaid
- 18 lands of Frattaroli; thence by said lands north 2 degrees 41
- 19 minutes east 530 feet to the point and place of beginning.
- 20 Containing 7.30 acres, more or less.
- 21 Section 3. Two parcels of land on which Project 70 restrictions
- are to be imposed.
- PARCEL NUMBER 1
- 24 All that certain lot, piece or parcel of land situate in the
- 25 Township of Silver Spring, Cumberland County, being designated
- 26 Lot 2, as shown on the final subdivision plan of Jesse N. Aycock
- 27 Property prepared by Pennoni Associates Inc., and being more
- 28 particularly described as follows, to wit:
- 29 Beginning at a point on the northwesterly boundary lines of
- 30 lands of Jesse N. Aycock, the point being a common corner for

- 1 this lot and Lot 1 of the aforesaid plan of Jesse N. Aycock, the
- 2 point being distant the following 2 courses from the
- 3 intersection of lands of now or formerly of Lawrence Associates,
- 4 Inc., and lands now or formerly of the Township of Silver Spring
- 5 and the southeasterly side of Carlisle Pike, 60 feet from the
- 6 centerline thereof; thence south 4 degrees 2 minutes west 403.79
- 7 feet to a point; thence continuing along lands of Lawrence
- 8 Associates, Inc., lands of Township of Silver Spring and lands
- 9 of Aycock, south 64 degrees 48 minutes west 505.74 feet to the
- 10 point of beginning; thence by two new lines of subdivision
- 11 through said lands of Aycock south 25 degrees 12 minutes east
- 12 348.51 feet to a point; thence continuing along lands of Aycock,
- 13 and along and existing fence line south 63 degrees 45 minutes 28
- 14 seconds west 565 feet to a point on the common line with lands
- 15 now or formerly of Rodger E. & Leah J. Hoke; thence north 40
- 16 degrees 12 minutes 53 seconds west 371.46 feet to a point on the
- 17 common line with lands now or formerly of Township of Silver
- 18 Spring; thence north 64 degrees 48 minutes east 661.14 feet to
- 19 the point and place of beginning.
- 20 Containing 4.98 acres, more or less.
- 21 PARCEL NUMBER 2
- 22 All that certain lot, piece or parcel of land situate in the
- 23 Township of Silver Spring, Cumberland County, as shown on the
- 24 Potteiger Subdivision Plan prepared by Pennoni Associates, Inc.,
- 25 and being more particularly described as follows, to wit:
- 26 Beginning at a point, said point an iron pin at the southeast
- 27 corner of the intersection of the southern line of South Alley
- 28 with the eastern line of a 50 feet wide proposed right-of-way;
- 29 thence from said point of beginning and along the southern line
- 30 of South Alley, north 81 degrees 30 minutes east a distance of

- 1 347.28 feet to an iron pin set at the northwest corner of a 2.12
- 2 acre tract of land about to be conveyed to the Township of
- 3 Silver Spring by Russell L. Potteiger and Robert L. Potteiger;
- 4 thence by said land, south 16 degrees 26 minutes 23 seconds east
- 5 a distance of 495.03 feet to an iron pin set at lands of the New
- 6 Kingston Fire Company; thence along said lands, south 65 degrees
- 7 35 minutes 41 seconds west a distance of 357.75 feet to an iron
- 8 pin set on the eastern line of the aforementioned right-of-way;
- 9 thence along said right-of-way, north 15 degrees 26 minutes 23
- 10 seconds west a distance of 592.67 feet to a point, the place of
- 11 beginning.
- 12 Containing 4.35 acres, more or less.
- 13 Section 4. Deed restriction.
- 14 The restriction to be included in the deed of conveyance for
- 15 the two parcels of land described in section 3 shall read as
- 16 follows:
- 17 This indenture is given to provide land for recreation,
- 18 conservation and historical purposes as said purposes are
- 19 defined in the Project 70 Land Acquisition and Borrowing
- 20 Act.
- 21 Section 5. Use of sale proceeds.
- 22 An amount not to exceed \$40,000 from the proceeds of the sale
- 23 of the land described in section 2 may be used by the Township
- 24 of Silver Spring to acquire Parcel Number 2 of the land
- 25 described in section 3. The balance of the sale proceeds shall
- 26 be deposited into a special account established by the Township
- 27 of Silver Spring for acquisition and development of park,
- 28 recreation and open space lands. None of the sale proceeds shall
- 29 be disbursed from this special account until a plan is developed
- 30 for use of the funds by the Township of Silver Spring and until

- 1 the plan has been approved by the Department of Community
- 2 Affairs. Any sale proceeds remaining in the special account five
- 3 years after the date of deposit by the Township of Silver Spring
- 4 shall be paid to the Commonwealth for deposit into the Project
- 5 70 Land Acquisition Sinking Fund.
- 6 Section 6. Effective date.
- 7 This act shall take effect immediately.