

No. 2016-140

AN ACT

HB 1968

Authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to the Bradford House Historical Association certain lands situate in the City of Washington, Washington County; and to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in South Strabane Township, Washington County; authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Salvation Army, or its successors or assigns, certain lands, buildings and improvements situate in the Borough of East Stroudsburg, Monroe County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to ACMIII, LP, certain lands of the Commonwealth of Pennsylvania situate in Derry Township, Westmoreland County; authorizing the Department of General Services, with the approval of the Pennsylvania State Police and the Governor, to grant and convey to Jefferson County certain lands situate in Young Township, Jefferson County; and authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to the Southern Lancaster County Historical Society certain lands situate in Fulton Township, Lancaster County.

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

Section 1. Conveyance in City of Washington, Washington County.

(a) Authorization.—The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized on behalf of the Commonwealth to grant and convey to the Bradford House Historical Association certain lands and any improvements thereon described under subsection (b), the property being known locally as the historic David Bradford House, situate in the City of Washington, Washington County, for \$1.

(b) Property description.—The property to be conveyed under this section consists of two parcels of land containing 0.29 acres, including any improvements located thereon, situate in the First Ward of the City of Washington, Washington County, more particularly described as follows:

Parcel No. 710-002-00-02-0013-00

ALL THAT CERTAIN lot or parcel of land situate in the First Ward of the City of Washington, Washington County, Pennsylvania, and shown upon a plan entitled Survey of Bradford House Property, prepared by Engelhardt-Power & Associates, Inc., Washington, Pennsylvania, Drawing No. C-2711, dated August 1999; bounded and described as follows:

BEGINNING at a point on South Main Street on the line dividing the property herein conveyed and property N/F Kenneth R. and Sandra K.

Dyson; thence along the Western line of South Main Street, South $11^{\circ} 38'$ East a distance of 18.36 feet to a point on the line dividing the lot hereby conveyed and property of the Commonwealth of Pennsylvania; thence along the line of said land South $78^{\circ} 22'$ West a distance of 100 feet to a point marked by a railroad spike; thence continuing along said land North $11^{\circ} 38'$ West a distance of 5 feet to an iron pipe; thence continuing along said land, South $78^{\circ} 22'$ West a distance of 142 feet to a point on line dividing the property hereby conveyed and lot N/F of John T. and Rose Luongo; thence along the line of the lot of the said John T. and Rose Luongo North $11^{\circ} 38'$ West a distance of 13.36 feet to a point on line dividing the lot hereby conveyed and property N/F Kenneth R. and Sandra K. Dyson; thence by the line of said property North $78^{\circ} 22'$ East a distance of 242 feet to a point on South Main Street, the place of BEGINNING.

CONTAINING 0.08 acres.

BEING the same piece or parcel of land conveyed to the General State Authority from Coen Oil Company by deed dated April 3, 1963 and recorded April 5, 1963 in the Office of the Recorder of Deeds of Washington County, Pennsylvania, in Deed Book 1149, Page 289. The Department of General Services is the successor to the General State Authority pursuant to Act 45 of 1975.

TOGETHER with easements and rights of way fully set forth in the deed to the Commonwealth of Pennsylvania, of record, recited in Deed Book 1149, Page 289, and which are as follows:

The free and uninterrupted use, liberty and privilege of, and passage in, along, over and upon a certain alley or passageway of the width of ten feet, extending from Strawberry Alley to the line of lot formerly owned by Charles W. McWreath, and being the same easement or right of way granted and conveyed to Gennie E. Wilson (predecessor in title of the said Charlotta W. Wilson), by Rachel M. Henderson, by deed dated April 11, 1895 and recorded in said Recorder's Office in Deed Book 200, at Page 68.

The free and uninterrupted use, liberty and privilege of, and passage in, along and over, a strip of ground fifteen feet in width at the Western end of the lot of ground lying to the North of the premises herein conveyed, N/F owned by First Federal Savings and Loan Association of Washington, which said fifteen foot strip of ground extends from the Northern line of the Western end of the lot herein conveyed, to the Northern line of said lot N/F owned by First Federal Savings & Loan Association, where the Northern line of the N/F First Federal Savings & Loan Association's lot adjoins a private alley leading from Strawberry Alley to the lot of said First Federal Savings & Loan Association; together with free ingress, egress and regress to and for George F. Brink and Jay R. Brink, his wife, their heirs and assigns, their tenants and under-tenants, lessees, occupiers or possessors of the lot hereinabove conveyed, at all times and seasons forever hereafter, into, along, over and out of the said fifteen foot strip of ground, in common with the said First Federal Savings & Loan Association of Washington, its successors and assigns, its tenants or occupiers. The right of way or passage in and over the premises last above described is the same granted and conveyed to the said Charlotta W. Wilson by Gennie E. Wilson, widow, by deed dated April 24, 1936 and recorded in said Recorder's Office in Deed Book 603, at Page 610.

The premises above described are subject to all the exceptions, reservations, restrictions, covenants, conditions and limitations set forth and contained in an Article of Agreement entered into between First Federal Savings & Loan Association of Washington and Charlotta W. Wilson, dated April 1, 1946, in Deed Book 711, Page 595.

The property mentioned in above easements and rights of way as being the property of First Federal Savings and Loan Association is N/F owned by Charles W. McWreath by deed from First Federal Savings and Loan Association dated August 10, 1946, and recorded in Deed Book 706, Page 348.

Parcel No. 710-002-00-02-0014-00

ALL THAT CERTAIN lot or parcel of land situate in the First Ward of the City of Washington, Washington County, Pennsylvania, and shown upon a plan entitled Survey of Bradford House Property, prepared by Engelhardt-Power & Associates, Inc., Drawing No. C-2711, dated August 1999; bounded and described as follows:

BEGINNING at a point on South Main Street, on the line dividing the property hereby conveyed and property of the Commonwealth of Pennsylvania; thence along said South Main Street South $11^{\circ} 38'$ East, 35.0 feet to a point; thence South $78^{\circ} 22'$ West, 242 feet to an existing railroad spike set; thence North $11^{\circ} 38'$ West 40 feet to a point on the line dividing the lot hereby conveyed and property of the Commonwealth of Pennsylvania; thence along the same North $78^{\circ} 22'$ East 142.0 feet to a point; thence by the same South $11^{\circ} 38'$ East 5.0 feet to a point; thence by same North $78^{\circ} 22'$ East 100 feet to a point on South Main Street the place of BEGINNING.

CONTAINING 0.21 acres.

BEING the same piece or parcel of land conveyed by Charles W. McWreath and Laurabelle McWreath, husband and wife, to the Commonwealth of Pennsylvania by deed dated August 17, 1959 and recorded in the Office of the Recorder of Deeds of Washington County, Pennsylvania, in Deed Book 1055, Page 252.

TOGETHER with the free and uninterrupted right of way into, upon, over, along and through an alley or passageway on the south side of the premises above described, which said right of way was originally created under an Agreement of Sale for a lot adjoining the premises above described, entered into between Hugh Wilson, (predecessor in title of the said Anne Finn Sutter), and Alexander Sweeney, dated June 30, 1826, and of record in said Recorder's Office in Deed Book P, Volume 2, Page 373. The said agreement provided that the alley on the north side of the lot therein referred to "and between it and Blaine's lot", (the latter being the lot above described), was "to remain as it is for the use and benefit of the adjoining lots forever". The said Hugh Wilson having died without carrying out the terms of said written agreement, the Executors of the said Hugh Wilson presented a petition to the Court of Common Pleas of Washington County, asking for leave to prove said contract and for leave to execute a deed to the said Alexander Sweeney, conveying the property mentioned in said contract. On

December 26, 1832, the Court, after considering said petition, ordered and decreed that Isaac Leet, John K. Wilson and John Marshel, Executors of said Hugh Wilson, should make and execute a deed to the said Alexander Sweeney for the premises described in said contract. The said Executors, pursuant to said Order and Decree, on the 31st day of December, 1832, executed and delivered a deed conveying said premises to said Alexander Sweeney, which deed is recorded in Deed Book Q, Volume 2, Page 85, and in said deed it was provided that the "alley" on the north side of the lot thereby conveyed "and between it and Blaine's lot", (the premises above described and conveyed), should remain as it then was for the use and benefit of the adjoining lots forever.

(c) Requirement for conveyance.—The conveyance under this section shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Condition.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined under 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee and its successors. Should the grantee or its successors permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revert in the grantor.

(e) Restrictive covenants.—The following restrictive covenants shall be included in the deed of conveyance:

Declaration of Restrictive Covenants for Historic Preservation
David Bradford House
City of Washington, Washington County, Pennsylvania

(1) Covenants. In consideration of the conveyance of the aforementioned real property, Grantee covenants and agrees for itself, its heirs, administrators, successors, and assigns that the said herein conveyed property shall be subject to the following historic preservation restrictions, and shall do or refrain from doing with respect to the subject property all acts required or prohibited by the following preservation restrictions:

(A) Maintenance and Preservation. The David Bradford House shall be maintained and preserved as a historic site accessible by the public and for a demonstrable public benefit with maintenance and preservation standards acceptable to the Pennsylvania Historical and Museum Commission.

(B) Historic Structures. The David Bradford House, historic structures and buildings that comprise the property shall be

maintained and preserved in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

(C) Landscape. The landscape of the David Bradford House shall be preserved in a manner consistent with the historic characteristics of the subject property and shall not be used in any manner that would impair or interfere with the historic interpretation of the subject property.

(D) Prohibited Uses. No construction, alteration, rehabilitation, remodeling, demolition, site development, ground disturbance, removal of buildings, addition of buildings, or use inconsistent with this covenant, or any other action, shall be undertaken or permitted to the subject property without the prior written approval of the Pennsylvania Historical and Museum Commission.

(E) Alterations/Modifications/Repairs. With the prior written approval of the Pennsylvania Historical and Museum Commission, alterations, modifications, repairs or other work may be permitted to the subject property, provided:

(I) Notice. Timely notice shall be afforded to the Commission in advance of any such requested work on the subject property.

(II) Time. The Commission shall have 45 days from the date of receipt of such notice to review and approve the requested work in writing. Consent shall be implied if the Commission does not issue a written response approving the request.

(F) Archeology and Other Ground Disturbing Activities. Mining, excavating, dredging or removing from the subject property any natural resource which removal would alter the historic value of the property is prohibited without the prior written approval of the Commission. Archeological investigation may be required by the Commission for any ground disturbing work and Grantee shall bear full financial responsibility for any such work. The following shall apply:

(I) Archeological discoveries. In the event archeological materials are discovered during any ground disturbing activities, work shall temporarily cease and the Commission shall be consulted for guidance and direction before ground disturbing work may continue.

(II) Standards for Archeology. Any archeological work conducted on the subject property shall be performed in accordance with the Secretary of the Interior's Standards and Guidelines for Archeological Documentation and any further standards and guidelines the Commission may require.

(2) Inspection and Compliance. The Commonwealth of Pennsylvania, by and through the Pennsylvania Historical and Museum Commission, reserves the right to enforce these preservation restrictions and shall, at all reasonable times and upon reasonable notice, have access to the subject property for

purposes of inspection and compliance with these historic preservation restrictions.

(3) Right of Reverter. The Commonwealth of Pennsylvania, by and through the Pennsylvania Historical and Museum Commission, hereby reserves for itself, heirs, successors and assigns, a right of reverter on the David Bradford House, which shall revert to and reinvest in the Commonwealth by operation of law should any sale, transfer, or use of the David Bradford House be inconsistent with or in violation of the restrictions contained herein. The Commission may waive this provision provided Grantee petitions the Commission, in writing, for such waiver.

(4) Exclusion. The Grantee agrees that the Commonwealth of Pennsylvania, by and through any of its agencies, in no way assumes any obligation whatsoever for maintaining, repairing, or administering the subject property covered by these restrictive covenants for historic preservation.

(5) Duration. These restrictive covenants for historic preservation shall be binding in perpetuity on Grantee, its heirs, administrators, successors, and assigns and shall be applicable to both the land and buildings and shall be deemed to run with the land.

(f) Execution of deed.—The deed of conveyance shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(g) Costs and fees.—Costs and fees incidental to the conveyance authorized under this section shall be borne by the grantee.

(h) Expiration.—If the conveyance authorized under this section is not effectuated within one year of the effective date of this section, the authority provided under this section shall expire.

Section 2. Conveyance in South Strabane Township, Washington County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey, at a price to be determined through a competitive bidding process, the tract of land together with any buildings, structures or improvements thereon described in subsection (b), situate in South Strabane Township, Washington County.

(b) Property description.—The property to be conveyed under this section consists of a tract of land totaling approximately 3.0-acres, including any and all improvements located thereon, more particularly described as follows:

ALL THAT CERTAIN piece or parcel of land located in South Strabane Township, Washington County, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the center line of Murtland Avenue, 9.64 feet, Southwardly, from the present corner of property of the Commonwealth of Pennsylvania, and also in the line of its Western boundary line; thence crossing a part of Murtland Avenue and by the property of the Commonwealth, North 0°19'44" West, for a distance of 509.64 feet, to a concrete monument; thence by property of the parties of the first part, the following courses and distances, South 84°16'30" West for a distance of 100.00 feet to a point; thence North 87°14' West for a distance of 120.56 feet

to a point; thence North 84°38' West for a distance of 36.56 feet to a point; thence South 0°19'44" East for a distance of 509.64 feet to the center line of Murtland Avenue; thence by the same, using chords instead of arcs of a circle, South 84°36' East for a distance of 56.68 feet; thence South 67°14' East for a distance of 120.56 feet; thence North 84°16'30" East for a distance of 100.00 feet, to the place of BEGINNING.

CONTAINING 3.00 Acres, according to a survey made by H. H. Streator, engineer, in January, 1946.

(c) Easements.—The conveyance under this section shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Execution of deed.—The deed of conveyance shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(e) Deposit of proceeds.—The proceeds from the sale shall be deposited in the General Fund.

Section 3. Conveyance in East Stroudsburg Borough, Monroe County.

(a) Authorization.—The Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Salvation Army, or its successors or assigns, the following tract of land together with any buildings, structures or improvements thereon, situate in the Borough of East Stroudsburg, Monroe County, for \$75,000, and under terms and conditions to be established in an Agreement of Sale with the Department of General Services.

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of approximately 0.60-acres of land and improvements located thereon, bounded and more particularly described as follows:

ALL THAT CERTAIN lot or piece of land with improvements thereon erected, situate in the Borough of East Stroudsburg, County of Monroe and Commonwealth of Pennsylvania, bounded and described, as follows, to wit:

BEGINNING at an iron bolt in the southeasterly side of Washington Street, a corner of this and also of lands now or late of William A. Gilbert Company, thence extending along the southeasterly side of Washington Street, with bearings from the Magnetic Meridian of 1902, north thirty-four degrees fifteen minutes east, one hundred and eleven feet to a corner of lands now or formerly of Edith Brockley, thence by the said land crossing the head of a certain alley fifteen feet wide, (which head line of said alley is fifteen and forty-seven one-hundredths feet) and extending along other land of Luther S. Hoffmann and others of which this was part, two hundred and twenty-seven and fifty-seven one-hundredths feet to a point, thence by other land of Luther S. Hoffmann, south twenty-seven degrees thirty-five minutes east forty-two and three-tenths feet to a corner of concrete wall in the northwesterly side of East Brown or Brown Street, thence south sixty-two

degrees fifteen minutes west along the said side of East Brown or Brown Street one hundred and two and five-tenths feet to an iron bolt a corner of this and land now or late of William A. Gilbert Company, thence along the same north fifty-five degrees forty minutes west two hundred and fifteen and one-tenth feet to the place of BEGINNING.

Containing 0.60 acres, more or less.

BEING Parcel ID No. 05730120719604.

BEING the same premises conveyed from Monroe Armory Association, to the Commonwealth of Pennsylvania, by deed dated October 11, 1922 and recorded in the Monroe County Recorder of Deeds Office in Deed Book Volume 88, Page 2.

(c) Requirement for conveyance.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Condition.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this act to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Discretion of Secretary of General Services.—The Secretary of the Department of General Services shall have the authority to impose any covenants, conditions and restrictions as deemed in the best interests of the Commonwealth.

(f) Deed.—The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(g) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the grantee.

(h) Deposit of proceeds.—The proceeds from the sale shall be deposited in the State Treasury Armory Fund.

(i) Alternate disposition.—In the event that this conveyance is not executed per the terms and conditions as established in the Agreement of Sale, with the Department of General Services, the property may be disposed of by competitive bid.

Section 4. Conveyance in Derry Township, Westmoreland County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to ACMIII, LP, certain lands, and any improvements located thereon, situate in Derry Township, Westmoreland County, for \$36,000 and under terms and conditions to be

established in an Agreement of Sale with the Department of General Services.

(b) Property description.—The property to be conveyed pursuant to this section consists of a tract of land totaling 11.40 acres more or less, and any improvements thereon, bounded and more particularly described as follows:

ALL THAT CERTAIN LOT OR PIECE OF LAND situate in Derry Township, County of Westmoreland, described as follows, to wit:

BEGINNING at a point in Torrance Road where said point is at the intersection of Parcel 3 and Parcel 4 of the lands of N/F ACM III LP, thence from said point of beginning, South 18 degrees 35 minutes 13 seconds West, a distance of 1632.45 feet to a point being the most northerly point of said parcel being the true place of beginning, thence from said point and through lands of ACM III LP Parcel 3, South 44 degrees 44 minutes 12 seconds East, a distance of 554.39 feet to an iron pin, thence by same, South 31 degrees 54 minutes 59 seconds West, a distance of 815.16 feet to an iron pin, thence by same, North 51 degrees 06 minutes 59 seconds West, a distance of 635.61 feet to an iron pin, thence by same, North 37 degrees 56 minutes 51 seconds East, a distance of 870.86 feet to an iron pin being the place of beginning.

CONTAINING: 11.40-acres more or less.

BEING Tax Parcel No. 45-18-00-0-074.

ALSO BEING the same premises conveyed by H. C. Frick Co. to the Commonwealth of Pennsylvania by deed, dated July 27, 1920, and recorded in the Recorder of Deeds Office of the County of Westmoreland in Deed Book 704, Page 343.

(c) Easements.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Prohibited use.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Deed.—The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Costs.—Costs and fees incidental to this conveyance shall be borne by the grantee.

(g) Alternate disposition.—In the event that the Department of General Services and the grantee cannot reach a mutually acceptable agreement of sale within one year from the effective date of this section, the property may

be disposed of in accordance with section 2405-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(h) Deposit of proceeds.—Proceeds from the sale shall be deposited into the General Fund.

Section 5. Conveyance in Young Township, Jefferson County.

(a) Authorization.—The Department of General Services, with the approval of the Pennsylvania State Police and the Governor, is hereby authorized on behalf of the Commonwealth to grant and convey to Jefferson County certain lands and any improvements located thereon, situate in Young Township, Jefferson County, for \$24,000.

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of approximately 3.74 acres of land, and any improvements thereon, bounded and more particularly described as follows:

ALL THAT CERTAIN tract or lot of land situate in the Township of Young, County of Jefferson and Commonwealth of Pennsylvania, bounded and described according to a survey thereof made by Walter J. Zimmerman, Surveyor, Punxsutawney, Pennsylvania, dated September 1946, as follows, to wit:

BEGINNING at an iron pin in the line of land now or formerly of the J. Long Estate; said pin being located South eighty-nine degrees, thirty minutes (80° 30') West, one hundred thirty-nine and five tenths feet (139.5') along said Long Estate line from a post at corner common to said land now or formerly of the J. Long Estate, land of Clyde and Lee Anthony and land now or formerly of Gust Beezer and along being located South eighty-nine degrees, thirty minutes (89° 30') West, sixteen feet (16') along said Long Estate line from the original corner common to H. Barry and L. B. Anthony; thence along a line parallel with and sixteen feet (16') Westwardly at right angles from the original H. Barry and L. B. Anthony line and crossing the public road known as Pennsylvania State Highway Route No. 078, South no degrees, thirty minutes (0° 30') East, five hundred forth-three (543') to an iron pin on line of land now or formerly of Blair Postlewait; thence along line of said land South eighty-nine degrees, thirty minutes (89° 30') West, three hundred feet (300') to an iron pin; thence by a line through the original tract of which the tract hereby described was a part North no degrees, thirty minutes (0° 30') West, five hundred forty-three feet (543') to an iron pin on line of land now or formerly of the J. Long Estate; thence along line of said land re crossing the public road, North eighty-nine degrees, thirty minutes (89° 30') East, three hundred feet (300') to an iron pin at the place of BEGINNING.

CONTAINING approximately 3.74-acres of land.

BEING the same premises acquired by the Commonwealth of Pennsylvania from Bell Telephone Company of Pennsylvania by deed, dated May 14, 1962, and recorded with the Recorder of Deeds for the County of Jefferson at Deed Book 357, Page 24.

(c) Easements.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons

appearing of record, for any portion of the land or improvements erected thereon.

(d) Deed.—The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(e) Costs.—Costs and fees incidental to this conveyance shall be borne by the grantee.

(f) Alternative disposition.—In the event that this conveyance is not completed within one year of the effective date of this act, the authority contained herein shall expire.

Section 6. Conveyance in Fulton Township, Lancaster County.

(a) Authorization.—The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Southern Lancaster County Historical Society certain lands and any improvements thereon described in subsection (b), the property being known locally as the historic Robert Fulton Birthplace situate in Fulton Township, Lancaster County, for \$1.

(b) Property description.—The property to be conveyed under subsection (a) consists of 60.357 acres and any improvements located thereon, more particularly described as follows:

ALL THAT CERTAIN parcel of land comprised of various tracts of land better known as the Robert Fulton Birthplace property, situated in the Township of Fulton, Lancaster County, Pennsylvania as depicted on a plat titled Robert Fulton Birthplace Boundary Survey, Commonwealth of Pennsylvania, prepared by Brehm-Lebo Engineering, Inc., Carlisle, Pennsylvania, dated June 24, 2015 bounded and described as follows:

BEGINNING at a set mag nail in the Robert Fulton Highway (SR-0222) at the lands of Daniel L. and Fannie K. Miller and at the southeast corner of lands of the Solanco School District, thence along the lands of Miller and running in SR-0222 South 22° 49' 11" West 129.04' to a set mag nail; thence continuing along the same and leaving SR-0222 South 10° 24' 00" East 51.59' to an existing iron pin; thence along the same North 73° 07' 50" East 35.68' to an iron pin set; thence along the same South 16° 43' 10" East 244.91' to an iron pin set; thence along the same South 64° 34' 12" West 64.62' to an iron pin set; thence along the same South 10° 24' 00" East 323.46' to an iron pin set; thence along the same and the lands of George H. and Veronica E. Snyder and the lands of James N. and Sandra L. Sensenig South 41° 52' 28" East 1600.70' to an existing railroad spike in the center of Fulton Inn Road (T-339); thence running in and through Fulton Inn Road (T-339) South 78° 12' 57" West 674.27' to an existing railroad spike; thence leaving Fulton Inn Road (T-339) and along lands of unknown ownership North 23° 17' 34" East 34.71' to an iron pin set; then continuing along the latter and the lands of Elam K. and Lavina Miller and crossing the Robert Fulton Highway (SR-0222) North 61° 03' 39" West 1033.00 to an iron pin set; thence continuing along the latter North 61° 23' 22" West 1056.56' to an existing hickory snag at the corner of the lands of Christ E. and Sadie E. Stoltzfus; thence along the lands of Stoltzfus North 11° 57' 33" East 561.00' to a point in an unnamed stream; thence continuing along the latter North

18° 57' 33" East 681.45' to an iron pin set on the southern edge of Swift Road (T-468); thence continuing along the latter in and along Swift Road South 58° 32' 27" East 232.65' to a set mag nail; thence continuing along the latter and leaving Swift Road North 15° 05' 15" East 195.32' to an iron pin set at the southwest corner of lands of the Solanco School District; thence along the latter South 73° 13' 05" East 792.33' to a set mag nail in the Robert Fulton Highway (SR-0222), the place of BEGINNING.

CONTAINING 60.357 acres or 2629130 SF.

BEING Parcel Nos. 280-22818-0-0000 & 280-02561-0-0000

BEING the same piece of parcel of land acquired by the Commonwealth of Pennsylvania (DGS), from Donald Miller Goss and Maria A. Goss, husband and wife, by deed dated March 1, 1982, recorded April 6, 1982 in Record Book I, Volume 84, Page 329 in the Office of the Recorder of Deeds of Lancaster County.

ALSO BEING the same piece or parcel acquired by the Commonwealth of Pennsylvania (PHMC), from Fulton Township, by deed dated February 6, 1979, recorded July 10, 1979 in Record Book Volume Q, Volume 77, Page 357 in the Office of the Recorder of Deeds of Lancaster County.

ALSO BEING the same piece or parcel of land acquired by the General State Authority, from the Commonwealth of Pennsylvania, Department of Property and Supplies, by deed dated November 12, 1968, recorded December 5, 1968, in the Office of the Recorder of Deeds of Lancaster County in Record Book L, Volume 58, Page 587.

The Department of General Services is the successor to the Department of Property and Supplies and the General State Authority pursuant to Act 45 of 1975. (Said tract being part of the premises acquired by Declaration of Takings recited below and recorded at Record Book X, Volume 54, Page 663 and Record Book X, Volume 54, Page 661.)

ALSO BEING the same piece or parcel of land acquired by the Commonwealth of Pennsylvania, pursuant to Declaration of Taking, filed in the Office of the Prothonotary of the Court of Common Pleas of Lancaster County on August 25, 1965, at No. 93 August Term 1965, with a notice of the Declaration of Taking recorded at the Office of the Recorder of Deeds of Lancaster County at Record Book X, Volume 54, Page 663.

ALSO BEING the same piece or parcel of land acquired by the Commonwealth of Pennsylvania, pursuant to Declaration of Taking, filed in the Office of the Prothonotary of the Court of Common Pleas of Lancaster County on August 25, 1965, at No. 94 August Term 1965, with a notice of the Declaration of Taking recorded at the Office of the Recorder of Deeds of Lancaster County at Record Book X, Volume 54, Page 661.

(c) Easements.—The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not limited to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Conditions.—Any conveyance authorized under this act shall be made under and subject to the condition, which shall be contained in the

deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under state law. The condition shall be a covenant running with the land and shall be binding upon the grantee and its successors. Should the grantee, or its successors, permit any portion of the property authorized to be conveyed in this act to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Restrictive covenants.—The following restrictive covenants shall be included in the deed of conveyance:

Declaration of Restrictive Covenants for Historic Preservation

Robert Fulton Birthplace

Fulton Township, Lancaster County, Pennsylvania

(1) In consideration of the conveyance of the aforementioned real property, Grantee covenants and agrees for itself, its heirs, administrators, successors, and assigns that the said herein conveyed property shall be subject to the following historic preservation restrictions, and shall do or refrain from doing with respect to the subject property all acts required or prohibited by the following preservation restrictions:

(i) The Robert Fulton Birthplace shall be maintained and preserved as a historic site accessible by the public and for a demonstrable public benefit with maintenance and preservation standards acceptable to the Pennsylvania Historical and Museum Commission.

(ii) The Robert Fulton Birthplace, historic structures and buildings that comprise the property, shall be maintained and preserved in accordance with the Secretary of the Interior's Standards for the Treatment of Historic properties.

(iii) The landscape of the Robert Fulton Birthplace shall be preserved in a manner consistent with the historic characteristics of the subject property and shall not be used in any manner that would impair or interfere with the historic interpretation of the subject property.

(iv) No construction, alteration, rehabilitation, remodeling, demolition, site development, ground disturbance, removal of buildings, addition of buildings, or use inconsistent with this covenant, or any other action, shall be undertaken or permitted to the subject property without the prior written approval of the Pennsylvania Historical and Museum Commission.

(v) Alterations/Modifications/Repairs. With the prior written approval of the Pennsylvania Historical and Museum Commission, alterations, modifications, repairs or other work may be permitted to the subject property, provided:

(A) Timely notice shall be afforded to the Commission in advance of any such requested work on the subject property.

(B) The Commission shall have 45 days from the date of receipt of such notice to review and approve the requested work in writing. Consent shall be implied if the Commission does not issue a written response approving the request.

(vi) Archeology and other Ground Disturbing Activities. Mining, excavating, dredging or removing from the subject property any natural resource which removal would alter the historic value of the property is prohibited without the prior written approval of the Commission. Archeological investigation may be required by the Commission for any ground disturbing work and Grantee shall bear full financial responsibility for any such work.

(A) In the event archeological materials are discovered during any ground disturbing activities, work shall temporarily cease and the Commission shall be consulted for guidance and direction before ground disturbing work may continue.

(B) Any archeological work conducted on the subject property shall be performed in accordance with the Secretary of the Interior's Standards and Guidelines for Archeological Documentation and any further standards and guidelines the Commission may require.

(2) The Commonwealth of Pennsylvania, by and through the Pennsylvania Historical and Museum Commission, reserves the right to enforce these preservation restrictions and shall, at all reasonable times and upon reasonable notice, have access to the subject property for purposes of inspection and compliance with these historic preservation restrictions.

(3) The Commonwealth of Pennsylvania, by and through the Pennsylvania Historical and Museum Commission, hereby reserves for itself, heirs, successors and assigns, a right of reverter on the Robert Fulton Birthplace, which shall revert to and reinvest in the Commonwealth by operation of law should any sale, transfer, or use of the Robert Fulton Birthplace be inconsistent with or in violation of the restrictions contained herein. The Commission may waive this provision provided Grantee petitions the Commission, in writing, for such waiver.

(4) The Grantee agrees that the Commonwealth of Pennsylvania, by and through any of its agencies, in no way assumes any obligation whatsoever for maintaining, repairing, or administering the subject property covered by these restrictive covenants for historic preservation.

(5) These restrictive covenants for historic preservation shall be binding in perpetuity on Grantee, its heirs, administrators, successors, and assigns and shall be applicable to both the land and buildings and shall be deemed to run with the land.

(f) Execution of deed.—The deed of conveyance shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(g) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the grantee. The conveyance under this act shall be exempt from the realty transfer tax established under Article XI-C of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

(h) Alternative disposition.—If the conveyance is not effectuated within one year of the effective date of this act, the authority under this act shall expire.

Section 7. Effective date.

This act shall take effect immediately.

APPROVED—The 3rd day of November, A.D. 2016

TOM WOLF