

No. 131

AN ACT

SB 1338

Authorizing the Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, to convey 100 acres of land, more or less, situate in the Township of South Abington, Lackawanna County, Commonwealth of Pennsylvania, to the Township of Abington, the Borough of Clarks Green, the Borough of Clarks Summit, the Township of Glenburn, and the Township of South Abington, for a recreation site.

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

Section 1. The Department of Property and Supplies, with the approval of the Secretary of Public Welfare and the Governor, is hereby authorized to convey to the Townships of Abington, Glenburn, and South Abington, and the Boroughs of Clarks Green and Clarks Summit, as tenants in common, for a consideration of one dollar (\$1), all that certain land situate in Lackawanna County, Pennsylvania, bounded and described, as follows:

All that certain piece or parcel of land situate in the Township of South Abington, County of Lackawanna and State of Pennsylvania, bounded and described, as follows:

Beginning at the intersection of the center line of Township Road T-415 with the center line of Legislative Route No.365, Spur E; thence in a northeasterly direction along the center line of Legislative Route No.365, Spur E, a distance of 175 feet more or less to its intersection with the center line of Legislative Route No.365 (Traffic Route No.307); thence in a northeasterly direction along the center line of Legislative Route No.365 (Traffic Route No.307) a distance of 220 feet more or less to a corner; thence north 39 degrees 12 minutes west along line of other lands of the Commonwealth of Pennsylvania, Department of Public Welfare, a distance of 570 feet more or less to a corner of lands now or formerly of the estate of Helen S. Maness, Deceased; thence north 50 degrees 12 minutes east along line of lands of the estate of Helen S. Maness, Deceased, a distance of 1789.50 feet to a corner; thence south 38 degrees 52 minutes east along line of lands now or formerly of Fred Gabriel and others a distance of 1208.7 feet to a corner in the portion of Legislative Route No.365 known as Winola Road; thence on a chord of a curve bearing north 76 degrees 3 minutes east along said highway a distance of 533.5 feet to a corner; thence south 22 degrees 54 minutes east crossing Legislative Route No.671 known as the Morgan Highway a distance of 888.7 feet to a corner in line of lands now or formerly of the Country Club of Scranton; thence along line of lands of the Country Club of Scranton the following courses and distances: south 77 degrees 30 minutes west a distance of 931.0 feet; south 51 degrees 21 minutes

west a distance of 860.0 feet; and south 2 degrees 43 minutes west a distance of 695 feet more or less to a point in the center line of Township Road T-415; thence in a westerly direction along the center line of the Township Road T-415 a distance of 375 feet more or less to a corner; and thence in a northwesterly direction still along the center line of Township Road T-415 a distance of 1525 feet more or less to the place of beginning, containing 100.0 acres of land, be the same more or less excepting therefrom all that certain parcel of land bounded and described as follows:

Beginning at a concrete monument located on the northerly side of Pennsylvania State Highway Route 307 (Legislative Route 671), known as the Morgan Highway, and in line of lands of now or late John I. Lance; thence along the northerly side of said highway north 80 degrees 23 minutes west 130.2 feet to a point; thence still along the northerly side of the said highway south 84 degrees 50 minutes west 371 feet to a point in line of a wire fence; thence south 84 degrees 43 minutes west 199.10 feet to a point; thence along a curve to the right having a length of 72.40 feet and a radius of 25.0 feet to a point on the southerly right-of-way line of Pennsylvania State Highway Route 6 (Legislative Route 365); thence along said right-of-way line and along a curve to the right having a radius of 3789.83 feet and in a northerly direction for a distance of 191.84 feet to a point also in the southerly right-of-way line of Pennsylvania State Highway Route 6 (Legislative Route 365); thence along said right-of-way line the following courses and distances on a curve to the right (1) north 74 degrees 15 minutes east 100 feet to a point, (2) north 74 degrees 40 minutes east 100 feet to a point, (3) north 77 degrees 5 minutes east 100 feet to a point, (4) north 78 degrees 37 minutes east 100 feet to a point, (5) south 80 degrees 41 minutes east 72.85 feet to an iron pipe at the end of a stone wall and being 30 feet south of the center line of Pennsylvania Highway Route 6 (Legislative Route 365); thence along the center of said stone wall and lands of now or formerly of John I. Lance south 22 degrees 23 minutes east 178.3 feet to the place of beginning, containing 1.82 acres of land, more or less.

Now or formerly land of Leon Kircher.

Act 261, approved August 25, 1959, authorized sale of this tract to the forgoing.

Being a portion of the lands formerly of Scranton Poor District shown on Map of Survey by the Dunning Engineering Company, dated November, 1948, recorded in Lackawanna County in Map Book 7 at Page 25.

Section 2. The conveyance shall be to the above named grantees as tenants in common, and shall be consummated and recorded only after all of the named grantees, within a period of nine months after approval of this act, have entered into and adopted a jointly binding agreement, under the provisions of the act of July 12, 1972 (P.L.762, No.180)

entitled, "An act relating to intergovernmental cooperation," establishing a Joint Advisory Board and defining its authorities and functions, for the development, operation and maintenance of the one hundred (100) acre regional recreation area, under authority of an ordinance or resolution, as appropriate, for the development, maintenance, and operation of the regional recreation area, together with facilities.

Section 3. The undivided interest of each of the above named grantees in the tract of one hundred (100) acres of land, more or less, shall be the average, rounded of two decimal places, of (i) its percentage of the total population of all of the grantee municipalities, as certified by the United States Bureau of the Census for the year of 1970, rounded to three decimal places, and (ii) its percentage of the total assessed valuation of real estate for tax purposes as established by the Lackawanna County Board of Assessment Appeals for the year in which the conveyance is recorded, round to three decimal places, the undivided interests of the grantees, so determined, to be held by them as tenants in common, as aforesaid.

Section 4. The deed of conveyance shall contain a clause providing that the lands conveyed shall be used for recreation purposes by the grantees and if at any time the said grantees convey said property or if said property is used for any purpose other than recreation purposes, the title to the said property, with any improvements, shall immediately revert to the Commonwealth of Pennsylvania, subject to such limitations, terms and conditions as may be applicable to property obtained through funds supplied under Federal programs.

Section 5. The deed of conveyance shall contain a clause providing for reasonable use of all recreation facilities by patients at Clarks Summit State Hospital, now and in the future, subject only to limitations imposed jointly by the professional staff of Clarks Summit State Hospital and the Joint Advisory Board.

Section 6. 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.

Section 7. This act shall take effect immediately.

APPROVED—The 27th day of June, A. D. 1974.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly
No. 131.

A handwritten signature in black ink, reading "C. McLaren Tucker". The signature is written in a cursive, flowing style.

Secretary of the Commonwealth.