

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2489 Session of 2018

INTRODUCED BY MACKENZIE, JUNE 14, 2018

SENATOR FOLMER, STATE GOVERNMENT, AS AMENDED, SEPTEMBER 24, 2018

AN ACT

1 Authorizing the release of Project 70 restrictions on certain
2 lands owned by the Borough of Topton, Berks County, in
3 exchange for the imposition of Project 70 restrictions on
4 other lands to be acquired by the Borough of Topton, Berks
5 County-; AND AUTHORIZING THE RELEASE OF PROJECT 70
6 RESTRICTIONS ON CERTAIN LANDS OWNED BY THE COMMONWEALTH OF
7 PENNSYLVANIA, ACTING BY AND THROUGH THE DEPARTMENT OF
8 CONSERVATION AND NATURAL RESOURCES, IN EXCHANGE FOR THE
9 IMPOSITION OF PROJECT 70 RESTRICTIONS ON OTHER LANDS TO BE
10 ACQUIRED BY THE COMMONWEALTH OF PENNSYLVANIA, ACTING BY AND
11 THROUGH THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES.

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

14 Section 1. Restrictions in the Borough of Topton, Berks 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 release of Project 70
19 restrictions on land owned by the Borough of Topton, Berks
20 County, described in subsection (b), in return for the
21 imposition of Project 70 restrictions on land described in
22 subsection (c).

1 (b) Land to be released from Project 70 restrictions.--The
2 land to be released from Project 70 restrictions is as follows:
3 ALL THAT CERTAIN tract or parcel of land located north of West
4 Weiss Street (54-foot right-of-way) between South Cherry Street
5 (54-foot right-of-way) and South Callowhill Street (54-foot
6 right-of-way), situate in the Borough of Topton, County of
7 Berks, Commonwealth of Pennsylvania, being a portion of the
8 lands of the Borough of Topton to be conveyed to Robert S. and
9 Louise E. Blanchard, as shown on and described in accordance
10 with Lot Conveyance Exhibit, Lands of the Borough of Topton to
11 be Conveyed to Robert S. & Louise E. Blanchard (EX-1), prepared
12 by Barry Isett and Associates, Inc., dated January 12, 2017, as
13 follows:
14 COMMENCING at the intersection of the northerly right-of-way
15 line of said West Weiss Street and the westerly right-of-way
16 line of said Cherry Street; thence along said westerly right-of-
17 way line of Cherry Street, as shown on the aforesaid Lot
18 Conveyance Exhibit, Lands of the Borough of Topton to be
19 Conveyed to Robert S. & Louise E. Blanchard (EX-1), passing
20 partially in an through Evergreen Drive (18-foot right-of-way),
21 North 16 degrees 30 minutes 36 seconds West, 342.36 feet to a 1"
22 pipe found at the common corner of lands of Paul Carl and Nina
23 Beck and lands of Ronald C. and Wilma M. Herman; thence along
24 the common line of said lands of Paul Carl and Nina Beck and
25 lands of Ronald C. and Wilma M. Herman, South 73 degrees 29
26 minutes 10 seconds West, 168.72 feet to a 1" rod leaning to the
27 east found at the TRUE POINT OF BEGINNING of the herein
28 described; thence along said land of Paul Carl and Nina Beck,
29 South 25 degrees 42 minutes 18 seconds West, 17.01 feet to a 2"
30 pipe found; thence along the lands of Robert S. and Louise E.

1 Blanchard, grantees herein, South 26 degrees 05 minutes 28
2 seconds West, 150.58 feet; thence through the lands of the
3 Borough of Tipton, grantors herein, the following four (4)
4 courses and distances;

5 (1) North 12 degrees 46 minutes 36 seconds East, 58.37 feet;

6 (2) North 22 degrees 45 minutes 09 seconds East, 31.60 feet;

7 (3) North 26 degrees 21 minutes 05 seconds East, 65.57 feet;

8 (4) North 73 degrees 29 minutes 10 seconds East, 20.20 feet to
9 the TRUE POINT OF BEGINNING.

10 CONTAINING: 1,930 square feet.

11 Subject to all covenants and agreements of record.

12 BEING a portion of the same premises which John J. Leibensperger
13 and Vertie Mae Leibensberger, his wife, by deed dated December
14 14, 1949, and recorded in the Office of the Recorder of Deeds in
15 and for the County of Berks, PA., in Deed Book Volume 1052 Page
16 246, did grant and convey unto the Borough of Tipton, a
17 Municipal Corporation of the State of Pennsylvania.

18 A portion of Berks County Tax PIN 546320910811.

19 (c) Land subject to the imposition of Project 70
20 restrictions.--The land to be acquired by the Borough of Tipton,
21 Berks County, on which Project 70 restrictions are to be
22 imposed, is as follows:

23 ALL THAT CERTAIN tract or parcel of land located north of West
24 Weiss Street (54-foot right-of-way) between South Cherry Street
25 (54-foot right-of-way) and South Callowhill Street (54-foot
26 right-of-way), situate in the Borough of Tipton, County of
27 Berks, Commonwealth of Pennsylvania, being a portion of the
28 lands of Robert S. and Louise E. Blanchard to be conveyed to the
29 Borough of Tipton, as shown on and described in accordance with
30 Lot Conveyance Exhibit, Lands of Robert S. & Louise E. Blanchard

1 to be Conveyed to the Borough of Tipton (EX-2), prepared by
2 Barry Isett and Associates, Inc., dated January 12, 2017, as
3 follows:

4 COMMENCING at the intersection of the westerly right-of-way line
5 of said South Cherry Street and northerly right-of-way line of
6 said West Weiss Street; thence along said northerly right-of-way
7 line of West Weiss Street, as shown on the aforesaid Lot
8 Conveyance Exhibit, Lands of Robert S. & Louise E. Blanchard to
9 be Conveyed to the Borough of Tipton (EX-2), South 73 degrees 35
10 minutes 22 seconds West, 374.16 feet to the TRUE POINT OF
11 BEGINNING of the herein described; thence along said northerly
12 right-of-way line of said West Weiss Street, South 73 degrees 35
13 minutes 22 seconds West, 40.98 feet; thence along the lands of
14 the Borough of Tipton, grantees herein, the following two (2)
15 courses and distances;

16 (1) North 16 degrees 20 minutes 38 seconds West, 73.72 feet;

17 (2) North 26 degrees 05 minutes 28 seconds East, passing along
18 the western terminus of Evergreen Drive (18-foot right-of-way)
19 at a distance of 133.18 feet, for a total of 196.26 feet; thence
20 through the aforesaid lands of Robert S. and Louise E.

21 Blanchard, grantors herein, the following five (5) courses and
22 distances;

23 (1) South 12 degrees 46 minutes 36 seconds West, passing
24 through said Evergreen Drive at a distance of 32.58 feet, for a
25 total distance of 100.61 feet;

26 (2) South 35 degrees 04 minutes 47 seconds West, 30.00 feet;

27 (3) South 1 degree 32 minutes 33 seconds West, 32.93 feet;

28 (4) South 21 degrees 22 minutes 03 seconds East, 30.00 feet;

29 (5) South 3 degrees 30 minutes 41 seconds East, 52.00 feet to
30 the TRUE POINT OF BEGINNING.

1 CONTAINING: 6,863 square feet.

2 Subject to all covenants and agreements of record.

3 BEING a portion of the same premises which Wayne M. Eltz and
4 Ruth Eltz, his wife, by deed dated July 28, 1970, and recorded
5 in the Office of the Recorder of Deeds in and for the County of
6 Berks, PA., in Deed Book Volume 1570 Page 754, did grant and
7 convey unto Robert S. Blanchard and Louise E. Blanchard, husband
8 and wife.

9 A portion of Berks County Tax PIN 546320912577.

10 (d) Deed restriction.--The deed of conveyance for the land
11 described in subsection (c) shall contain the following clause:

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

17 SECTION 2. RESTRICTIONS ON PROPERTY OWNED BY THE COMMONWEALTH, <--
18 ACTING BY AND THROUGH THE DEPARTMENT OF CONSERVATION
19 AND NATURAL RESOURCES.

20 (A) AUTHORIZATION.--UNDER THE REQUIREMENTS OF SECTION 20(B)
21 OF THE ACT OF JUNE 22, 1964, (SP. SESS., P.L.131, NO.8), KNOWN
22 AS THE PROJECT 70 LAND ACQUISITION AND BORROWING ACT, THE
23 GENERAL ASSEMBLY HEREBY AUTHORIZES THE RELEASE OF PROJECT 70
24 RESTRICTIONS ON LAND OWNED BY THE COMMONWEALTH, ACTING BY AND
25 THROUGH THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES,
26 WHICH IS MORE PARTICULARLY DESCRIBED IN SUBSECTION (B), IN
27 EXCHANGE FOR THE IMPOSITION OF PROJECT 70 RESTRICTIONS ON LAND,
28 WHICH IS MORE PARTICULARLY DESCRIBED IN SUBSECTION (C).

29 (B) LAND TO BE RELEASED FROM PROJECT 70 RESTRICTIONS.--THE
30 LAND TO BE RELEASED FROM PROJECT 70 RESTRICTIONS IS AS FOLLOWS:

1 ALL THOSE CERTAIN TRACTS OR PARCELS OF LAND SITUATE IN UPPER
2 UWCHLAN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, BEING BOUNDED
3 AND DESCRIBED ACCORDING TO PENNSYLVANIA TURNPIKE COMMISSION PLAN
4 NO. RW 6018-C, WBS NO. T-308.00T001-4-10, DATED APRIL 20, 2018,
5 MILEPOST T308.12 TO T308.52, AND AS FOLLOWS TO WIT:

6 FIRST:

7 BEGINNING AT A POINT ON THE SOUTHERLY LEGAL RIGHT-OF-WAY LINE
8 FOR LIMITED ACCESS OF THE GRANTEE AND THE WESTERLY LEGAL RIGHT-
9 OF-WAY LINE OF STYER ROAD (T-457), SAID POINT BEING LOCATED
10 100.00 FEET RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY
11 BASELINE STATION 754+71±;

12 THENCE THROUGH LANDS OF THE GRANTOR AND ALONG THE WESTERLY
13 LEGAL RIGHT-OF-WAY LINE OF STYER ROAD (T-457), SOUTH 39°45'56"
14 WEST, 60.26 FEET TO A POINT BEING LOCATED 160.00 FEET, RIGHT OF
15 AND OPPOSITE SURVEY AND RIGHT-OF-WAY BASELINE STATION 754+77±;

16 THENCE THROUGH LAND OF THE GRANTOR AND ALONG THE REQUIRED
17 RIGHT-OF-WAY LINE FOR LIMITED ACCESS THE FOLLOWING THREE (3)
18 COURSES AND DISTANCES:

19 1. NORTH 44°56'27" WEST, 599.92 FEET TO A POINT BEING
20 LOCATED 160.00 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-
21 WAY BASELINE STATION 748+77.00;

22 2. NORTH 46°49'41" WEST, 607.33 FEET TO A POINT BEING
23 LOCATED 180.00 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-
24 WAY BASELINE STATION 742+70.00;

25 3. NORTH 44°56'27" WEST, 28.61 FEET TO A POINT ON THE LINE
26 NOW OR FORMERLY OF THE PENNSYLVANIA TURNPIKE COMMISSION, SAID
27 POINT BEING LOCATED 180.00 FEET RIGHT OF AND OPPOSITE SURVEY AND
28 RIGHT-OF-WAY BASELINE STATION 742+41±;

29 THENCE ALONG LAND NOW OR FORMERLY OF THE PENNSYLVANIA
30 TURNPIKE COMMISSION THE FOLLOWING TWO (2) COURSES AND DISTANCES:

1 1. NORTH 50°21'47" EAST, 14.32 FEET TO A POINT BEING LOCATED
2 166 FEET, MORE OR LESS, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-
3 OF-WAY BASELINE STATION 742+43±;

4 2. NORTH 28°26'03" EAST, 68.60 FEET TO A POINT ON THE
5 SOUTHERLY LEGAL RIGHT-OF-WAY LINE FOR LIMITED ACCESS OF THE
6 GRANTEE, SAID POINT BEING LOCATED 100.00 FEET, MORE OR LESS,
7 RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY BASELINE STATION
8 742+23±;

9 THENCE ALONG THE SOUTHERLY LEGAL RIGHT-OF-WAY LINE FOR
10 LIMITED ACCESS OF THE GRANTEE, SOUTH 44°56'27" EAST, 1248.27
11 FEET TO THE POINT OF BEGINNING.

12 CONTAINING 1.863 ACRES

13 SECOND:

14 BEGINNING AT A POINT ON THE SOUTHERLY LEGAL RIGHT-OF-WAY LINE
15 FOR LIMITED ACCESS OF THE GRANTEE AND THE EASTERLY LEGAL RIGHT-
16 OF-WAY LINE OF STYER ROAD (T-457), SAID POINT BEING LOCATED
17 102.02 FEET RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY
18 BASELINE STATION 755+05±;

19 THENCE ALONG THE SOUTHERLY LEGAL RIGHT-OF-WAY LINE FOR
20 LIMITED ACCESS OF THE GRANTEE THE FOLLOWING FOUR (4) COURSES AND
21 DISTANCES:

22 1. SOUTH 33°37'26" EAST, 40.66 FEET TO A POINT BEING LOCATED
23 110.00 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY
24 BASELINE STATION 755+45±;

25 2. SOUTH 44°56'27" EAST, 799.40 FEET TO A POINT BEING
26 LOCATED 110.00 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-
27 WAY BASELINE STATION 763+44±;

28 3. SOUTH 56°15'27" EAST, 50.96 FEET TO A POINT BEING LOCATED
29 100.00 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY
30 BASELINE STATION 763+94±;

1 4. SOUTH 44°56'27" EAST, 52.89 FEET TO A POINT ON THE LINE
2 NOW OR FORMERLY OF ROBIN W. AND JUDY A. REID, SAID POINT BEING
3 LOCATED 100.00 FEET RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-
4 WAY BASELINE STATION 764+47±;

5 THENCE ALONG LAND NOW OF FORMERLY OF ROBIN W. AND JUDY A.
6 REID, SOUTH 14°05'18" WEST, 29.24 FEET TO A POINT BEING LOCATED
7 125 FEET, MORE OR LESS, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-
8 OF-WAY BASELINE STATION 764+62±;

9 THENCE THROUGH LAND OF THE GRANTOR AND ALONG THE REQUIRED
10 RIGHT-OF-WAY LINE FOR LIMITED ACCESS THE FOLLOWING SIX (6)
11 COURSES AND DISTANCES:

12 1. NORTH 75°54'42" WEST, 87.31 FEET TO A POINT BEING LOCATED
13 170.00 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY
14 BASELINE STATION 763+87.00;

15 2. NORTH 44°56'27" WEST, 127.00 FEET TO A POINT BEING
16 LOCATED 170.00 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-
17 WAY BASELINE STATION 762+60.00;

18 3. NORTH 45°03'33" EAST, 10.00 FEET TO A POINT BEING LOCATED
19 160.00 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY
20 BASELINE STATION 762+60.00;

21 4. NORTH 44°56'27" WEST, 295.00 FEET TO A POINT BEING
22 LOCATED 160.00 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-
23 WAY BASELINE STATION 759+65.00;

24 5. SOUTH 45°03'33" WEST, 5.00 FEET TO A POINT BEING LOCATED
25 165.00 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY
26 BASELINE STATION 759+65.00;

27 6. NORTH 44°56'27" WEST, 454.48 FEET TO A POINT ON THE
28 EASTERLY LEGAL RIGHT-OF-WAY LINE OF STYER ROAD (T-457), SAID
29 POINT BEING LOCATED 165.00 FEET, RIGHT OF AND OPPOSITE SURVEY
30 AND RIGHT-OF-WAY BASELINE STATION 755+11±;

1 THENCE ALONG THE EASTERLY LEGAL RIGHT-OF-WAY LINE OF STYER
2 ROAD (T-457), NORTH 39°45'56" EAST, 63.25 FEET TO THE POINT OF
3 BEGINNING.

4 CONTAINING 1.176 ACRES

5 THIRD:

6 BEGINNING AT A POINT ON THE REQUIRED RIGHT-OF-WAY LINE FOR
7 LIMITED ACCESS, SAID POINT BEING LOCATED 160.00 FEET, RIGHT OF
8 AND OPPOSITE SURVEY AND RIGHT-OF-WAY BASELINE STATION 759+65.00;

9 THENCE ALONG THE REQUIRED RIGHT-OF-WAY LINE FOR LIMITED
10 ACCESS, SOUTH 44°56'27" EAST, 65.00 FEET TO A POINT BEING
11 LOCATED 160 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY
12 BASELINE STATION 760+30;

13 THENCE THROUGH LAND OF THE GRANTOR THE FOLLOWING THREE (3)
14 COURSES AND DISTANCES:

15 1. SOUTH 45°03'33" WEST, 50.00 FEET TO A POINT BEING LOCATED
16 210 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY BASELINE
17 STATION 760+30;

18 2. NORTH 44°56'27" WEST, 65.00 FEET TO A POINT BEING LOCATED
19 210 FEET, RIGHT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY BASELINE
20 STATION 759+65;

21 3. NORTH 45°03'33" EAST, 50.00 FEET TO THE POINT OF
22 BEGINNING.

23 CONTAINING 0.075 ACRE

24 FOURTH:

25 BEGINNING AT A POINT ON THE NORTHERLY LEGAL RIGHT-OF-WAY LINE
26 FOR LIMITED ACCESS OF THE GRANTEE AND THE EASTERLY LEGAL RIGHT-
27 OF-WAY LINE OF STYER ROAD (T-457), SAID POINT BEING LOCATED 100
28 FEET, MORE OR LESS, LEFT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY
29 BASELINE STATION 754+91±;

30 THENCE ALONG THE EASTERLY LEGAL RIGHT-OF-WAY LINE OF STYER

1 ROAD (T-457), BY A CURVE TO THE RIGHT, HAVING A RADIUS OF 533.50
2 FEET, AN ARC LENGTH OF 43.86 FEET, AND A CHORD BEARING OF NORTH
3 45°50'56" EAST, A CHORD DISTANCE OF 43.84 FEET TO A POINT BEING
4 LOCATED 144 FEET, MORE OR LESS, LEFT OF AND OPPOSITE SURVEY AND
5 RIGHT-OF-WAY BASELINE STATION 754+92±;

6 THENCE ALONG THE REQUIRED RIGHT-OF-WAY LINE FOR LIMITED
7 ACCESS AND LAND NOW OR FORMERLY OF JOHN S. AND PATRICIA M.
8 CASSEL THE FOLLOWING THREE (3) COURSES AND DISTANCES:

9 1. SOUTH 60°22'50" EAST, 57.19 FEET TO A POINT BEING LOCATED
10 159 FEET, MORE OR LESS, LEFT OF AND OPPOSITE SURVEY AND RIGHT-
11 OF-WAY BASELINE STATION 755+47±;

12 2. NORTH 80°07'06" EAST, 109.81 FEET TO A POINT BEING
13 LOCATED 249 FEET, MORE OR LESS, LEFT OF AND OPPOSITE SURVEY AND
14 RIGHT-OF-WAY BASELINE STATION 756+10±;

15 3. SOUTH 41°47'17" EAST, 201.29 FEET TO A POINT BEING
16 LOCATED 238 FEET, MORE OR LESS, LEFT OF AND OPPOSITE SURVEY AND
17 RIGHT-OF-WAY BASELINE STATION 758+11±;

18 THENCE ALONG THE REQUIRED RIGHT-OF-WAY LINE FOR LIMITED
19 ACCESS, LAND NOW OR FORMERLY OF JOHN S. AND PATRICIA M. CASSEL,
20 LAND NOW OR FORMERLY OF WILLIAM M. AND KATHLEEN A. KALKBRENNER,
21 AND LAND NOW OR FORMERLY OF NELSON L. AND KIMBERLY D. LUCAS-
22 MURPHY, SOUTH 16°06'07" EAST, 265.12 FEET TO A POINT ON THE
23 NORTHERLY LEGAL RIGHT-OF-WAY LINE OF THE GRANTEE, SAID POINT
24 BEING LOCATED 110 FEET, MORE OR LESS, LEFT OF AND OPPOSITE
25 SURVEY AND RIGHT-OF-WAY BASELINE STATION 760+43±;

26 THENCE ALONG THE NORTHERLY LEGAL RIGHT-OF-WAY LINE FOR
27 LIMITED ACCESS OF THE GRANTEE THE FOLLOWING THREE (3) COURSES
28 AND DISTANCES:

29 1. NORTH 44°56'27" WEST, 348.56 FEET TO A POINT BEING
30 LOCATED 110.00 FEET, LEFT OF AND OPPOSITE SURVEY AND RIGHT-OF-

1 WAY BASELINE STATION 756+94±;

2 2. NORTH 56°15'27" WEST, 50.96 FEET TO A POINT BEING LOCATED
3 100.00 FEET, LEFT OF AND OPPOSITE SURVEY AND RIGHT-OF-WAY
4 BASELINE STATION 756+44±;

5 3. NORTH 44°56'27" WEST, 153.50 FEET TO THE POINT OF
6 BEGINNING.

7 CONTAINING 1.186 ACRES

8 BEING PORTIONS OF THE SAME PROPERTIES THAT THE CHESTER COUNTY
9 WATER RESOURCES AUTHORITY, BY ITS DEED DATED NOVEMBER 7, 1969
10 AND RECORDED NOVEMBER 7, 1969, IN THE RECORDER OF DEEDS OFFICE
11 IN AND FOR CHESTER COUNTY, PENNSYLVANIA, IN DEED BOOK C39, PAGE
12 290, AND ITS DEED DATED FEBRUARY 20, 1978 AND RECORDED FEBRUARY
13 20, 1978, IN THE RECORDER OF DEEDS OFFICE IN AND FOR CHESTER
14 COUNTY, PENNSYLVANIA, IN DEED BOOK M52, PAGE 300, GRANTED AND
15 CONVEYED UNTO THE COMMONWEALTH OF PENNSYLVANIA.

16 (C) LAND SUBJECT TO THE IMPOSITION OF PROJECT 70
17 RESTRICTIONS.--THE LAND TO BE ACQUIRED BY THE COMMONWEALTH,
18 ACTING BY AND THROUGH THE DEPARTMENT OF CONSERVATION AND NATURAL
19 RESOURCES, ON WHICH PROJECT 70 RESTRICTIONS ARE TO BE IMPOSED,
20 IS AS FOLLOWS:

21 ALL THAT CERTAIN PARCEL OF LAND SITUATED IN WALLACE TOWNSHIP,
22 CHESTER COUNTY, PENNSYLVANIA, BEING A PART OF UPI 31-4-145,
23 BEING A TURNPIKE MITIGATION AREA ACCORDING TO A NEW SURVEY
24 THEREOF AS SHOWN ON A PLAN OF PROPERTY BOUNDARY SURVEY FOR
25 NATURAL LANDS, PREPARED BY BEIDEMAN ASSOCIATES, GLENMOORE,
26 PENNSYLVANIA, DATED FEBRUARY 22, 2018, AND BEING MORE FULLY
27 DESCRIBED AS FOLLOWS:

28 BEGINNING AT AN INTERIOR POINT, A CORNER OF A
29 COUNTY/STATE/HIGHLANDS FUNDING AREA, AND ON LINE OF LAND OF THE
30 COMMONWEALTH OF PENNSYLVANIA (UPI 31-4-146); WHICH INTERIOR

1 POINT OF BEGINNING IS LOCATED AS FOLLOWS FROM THE POINT OF
2 INTERSECTION OF THE TITLE LINE IN MARSHALL ROAD (S.R. 4033) AND
3 THE TITLE LINE IN CHALFONT ROAD (T-423), BEING AT THE
4 INTERSECTION OF LITTLE CONESTOGA ROAD (S.R. 4016) EXTENDING TO
5 THE NORTH AND EAST, MARSHALL ROAD EXTENDING TO THE WEST, AND
6 CHALFONT ROAD EXTENDING TO THE SOUTH; COMMENCING THENCE ALONG
7 THE TITLE LINE IN CHALFONT ROAD AND ALONG THE CHARLES ANDREWS
8 SUBDIVISION RECORDED IN PLAN BOOK 56 PAGE 13, THE THREE (3)
9 FOLLOWING COURSES AND DISTANCES: 1) SOUTH 14 DEGREES 34 MINUTES
10 31 SECONDS EAST 585.32 FEET TO A POINT; 2) CROSSING THROUGH THE
11 ANDREWS LANE INTERSECTION, SOUTH 20 DEGREES 24 MINUTES 31
12 SECONDS 369.89 EAST FEET TO A POINT; AND 3) SOUTH 30 DEGREES 30
13 MINUTES 31 SECONDS EAST 363.53 FEET TO A POINT; THENCE
14 CONTINUING ALONG THE TITLE LINE IN CHALFONT ROAD AND ALONG THE
15 CHALFONT-ST. GILES SUBDIVISION RECORDED AS PLAN NUMBER 13270,
16 CROSSING THROUGH THE WATERVIEW DRIVE INTERSECTION, SOUTH 21
17 DEGREES 33 MINUTES 32 SECONDS EAST 411.98 FEET TO A POINT, A
18 CORNER OF LAND OF THE COMMONWEALTH OF PENNSYLVANIA (UPI 31-4-
19 146); THENCE LEAVING CHALFONT ROAD AND ALONG SAID LAND OF THE
20 COMMONWEALTH OF PENNSYLVANIA, SOUTH 44 DEGREES 35 MINUTES 45
21 SECONDS WEST 65.60 FEET TO A CORNER OF THE HEREIN DESCRIBED
22 TURNPIKE MITIGATION AREA, AN INTERIOR POINT AND THE TRUE POINT
23 OF BEGINNING; THENCE FROM THE TRUE POINT OF BEGINNING, ALONG
24 SAID LAND OF THE COMMONWEALTH OF PENNSYLVANIA, CROSSING A
25 COPPERWELD FOUND AT A DISTANCE OF 19.24 FEET, SOUTH 44 DEGREES
26 35 MINUTES 45 SECONDS WEST A TOTAL DISTANCE OF 1165.92 FEET TO A
27 CONCRETE MONUMENT FOUND AT A CORNER OF LAND OF PHILADELPHIA
28 SUBURBAN WATER COMPANY, NOW AQUA PENNSYLVANIA, INC. (UPI 31-4-
29 143); THENCE ALONG SAID LAND, NORTH 38 DEGREES 22 MINUTES 44
30 SECONDS WEST 183.64 FEET TO A CORNER OF THE AFOREMENTIONED

1 COUNTY/STATE/HIGHLANDS FUNDING AREA; THENCE THROUGH UPI 31-4-145
2 OF WHICH THIS IS A PART, AND ALONG THE COUNTY/STATE/HIGHLANDS
3 FUNDING AREA, NORTH 44 DEGREES 35 MINUTES 45 SECONDS EAST
4 1224.02 FEET TO A POINT; THENCE ALONG THE SAME, SOUTH 21 DEGREES
5 33 MINUTES 32 SECONDS EAST 199.27 FEET TO THE POINT OF
6 BEGINNING.

7 CONTAINING 5.000 ACRES OF LAND BE THE SAME MORE OR LESS.
8 BEING PART OF UPI NUMBER 31-4-145.

9 BEING A PART OF THE SAME PREMISES WHICH DEKAMODO INVESTMENT
10 PARTNERSHIP, L.P., BY DEED DATED DECEMBER 19, 2017, AND RECORDED
11 DECEMBER 29, 2017, IN THE OFFICE OF THE RECORDER OF DEEDS IN AND
12 FOR THE COUNTY OF CHESTER, PENNSYLVANIA, IN RECORD BOOK 9675
13 PAGE 243, GRANTED AND CONVEYED TO NATURAL LANDS TRUST, A
14 PENNSYLVANIA NON-PROFIT CORPORATION.

15 (D) CLAUSE.--PROJECT 70 RESTRICTIONS SHALL BE IMPOSED ON THE
16 LANDS DESCRIBED IN SUBSECTION (C) BY THE FOLLOWING DEED CLAUSE:

17 THIS LAND TO BE USED FOR PARK, RECREATION, AND CONSERVATION
18 PURPOSES IN ACCORDANCE WITH PROVISIONS OF THE ACT OF JUNE 22,
19 1964 (SP. SESS., P.L. 131, NO. 8), KNOWN AS THE PROJECT 70 LAND
20 ACQUISITION AND BORROWING ACT.

21 SECTION 3. EASEMENTS.

22 THE CONVEYANCES DESCRIBED IN SECTION 2 OF THIS ACT SHALL BE
23 SUBJECT TO ALL LAWFUL AND ENFORCEABLE EASEMENTS, SERVITUDES AND
24 RIGHTS OF OTHERS, INCLUDING BUT NOT CONFINED TO STREETS,
25 ROADWAYS AND RIGHTS OF ANY TELEPHONE, TELEGRAPH, WATER,
26 ELECTRIC, GAS OR PIPELINE COMPANIES, AS WELL AS UNDER AND
27 SUBJECT TO ANY LAWFUL AND ENFORCEABLE ESTATES OR TENANCIES
28 VESTED IN THIRD PERSONS APPEARING OF RECORD, FOR ANY PORTION OF
29 THE LAND OR IMPROVEMENTS ERECTED THEREON.

30 Section 2 4. Effective date.

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1 This act shall take effect immediately.