

ORDINANCE NO. 2023-05

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF SWATARA, CHAPTER 295, THEREOF ENTITLED "ZONING", BY MODIFYING SECTIONS 295-25 AND 295-26.E IN ORDER TO REZONE FROM THE C-G GENERAL COMMERCIAL DISTRICT TO THE M-L LIGHT MANUFACTURING/INDUSTRIAL DISTRICT THE PARCELS IDENTIFIED AS DAUPHIN COUNTY PROPERTY IDENTIFICATION NOS. (AND ADDRESSES): (I) 63-027-293-000-0000 (PAXTON STREET L1); (II) 63-024-057-000-0000 (421 FRIENDSHIP ROAD); AND (III) 63-024-056-000-0000 (441 FRIENDSHIP ROAD).

BE IT HEREBY ORDAINED AND ENACTED by the Board of Commissioners of the Township of Swatara, County of Dauphin, Commonwealth of Pennsylvania, as follows:

Section 1. Chapter 295, Article III, Section 295-25, more specifically the "Swatara Township Zoning Map" is hereby amended by rezoning from the C-G General Commercial District to the M-L Light Manufacturing/Industrial District, the parcels identified as Dauphin County Property Identification Nos. (and addresses): (i) 63-027-293-000-0000 (Paxton Street L1); (ii) 63-024-057-000-0000 (421 Friendship Road); and (iii) 63-024-056-000-0000 (441 Friendship Road) that are depicted with white shading and yellow dashed outline on Exhibit 'A' and described by metes and bounds in Exhibit 'B', both of which are attached to and made a part of this Ordinance. The area that is to be rezoned is hereby intended and deemed to include the entire contiguous area that is bounded to the:

- A. North by the right-of-way of Paxton Street (SR 3010), together with the portion of the right-of-way of Paxton Street that adjoins the parcels identified as Dauphin County Property Identification Nos. (and addresses):
 - (i) 63-024-055-000-0000 (3501 Paxton Street); and
 - (ii) 63-027-293-000-0000 (Paxton Street L1),and is located to the south of the centerline of such right-of-way;

- B. East by the right-of-way of Friendship Road, together with the portion of the right-of-way of Friendship Road that adjoins the parcels identified as Dauphin County Property Identification Nos. (and addresses):
 - (i) 63-027-293-000-0000 (Paxton Street L1);
 - (ii) 63-024-057-000-0000 (421 Friendship Road); and
 - (iii) 63-024-056-000-0000 (441 Friendship Road),and is located to the west of the centerline of such right-of-way;

Section 2. Chapter 295, Article III, Section 295-26.E is hereby amended by adding, including and incorporating the following as new subsection (3) to read as follows:

(3) The entire boundaries of the parcels identified as Dauphin County Property Identification Nos. (and addresses):

- (a) 63-027-293-000-0000 (Paxton Street L1);
- (b) 63-024-057-000-0000 (421 Friendship Road); and
- (c) 63-024-056-000-0000 (441 Friendship Road),

are hereby removed from the C-G General Commercial District and made part of the M-L Light Manufacturing/Industrial District.

Section 3. The Zoning Officer of the Township of Swatara, or assigned designee, is directed to revise the "Swatara Township Zoning Map" to delineate the rezoned area and boundary line changes as adopted hereby.

Section 4. All other sections, parts and provisions of the Code of the Township of Swatara shall remain in full force and effect as previously enacted and amended.

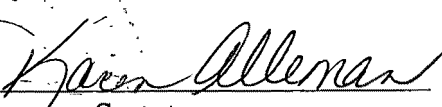
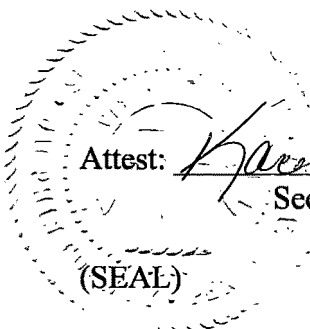
Section 5. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of the Board of Commissioners that the remainder of the Ordinance shall remain in full force and effect.

Section 6. This amendment shall take effect and be enforced from and after its approval as provided by law.

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DULY ORDAINED AND ENACTED this 11 day of OCTOBER, 2023, by the Board of Commissioners of Swatara Township, Dauphin County, Pennsylvania, in lawful session duly assembled.

TOWNSHIP OF SWATARA
Dauphin County, Pennsylvania

Attest: 
Secretary

(SEAL)

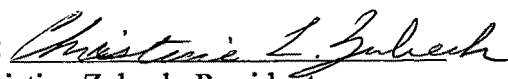
By: 
Christine Zubeck, President
Swatara Township Board of Commissioners

EXHIBIT 'A'

**MAP DEPICTING THE PARCELS IDENTIFIED AS DAUPHIN COUNTY
PROPERTY IDENTIFICATION NOS. (AND ADDRESSES):**

(I) 63-024-055-000-0000 (3501 PAXTON STREET);

(II) 63-027-293-000-0000 (PAXTON STREET L1);

(III) 63-024-057-000-0000 (421 FRIENDSHIP ROAD); AND

(IV) 63-024-056-000-0000 (441 FRIENDSHIP ROAD), AND

**THE CONTIGUOUS AREA TO BE REZONED FROM THE
C-G GENERAL COMMERCIAL DISTRICT TO THE M-L LIGHT
MANUFACTURING/INDUSTRIAL DISTRICT**

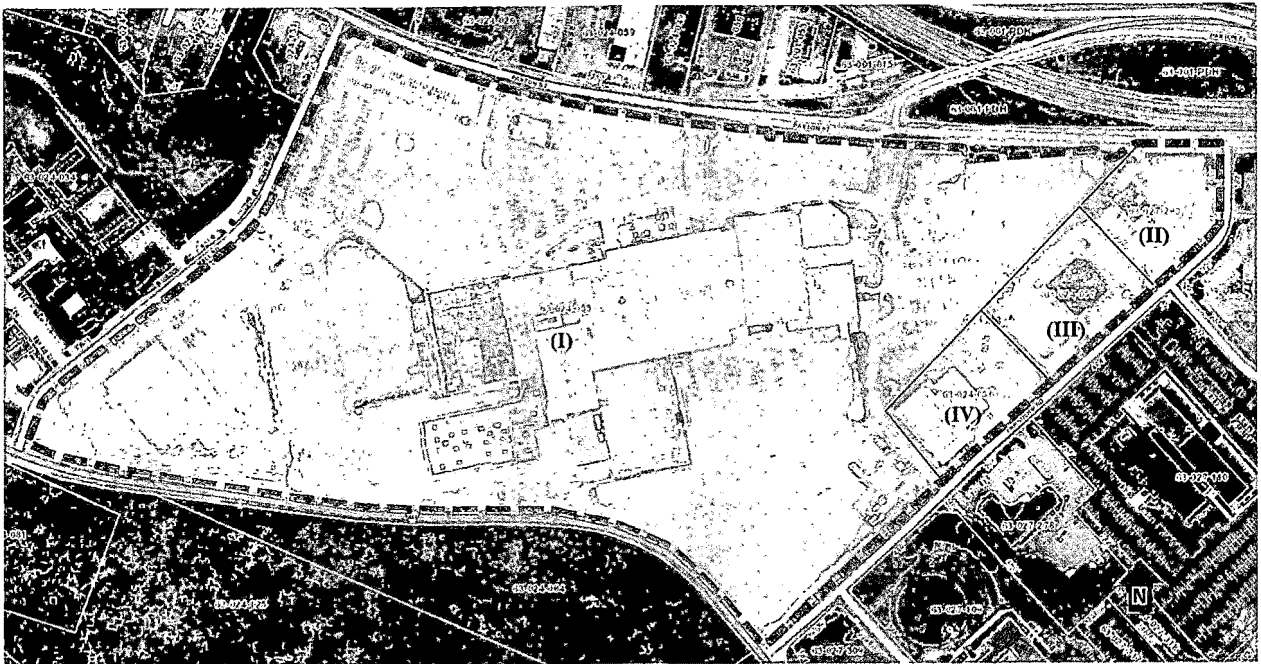


EXHIBIT 'B'

**LEGAL DESCRIPTION OF THE PARCEL IDENTIFIED AS DAUPHIN COUNTY
PROPERTY IDENTIFICATION NOS. (AND ADDRESSES):**

(I) 63-024-055-000-0000 (3501 PAXTON STREET);

(II) 63-027-293-000-0000 (PAXTON STREET L1);

(III) 63-024-057-000-0000 (421 FRIENDSHIP ROAD); AND

**(IV) 63-024-056-000-0000 (441 FRIENDSHIP ROAD), AND THE CONTIGUOUS AREA
TO BE REZONED FROM THE C-G GENERAL COMMERCIAL DISTRICT TO THE
M-L LIGHT MANUFACTURING/INDUSTRIAL DISTRICT**

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DAUPHIN COUNTY PROPERTY IDENTIFICATION NO. 63-024-055-000-0000
WITH AN ADDRESS OF 3501 PAXTON STREET

ALL THAT CERTAIN PARCEL of ground with the improvements located thereon, situate in Swatara Township, Dauphin County, Pennsylvania, bounded and described according to an ALTA/ACSM Land Title Survey prepared by Gannett Fleming, Harrisburg, Pennsylvania, dated September 24, 2003, as follows, to wit:

BEGINNING at a point at the intersection of the Eastern right of way line of Dauphin County Prison Road (Mail Road) (50 feet) with Southern legal right of way line of Paxton Street (50 feet) [Pennsylvania Legislative Route 138, U.S. Route 322 and 422]; thence along the Southern legal right of way line of Paxton Street, the following courses and distances:

1. On a curve to the left, having a radius of 2004.93 feet, an arc length of 1094.31 feet (a chord bearing and distance, South 76 degrees 05 minutes 17 seconds East, 1007.85 feet, having a delta of 21 degrees 35 minutes 02 seconds to the left) to a P.O.C. (Point on Curve);

2. South 3 degrees 13 minutes 01 seconds West, 15.50 feet;

3. On a curve to the right, having a radius of 3057.33 feet, an arc length of 88.01 feet (a chord bearing and distance, South 85 degrees 51 minutes 19 seconds East, 59.01 feet, having a delta of 1 degree 51 minutes 20 seconds to the right);

4. South 84 degrees 55 minutes 39 seconds East, 388.47 feet;

5. On a curve to the left, having a radius of 1840.08 feet, an arc length of 164.25 feet (a chord bearing and distance, South 87 degrees 12 minutes 19 seconds East, 154.21 feet, having a delta of 04 degrees 33 minutes 20 seconds to the left);

6. South 89 degrees 28 minutes 59 seconds East, 459.87 feet;

7. North 0 degrees 31 minutes 01 seconds East, 14.00 feet; South 89 degrees 28 minutes 59 seconds East, 55.42 feet;

8. South 89 degrees 28 minutes 59 seconds East, 55.42 feet;

THENCE along properties now or formerly of AMP, Inc., Miller Bros. Vanders Incorporated, and Robert M. Mumma, South 42 degrees 44 minutes 59 seconds West, 1015.95 feet;

THENCE along properties now or formerly of Robert M. Mumma, South 42 degrees 15 minutes 24 seconds East 261.67 feet, to a point in the center of Friendship Road (Dedicated 50.00 feet right of way June 25, 1969);

THENCE along the center line of Friendship Road, South 47 degrees 14 minutes 36 seconds West 710.75 feet, to a point marked with a railroad spike on the center line of Friendship Road and Poor House Road (Pennsylvania Legislative Route 518, Route 441);

THENCE along the centerline of

Poor House Road the following courses and distances:

1. North 40 degrees 39 minutes 11 seconds West, 200.07 feet;

2. North 44 degrees 47 minutes 49 seconds West, 99.80 feet;

3. North 51 degrees 06 minutes 21 seconds West, 100.00 feet;

4. North 62 degrees 07 minutes 21 seconds West, 100.00 feet;

5. North 71 degrees 26 minutes 21 seconds West, 100.00 feet;

6. North 80 degrees 41 minutes 21 seconds West, 100.00 feet;

7. North 88 degrees 28 minutes 21 seconds West, 499.37 feet;

8. North 81 degrees 35 minutes 47 seconds West, 326.57 feet;

THENCE North 08 degrees 32 minutes 40 seconds East, 47.33 feet to a point located on the Northern right-of-way of Poor House Road (PA Route 441);

THENCE along the Northern right of way of Poor House Road (PA Route 441) (Dedicated right of way December 7, 1993) the following courses and distances:

1. North 81 degrees 54 minutes 42 seconds West, 125.00 feet;

2. South 89 degrees 27 minutes 35 seconds West, 50.84 feet;

3. North 78 degrees 52 minutes 34 seconds West, 100.32 feet;

4. North 79 degrees 09 minutes 24 seconds West, 100.06 feet;

5. North 81 degrees 27 minutes 00 seconds West, 59.88 feet;

6. On a curve to the right, having a radius of 1067.82 feet, an arc length of 47.58 feet (a chord bearing and distance North 20 degrees 11 minutes 46 seconds West, 47.57 feet, having a delta of 02 degrees 30 minutes 27 seconds);

7. North 59 degrees 39 minutes 15 seconds West, 135.69 feet;

8. North 01 degrees 46 minutes 04 seconds West, 115.35 feet;

THENCE along the Eastern right of way line of Dauphin County Prison Road (Mail Road) (Dedicated 50.00 feet right of way, August 9, 1968) the following courses and distances:

1. North 51 degrees 22 minutes 33 seconds East, 637.82 feet;

2. On a curve to the left, having a radius of 425.00 feet, an arc length of 194.33 feet (a chord bearing and distance North 38 degrees 16 minutes 33 seconds East, 192.65 feet having a delta of 26 degrees 12 minutes 00 seconds);

3. North 26 degrees 10 minutes 34 seconds East, 481.44 feet to the point of beginning.

EXCEPTING all that certain tract of land as set forth on the Deed dated August 20, 2004 by and between Feldman Lubert Adler Harrisburg, LP and TeePort Partners, LP recorded in Book 6681, Page 268, more particularly bounded and described as follows;

ALL THAT CERTAIN tract of real estate situate in Swatara Township,

Dauphin County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the northerly Right of Way line of Harrisburg Street (SR 0441) (33 feet wide) at the intersection with the westerly Right of Way line of Friendship Road (50 feet wide);

THENCE along the northerly Legal Right of Way Line of Harrisburg Street, the following seven (7) courses and distances:

North 41 degrees 33 minutes 40 seconds West, a distance of 18.10 feet to a point; North 40 degrees 41 minutes 33 seconds West, a distance of 81.10 feet to a point;

by a curve to the left having a radius of 2450.48 feet, an arc length of 120.38 feet, the chord of which is North 42 degrees 28 minutes 17 seconds West, a distance of 120.37 feet to a point;

by a curve to the left having a radius of 657.74 feet, an arc length of 52.44 feet, the chord of which is North 52 degrees 16 minutes 38 seconds West, a distance of 101.75 feet to a point;

by a curve to the left, having a radius of 405.35 feet, an arc length of 71.89 feet, the chord of which is North 54 degrees 08 minutes 09 seconds West, a distance of 53.20 feet to a point;

by a curve to the left, having a radius of 1018.50 feet, an arc length of 71.89 feet, the chord of which is North 89 degrees 55 minutes 27 seconds West, a distance of 71.88 feet to a point; by a curve to the left, having a radius of 616.50 feet, an arc length of 28.12 feet to a point;

THENCE along the land now or formerly of Feldman Lubert Adler Harrisburg, LP the following six (6) courses and distances:

North 14 degrees 14 minutes 05 seconds East, a distance of 14.22 feet to a point;

South 71 degrees 57 minutes, 03 seconds East a distance of 83.97 feet to a point;

South 68 degrees 22 minutes 41 seconds East, a distance of 133.06 feet to a point;

South 58 degrees 50 minutes 45 seconds East, a distance of 155.62 feet to a point;

South 41 degrees 33 minutes 40 seconds East, a distance of 178.21 feet to a point;

North 89 degrees 03 minutes 39 seconds East, a distance of 39.52 feet to a point in the westerly line of Friendship Road;

THENCE along the westerly line of Friendship Road, South 47 degrees 12 minutes 07 seconds West, a distance of 63.01 feet to a point, the place of BEGINNING.

CONTAINING 15,254 square feet of land (0.350 acres)

FURTHER EXCEPTING all that certain tract of land as set forth on

the Deed dated August 20, 2004 by and between Feldman Lubert Adler Harrisburg, LP and TeePort Partners, LP recorded in Book 6681, Page 264, more particularly bounded and described as follows:

ALL THAT CERTAIN tract of real estate situate in Swatara Township, Dauphin County, Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the southerly Legal Right of Way Line of Paxton Street (SR 3010) said point being located 249.26 feet measured along the southerly Legal Right of Way Line of Paxton Street from the centerline of Friendship Road;

THENCE along the lands now or formerly of TeePort Partners, LP, South 42 degrees 10 minutes 49 seconds West, a distance of 61.89 feet to a point;

THENCE along the lands now or formerly of Feldman Lubert Adler Harrisburg LP the following five (5) courses and distances:

North 89 degrees 38 minutes 54 seconds West a distance of 38.02 feet to a point;

North 81 degrees 59 minutes 05 seconds West, a distance of 109.87 feet to a point;

North 86 degrees 30 minutes 07 seconds West, a distance of 126.10 feet to a point;

South 88 degrees 51 minutes 32 seconds West a distance of 237.08 feet to a point;

North 03 degrees 10 minutes 38 seconds West a distance of 13.27 feet to a point in the Southerly Legal Right of Way line of Paxton Street;

THENCE along the southerly Legal Right of Way Line of Paxton Street the following four (4) courses and distances:

By a curve to the left, having a radius of 1939.92 feet, an arc length of 84.53 feet, the chord of which is South 80 degrees 32 minutes 18 seconds East, a distance of 34.53 feet to a point;

North 89 degrees 57 minutes 12 seconds East, a distance of 486.07 feet to a point;

North 00 degrees 02 minutes 48 seconds West, a distance of 14.00 feet to a point;

North 89 degrees 57 minutes 12 seconds East, a distance of 49.44 feet to a point, the place of BEGINNING.

CONTAINING 6,999 square feet of land (0.203 acres).

PARCEL NO. 63-024-055. Known and numbered as 3501 Paxton Street, Swatara Township, Harrisburg, PA.

Sold and sold as the property of Feldman Lubert Adler Harrisburg LP a Pennsylvania limited partnership, under judgment number 3966-CV-2009.

DAUPHIN COUNTY PROPERTY IDENTIFICATION NO. 63-027-293-000-0000
WITH AN ADDRESS OF PAXTON STREET L1

ALL that certain tract or parcel of land situate in the Township of Swatara, County of Dauphin, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point on the southern dedicated right-of-way line of Paxton Street (SR2010) and the western right-of-way line of Friendship Road; THENCE, along western right-of-way line of Friendship Road, South 09 degrees 22 minutes 15 seconds West, for a distance of 116.1 feet to a point; thence, along the same, along an arc of a curve, curving to the right, having a radius of 110.00 feet, an arc length of 90.73 feet to a point; thence, along the same, South 56 degrees 37 minutes 53 seconds West, for a distance of 194.38 feet to a concrete monument; thence, leaving the western right-of-way line of Friendship Road and along lands now or formerly of Compass Group, USA, Inc., North 33 degrees 22 minutes 07 seconds West, for a distance of 299.27 feet to a point, said point being along the property line of lands now or formerly of EQK. Realty Investors; thence along lands of EQK Realty Investors, North 51 degrees 37 minutes 56 seconds East, for a distance of 183.7 feet to a point, said point being along the southern dedicated right-of-way line of Paxton Street (SR2010); thence, along the southern dedicated right-of-way line of Paxton Street (SR2010), the following four (4) courses and distances: 1) South 80 degrees 28 minutes 16 seconds East, for a distance of 32.00 feet to a point; 2) North 10 degrees 28 minutes 13 seconds East, for a distance of 10.00 feet to a point; 3) South 80 degrees 49 minutes 11 seconds East, for a distance of 210.94 feet to a point; and 4) South 17 degrees, 56 minutes, 28 seconds East, for a distance of 40.53 feet to a point, the POINT OF BEGINNING.

CONTAINING 2.1 acres of land.

SUBJECT to a 30' storm sewer easement along the southwestern property line.

BEING Lot 1 of the "Revised Final Subdivision Plan for Tecport", as recorded on September 18, 2002, Plan Book I, Volume 8, Page 40, of Dauphin County Records, excluding the Paxton Street dedicated right-of-way, as recorded in Deed Book 5661, Page 271 of Dauphin County Records.

BEING as to part the same premises which became vested in Tecport Partners, L.P. by virtue of Deed dated June 27, 2001 and recorded June 29, 2001 in Dauphin County Record Book 4019 page 594.

Being Tax Parcel Number 63-027-293.

DAUPHIN COUNTY PROPERTY IDENTIFICATION NO. 63-024-057-000-0000
WITH AN ADDRESS OF 421 FRIENDSHIP ROAD

ALL THAT CERTAIN piece or parcel of land situate in the Township of Swatara, County of Dauphin and Commonwealth of Pennsylvania, more particularly bounded and described in

accordance with a survey made by Reed Engineering, Inc., dated September 10, 1987, Drawing #S-887-122, as follows, to wit:

BEGINNING at a concrete monument at the southwest corner of Lot #1, which monument is 30.00 feet from the centerline of Friendship Road, and 1,102.80 feet from the intersection of Penna. Route #441; thence along lands now or formerly of AMP, Inc., North 42 degrees 15 minutes 24 seconds West 265.97 feet to a concrete monument on the line of lands now or formerly of EQK Realty Investors I: thence along aforesaid lands, North 42 degrees 44 minutes 39 seconds East, 382.24 feet to a drill hole in concrete base of sanitary manhole at a corner of AMP, Inc.; thence along aforesaid lands, South 42 degrees 15 minutes 24 seconds East, 299.27 feet to a concrete monument on the northwestern right of way line of Friendship Road (60.00 feet); thence along aforesaid right of way line, South 47 degrees 44 minutes 36 seconds West, 380.78 feet to a concrete monument, the place of BEGINNING.

BEING Lot #1 of the Preliminary-Final Subdivision for Servomation Corporation, dated April 5, 1984, and recorded in Dauphin County Recorder of Deeds in Plan Book V-3, page 13.

DAUPHIN COUNTY PROPERTY IDENTIFICATION NO. 63-024-056-000-0000
WITH AN ADDRESS OF 441 FRIENDSHIP ROAD

ALL THAT CERTAIN tract of land situate in Swatara Township, Dauphin County, Pennsylvania, as more particularly described as follows, to wit:

BEGINNING at a point on the northerly right-of-way line of Friendship Road (60 feet wide) at the dividing line between lands described herein and lands now or formerly of Compass Group USA, Inc. (Deed Book 2717, Page 36); thence along lands now or formerly of Compass Group USA North thirty-three degrees twenty-two minutes seven seconds West (N33°22'07"W) a distance of two hundred sixty-five and ninety-six hundredths (265.96) feet to a concrete monument at line of lands now or formerly of EQK Realty Investors (Deed Book 591, Page 170); thence along said lands now or formerly of EQK Realty the following two (2) courses and distances: (1) South fifty-one degrees thirty-seven minutes fifty-six seconds West (S51°37'56"W) a distance of three hundred ninety-three and fifty-five hundredths (393.55) feet to a point; and (2) South thirty-three degrees twenty-two minutes seven seconds East (S33°22'07"E) a distance of two hundred thirty-one and sixty-seven hundredths (231.67) feet to an iron pin on the proposed northerly right-of-way line of Friendship Road; thence along said proposed right-of-way line North fifty-six degrees thirty-seven minutes fifty-three seconds East (N56°37'53"E) a distance of three hundred ninety-two and five hundredths (392.05) feet to a point at line of lands of Compass Group USA, the place of BEGINNING.

BEING proposed Lot 1 on Preliminary/Final Subdivision Plan of Lot 3 for TYCO Electronics Corporation recorded August 14, 2000 in Dauphin County Plan Book P, Volume 7, Page 68.

HAVING thereon erected a two story steel and masonry office building known and numbered as 441 Friendship Road.

CONTAINING 97,547.29 square feet or 2.23 acres, more or less.

BEING part of the same premises which AMP INCORPORATED, a New Jersey corporation, by its deed dated September 20, 2000 and recorded September 22, 2000 in the Office of the Recorder of Deeds in and for Dauphin County in Record Book 3771, Page 534 granted and conveyed unto H&S Investment Company, a Pennsylvania general partnership, Grantor herein. The subject property is set forth as Tract I on the deed recorded in Record Book 3771, Page 534.