

No. 123

AN ACT

HB 1364

Authorizing the Department of General Services¹, with the approval of the Governor and the Chairman of the Delaware River Joint Toll Bridge Commission, to sell and convey to The Bell Telephone Company of Pennsylvania a tract of land located in the Borough of New Hope, Bucks County, Pennsylvania.

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

Section 1. The Department of General Services², with the approval of the Governor and the Chairman of the Delaware River Joint Toll Bridge Commission, is hereby authorized on behalf of the Commonwealth of Pennsylvania to convey to The Bell Telephone Company of Pennsylvania, for such consideration as an independent appraisal obtained through the Department of General Services³ and paid for by the grantee shall determine and the Attorney General shall approve.

All that certain tract of land, with the buildings thereon erected, situate in the Borough of New Hope, County of Bucks, Commonwealth of Pennsylvania, described according to a Plan of Survey thereof made by Edward B. Blumrick, Registered Land Surveyor, dated December 2, 1974, as follows to wit:

Beginning at a point, a marble monument, found, on the easterly edge of the tow path of the canal (formerly owned by the Lehigh Coal and Navigation Company and now owned by the Commonwealth of Pennsylvania), said point also being the northwesterly corner of lands now or late of Joseph L. Reading; thence along the easterly side of the tow path and a chain link fence, north 4 degrees, 30 minutes, 23 seconds west, a distance of 122.55 feet to a marble monument, found, being also the southwesterly corner of lands now or later of Walter Bair; thence along the same and the chain link fence and lands of the Borough of New Hope, north 89 degrees, 57 minutes, 46 seconds east, a distance of 197.67 feet to a marble monument, found, being also the northwesterly corner of lands now or later of David A. Guttentag; thence along the same and the chain link fence and lands now or late of Robert W. Hilton and Kenneth Gibson, south 7 degrees, 23 minutes, 34 seconds east, a distance of 123.26 feet to a marble monument, found, being also the northwesterly corner of lands now or late of Hampton Hayes and the northeasterly corner of a 30 foot wide right-of-way, first set off in deed

¹"Property and Supplies" in original.

²"Property and Supplies" in original.

³"Property and Supplies" in original.

of John C. Parry, et ux, to Joseph Lacey, May 31, 1853, said right-of-way leading to the herein described property from Fisher's Alley; thence still along the chain link fence, same also being along the northerly end of the said 30 foot right-of-way and adjoining other lands of The Bell Telephone Company of Pennsylvania and the aforesaid lands of Joseph L. Reading, south 89 degrees, 59 minutes west, a distance of 203.90 feet to the first mentioned point and place of beginning.

Containing 24,545 square feet of land, more or less. (0.563 acres)
County parcel number 27-6-92.

Together with the free and uninterrupted use of the aforesaid right-of-way or passage, 30 feet in width, extending over the aforesaid lands formerly of said John C. Parry and between the said Hayes' lands and the aforesaid other lands of The Bell Telephone Company of Pennsylvania; and

Together with the rights and privileges of the hereinafter referred to 12 foot wide road and any extension thereof over lands contiguous to the hereinbefore described premises, both to the south and to the north.

Being the same premises which Jane Fields, widow, et al, by deed dated September 29, 1932, and recorded in Bucks County in Deed Book 621, page 132, conveyed unto the Commonwealth of Pennsylvania, in fee.

Subject to the privilege of a 12 foot wide road over the westerly side of the above described premises, as contained in deed from Elias Ely, et ux, dated April 1, 1834, and recorded in Deed Book 63, page 18.

Under and subject, nevertheless, to any and all operative title restrictions, easements, covenants, servitudes or conditions of record, or as may be visible upon the property.

And the recital of the above mentioned rights shall not be construed as an acknowledgement of the validity thereof, an extension thereof or a renewal thereof in the event that they, or any of them, do not affect the premises hereby conveyed or have expired or become unenforceable by their own terms or by limitations, violation or for any other reason.

Section 2. The conveyance shall be made together with all rights and privileges, and under and subject to all operative title restrictions, easements, covenants, servitudes or conditions of record, or as may be visible upon the property, as hereinbefore set forth.

Section 3. The said land, under such lease agreement between The Bell Telephone Company of Pennsylvania and the Borough of New Hope as shall be mutually acceptable to the parties, shall be further subject to the unrestricted right to use by the borough for any municipal purposes for a period of five years from date of the conveyance provided for herein, and thereafter until such time as the telephone company requires the property, or any portion or portions thereof, for its own business purposes: Provided, however, That the borough shall be responsible for all taxes on the entirety of said property for the said five

year period, and thereafter for all or such portion of the taxes as the area of the borough's continued use of the property bears to the area of the entire property.

Section 4. The deed of conveyance shall be approved by the Department of Justice and shall be executed by the Department of General Services¹ in the name of the Commonwealth of Pennsylvania.

Section 5. This act shall take effect immediately.

APPROVED—The 21st day of October, A. D. 1975.

MILTON J. SHAPP

¹"Property and Supplies" in original.