

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1271 Session of 2013

INTRODUCED BY READSHAW, KOTIK, MILLARD, MCNEILL, COHEN, BENNINGHOFF, MAHONEY, KULA AND KORTZ, APRIL 29, 2013

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, DECEMBER 10, 2013

AN ACT

1 Authorizing the release of all restrictions imposed by the
2 Project 70 Act on A PORTION OF certain lands situated in the <--
3 Borough of Brentwood, Allegheny County, in exchange for the
4 imposition of Project 70 restrictions on other lands owned by
5 the Borough of Brentwood, Allegheny 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 lands
13 described in section 2 in exchange for imposition of Project 70 <--
14 restrictions on the lands described in section 3.. PROJECT 70 <--
15 RESTRICTIONS REMAIN ON THE REMAINDER OF THE LAND ALSO DESCRIBED
16 IN SECTION 2. IN EXCHANGE FOR THE PORTION RELEASED FROM PROJECT
17 70 RESTRICTIONS, PROJECT 70 RESTRICTIONS WILL BE IMPOSED ON THE
18 LANDS DESCRIBED IN SECTION 3.

19 Section 2. ~~Lands to be released from Project 70 restrictions.~~ <--

1 PORTION OF LANDS TO BE RELEASED FROM PROJECT 70 RESTRICTIONS AND <--
2 PORTION TO CONTINUE TO BE PROJECT 70 PROTECTED.

3 ~~The~~ A PORTION OF THE property of the Borough of Brentwood to <--
4 be released from Project 70 restrictions is as follows:

5 ALL that certain lot or piece of ground situate in the
6 Borough of Brentwood, County of Allegheny and Commonwealth of
7 Pennsylvania, being more particularly bounded and described as
8 follows, to-wit:

9 BEGINNING at a point in the northeasterly side of East
10 Willock Road (40) feet wide), said point ~~being~~ BEGINNING on the <--
11 line dividing lands herein described and lands now or ~~late~~ <--
12 FORMERLY of L. J. Ackman; thence the following courses and <--
13 distances along the line dividing lands herein described and
14 lands of said L. J. Ackman.

15 N 52° 42' 00" E 86.23 feet to a point;

16 N 59° 58' 00" E 197.36 feet to a point;

17 N 64° 00' 00" E 300.84 feet to a point;

18 thence along the line dividing lands herein described and ~~lot~~ <--
19 ~~Nos. 24 to 28 inclusive in the Prospect Park Plan of Lots No. 2,~~
20 ~~as said plan is recorded in Plan Book Volume 41, pages 75, 76~~
21 ~~and 77, N 68° 39' 00" E 276.12 feet to a point; thence along the~~
22 ~~line dividing lands herein described and lands now or late of~~
23 ~~Prospect Terrace, Inc., N 63° 20' 00" E 382.93 feet to a point;~~
24 ~~thence along the line dividing lands herein described and lands~~
25 ~~now or late of John E. Lehman N 35° 44' 00" W 486.09 feet to a~~
26 ~~point in the centerline of a Borough Road known as Wanley Road;~~
27 ~~thence the following courses and distances along the centerline~~
28 ~~of Wanley Road:~~

29 ~~S 49° 08' 00" W 155.76 feet to a point;~~

30 ~~S 31° 20' 00" W 80.69 feet to a point;~~

1 ~~S 52° 53' 00" W 96.30 feet to a point;~~
2 ~~S 54° 24' 00" W 116.90 feet to a point;~~
3 ~~S 52° 02' 00" W 275.60 feet to a point;~~
4 ~~S 58° 28' 00" W 98.80 feet to a point;~~
5 ~~S 61° 11' 00" W 236.00 feet to a point;~~
6 ~~S 51° 58' 00" W 160.60 feet to a point in the centerline of~~
7 ~~the above mentioned Wanley Road; thence leaving Wanley Road and~~
8 ~~along the line dividing lands now or late of Mike Passero, lands~~
9 ~~herein described and extending along the northeasterly right of~~
10 ~~way line of West Willock Road S 32° 50' 00" E a distance of~~
11 ~~260.82 feet to the point of beginning.~~

12 ~~Containing a total area of 9.36 acres, more or less.~~

13 THE LAND NOW OR FORMERLY OF THE BOROUGH OF BRENTWOOD N 35° 44' <--
14 00" W 303.56 FEET TO A POINT IN THE CENTER OF A BOROUGH ROAD
15 KNOWN AS WANLEY ROAD; THENCE ALONG THE FOLLOWING COURSES AND
16 DISTANCES ALONG THE CENTERLINE OF WANLEY ROAD:

17 S 52° 02' 00" W A DISTANCE OF 87.71 FEET TO A POINT;
18 S 58° 28' 00" W A DISTANCE OF 98.80 FEET TO A POINT;
19 S 61° 11' 00" W A DISTANCE OF 236.00 FEET TO A POINT;
20 S 51° 58' 00" W A DISTANCE OF 160.60 FEET TO A POINT IN THE
21 CENTERLINE OF ABOVE MENTIONED WANLEY ROAD; THENCE LEAVING WANLEY
22 ROAD AND ALONG THE LINE DIVIDING LANDS NOW OR FORMERLY OF MIKE
23 PASSERO, LANDS HEREIN DESCRIBED AND EXTENDING ALONG THE
24 NORTHEASTERLY RIGHT-OF-WAY LINE WEST WILLOCK ROAD S 32° 50' 00"
25 E A DISTANCE OF 260.82 FEET TO A POINT OF BEGINNING.

26 CONTAINING A TOTAL AREA OF 3.68 ACRES, MORE OR LESS.

27 THE REMAINING PORTION OF THE PROPERTY OF THE BOROUGH OF
28 BRENTWOOD CONTINUES TO BE PROTECTED WITH PROJECT 70 RESTRICTIONS
29 AS FOLLOWS:

30 ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE

1 BOROUGH OF BRENTWOOD, COUNTY OF ALLEGHENY AND COMMONWEALTH OF
2 PENNSYLVANIA, MORE PARTICULARLY BOUND AND DESCRIBED AS FOLLOWS:

3 BEGINNING AT A POINT IN THE NORTHEASTERLY SIDE OF LOTS NOS.
4 24 TO 28 INCLUSIVE IN THE PROSPECT PARK PLAN OF LOTS NO. 2, AND
5 SAID PLAN IS RECORDED IN PLAN BOOK VOLUME 41, PAGES 75, 76 AND
6 77, N 68° 39' 00" E 276.12 FEET TO A POINT; THENCE ALONG THE
7 LINE DIVIDING LANDS HEREIN DESCRIBED AND LANDS NOW OR LATE OF
8 PROSPECT TERRACE, INC., N 63° 20' 00" E 382.93 FEET TO A POINT;
9 THENCE ALONG THE LINE DIVIDING LANDS HEREIN AND LANDS NOW OR
10 LATE OF JOHN E. LEHMAN N 35° 44' 00" W 486.09 FEET TO A POINT IN
11 THE CENTERLINE OF A BOROUGH ROAD KNOWN AS WANLEY ROAD; THENCE
12 THE FOLLOWING COURSES AND DISTANCES ALONG THE CENTERLINE OF
13 WANLEY ROAD:

14 S 49° 08' 00" W 155.76 FEET TO A POINT;

15 S 31° 20' 00" W 80.69 FEET TO A POINT;

16 S 52° 53' 00" W 96.30 FEET TO A POINT;

17 S 54° 24' 00" W 116.90 FEET TO A POINT;

18 S 52° 02' 00" W 187.89 FEET TO A POINT;

19 S 35° 44' 00" W 303.56 FEET TO A POINT OF BEGINNING.

20 CONTAINING TOTAL AREA OF 5.62 ACRES, MORE OR LESS.

21 BEING the same property which Hugh Fishwick, Jr., Et Ux
22 granted and conveyed unto Edward J. Ratcliffe, one of the
23 grantors herein, by deed recorded in Deed Book Volume 2897, page
24 554 in the Recorder of Deeds Office of Allegheny County,
25 Pennsylvania.

26 ALSO BEING the same property which Hugh Fishwick, Jr. Et ux
27 by the deed dated July 21, 1947 and recorded in Deed Book ~~Volume~~ <--
28 VOLUME 3045, Page 487, in the Recorder of Deeds Office of <--
29 Allegheny County, Pennsylvania.

30 BEING designated in the Deed Registry Office of Allegheny

1 County as Block No. 188-M, Lot No. 55.

2 Section 3. Lands owned by Borough of Brentwood on which Project
3 70 restrictions are to be imposed.

4 The property of the Borough of Brentwood on which Project 70
5 restrictions are to be imposed is as follows:

6 ALL that unimproved piece of ground situate in the Borough of
7 Brentwood, County of Allegheny and Commonwealth of Pennsylvania,
8 consisting of approximately 8.5 acres of ground, being more
9 fully described as follows:

10 BEGINNING at a point on the westerly side of Elton Way, 20
11 feet wide, as shown on the Hilpert Place Plan recorded in the
12 Recorder of Deeds Office of Allegheny County in Plan Book Volume
13 30, pages 132 and 133, at the line dividing lands now or
14 formerly of Thomas Gabrielli from lands herein described, said
15 point being distant along the westerly side of said Elton Way S
16 32° 41' 25" East 170.04 feet from the center line of Hilpert
17 Street, 40 feet wide, as shown on said plan where it intersects
18 with the westerly side of said Elton Way:

19 THENCE, from said point of beginning and along the westerly
20 side of said Elton Way South 32° 41' 25" East a distance of
21 539.82 feet to a point in East Willock Way, 50 feet wide, at the
22 corner common to lands now or formerly of Adam Young and land
23 herein described; thence along the line of lands of Young North
24 87° 55' 15" West a distance of 146.92 feet to a point; thence
25 from the same South 14° 18' 15" East a distance of 195.58 feet
26 to a point on the line of land now or formerly of I.I. Tryon,
27 said line being also the dividing line between the Borough of
28 Whitehall and the Borough of Brentwood; thence along the line
29 dividing said Boroughs South 54° 34' 45" West, a distance of
30 119.72 feet to a point; thence from said point and through the

1 lands of M. Passero of which this is a part the following four
2 courses; thence along the line dividing Rivera Estates Plan No.
3 5 as recorded in Plan Book Volume 90, pages 156 and 157 from the
4 lands herein described, the following three courses and
5 distances North 77° 45' West a distance of 389.69 feet to a
6 point; thence North 53° 34' 35" West a distance of 82.49 feet to
7 a point; thence North 50° 18' 08" West a distance of 219.96 feet
8 to a point at the southeasterly terminus of Brednick Avenue 40
9 feet wide; thence along the easterly right-of-way of Brednick
10 Avenue aforesaid, North 47° 57' 35" West a distance of 134.01
11 feet to a point; thence by an arc of a circle curving to the
12 right having a radius of 20.00 feet for an arc distance of 38.07
13 feet to a point on the southerly right-of-way line of
14 Meadowbrook Boulevard 40 feet wide; thence along the same North
15 61° 06' 25" East a distance of 2.01 feet to a point on the line
16 of land of now or formerly of Thomas Gabrielli; thence along
17 said line of Thomas Gabrielli South 48° 55' 05" East a distance
18 of 10.56 feet to a point; thence by the same South 74° 24' 05"
19 East a distance of 93.56 feet to a point; thence by the same
20 North 15° 35' 55" East a distance of 97.67 feet to a point on
21 the southerly right-of-way line of Meadowbrook Boulevard
22 aforesaid; thence by the same by an arc of a circle curving to
23 the right having a radius of 1,480.00 feet for an arc distance
24 of 13.12 feet to a point on the line of said Thomas Gabrielli;
25 thence along the line of Gabrielli South 58° 53' 15" East a
26 distance of 9.45 feet to a point; thence by the same North 74°
27 29' 29" East a distance of 39.22 feet to a point; thence by the
28 same North 41° 05' 04" East a distance of 26.44 feet to a point
29 on the southerly right-of-way line of Meadowbrook Boulevard 40
30 feet wide; thence along the southerly side of said Boulevard by

1 an arc of a circle curving to the right and having a radius of
2 1,480.00 feet for an arc distance of 47.72 feet to a point at
3 the northerly terminus of said Boulevard; thence along the
4 northerly terminus of said Boulevard North 18° 48' 49" West a
5 distance of 26.89 feet to a point on line of land now or
6 formerly of Thomas Gabrielli; thence along the line of said
7 Gabrielli North 41° 05' 04" East a distance of 168.42 feet to a
8 point; thence by the same North 69° 25' 04" East a distance
9 119.38 feet to a point; thence by the same North 86° 33' 55"
10 East a distance of 157.00 feet to a point at the place of
11 beginning.

12 BEING the same Property which was conveyed by James C.
13 Lorenzi and Lisa K. Lorenzi, husband and wife, to Western
14 Pennsylvania Conservancy and recorded on December 30, 2003 in
15 the Recorder of Deeds Office, Deed Book 11904, Page 117,
16 Allegheny County, Pennsylvania. This property is assessed in the
17 municipality of Brentwood as tax identification number 188-R-
18 150.

19 Section 4. Restriction.

20 Project 70 restrictions shall be imposed on the lands
21 described in section 3 by the following deed clause:

22 This land is to be used for park, recreation and
23 conservation purposes in accordance with provisions of
24 the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known
25 as the Project 70 Land Acquisition and Borrowing Act.

26 Section 5. Effective date.

27 This act shall take effect immediately.