

No. 547

AN ACT

Authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey .623 acres, more or less, of land situate in the city of Erie, County of Erie.

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

Section 1. The Department of Property and Supplies, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to sell at public sale to the highest bidder the following described tract of land in the city of Erie, County of Erie and Commonwealth of Pennsylvania: Department of Property and Supplies, with approval of Governor authorized to sell certain land in Erie, Erie County.

Beginning at a point (iron pipe) in the northerly line of the property of the Organ Supply Corporation which point is distant from a point on the northerly side of East Second Street on a course N 65° 23' 40" west 83.92 feet, said point on the northerly side of East Second Street being further identified as being distant 101.1 feet westwardly from the point of intersection of the easterly line of Ash Street and the northerly line of East Second Street; thence N 65° 23' 40" west along the northerly line of land of the Organ Supply Corporation a distance of 127.6 feet to an iron pipe (a six foot long iron pipe set over the PSSH Monument foundation); thence N 30° 55' west along easterly line of land of the City of Erie a distance of 212.87 feet to an iron pipe; thence N 69° 46' east and along the southerly line of land of the Philadelphia & Erie R. R. Co. a distance of 129.9 feet to an iron pipe; thence S 20° 14' east a distance of 299.15 feet to an iron pipe at a point common to the land of the Organ Supply Co. and the Penna. Sailors & Soldiers Home, the place of beginning, containing 0.623 acres. Description.

The conveyance shall be made under and subject, nevertheless, to all easements, servitudes and rights of others, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipe line companies as well as under and subject, nevertheless, to any estate or tenancies vested in third persons, whether or not appearing of record, for any portion of the said land or improvements erected thereon. Conditions.

Section 2. The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania. Approval and execution of deed.

Disposition of proceeds.

Section 3. All moneys received from the sale of the land herein authorized to be conveyed shall be deposited in the General Fund.

Act effective immediately.

Section 4. This act shall take effect immediately.

APPROVED—The 19th day of November, A. D. 1959.

DAVID L. LAWRENCE

No. 548

AN ACT

Amending the act of June 13, 1836 (P. L. 551), entitled "An act relating to roads, highways and bridges," authorizing the Secretary of Highways to determine the maximum width of public highways.

Public highways.

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

Section 5, act of June 13, 1836, P. L. 551, amended September 29, 1951, P. L. 1635, further amended.

Section 1. Section 5, act of June 13, 1836 (P. L. 551), entitled "An act relating to roads, highways and bridges," amended September 29, 1951 (P. L. 1635), is amended to read:

Breadth of private road.

Width of public road.

Exception: Right of way for a public highway acquired solely by Federal government.

Further exception: Multiple lane highways.

Section 5. The breadth of a private road shall not in any case exceed twenty-five feet, and the width of a public road shall not be less than thirty-three feet [nor more than one hundred and twenty feet, except that whenever the right of way for a public highway has been acquired solely by the Federal government the maximum width thereof may be two hundred feet, and except in the instance of multiple lane highways, the maximum width shall be one hundred and twenty feet plus any additional footage that shall be necessary, in the judgment of the Secretary of Highways, for center or dividing strips between the multiple roadways: Provided, That the limits of width shall not be construed to include the width required for necessary slopes in cuts or fills, when the limits of the road and the extra width required for such slopes exceed the limits of width herein specified; but no appropriation of property as width required only for slopes shall be construed to prevent the owner from making any use of his property which is not inconsistent with the necessary support or protection of the highway; all viewers shall hereafter be required to take into consideration the qualified nature of the easement in proceedings to assess damages for the taking of land for highway purposes: And provided further] *and shall have such maximum width as shall be determined necessary in the judgment of the*

Proviso.

Further proviso.