

No. 1979-81

## AN ACT

HB 1223

Authorizing and directing the Department of General Services, with the approval of the Department of Environmental Resources and the Governor, to grant and convey an easement and right-of-way to the Belle Coal Company, concerning certain riverbed land in Greene County, Pennsylvania.

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

Section 1. The Department of General Services, with the approval of the Department of Environmental Resources and the Governor, is hereby authorized and directed, on behalf of the Commonwealth of Pennsylvania, to grant and convey, for such consideration as determined by an independent appraisal obtained by the Department of General Services, an easement and right-of-way for a barge mooring and loading facility to the Belle Coal Company, in the following described tract of land situate in Jefferson Township, Greene County, Pennsylvania, bounded and described as follows:

Beginning at a point along the west bank of the Monongahela River 3,168 feet north of Mile 67 (1,000 feet north of the northernmost Gateway Mooring Pier), this point being 46 feet riverward (east) of the normal pool shoreline (elevation 763.0); then north, parallel to the normal pool line 175 feet to a point; then west 46 feet to the normal pool shoreline (elevation 763.0); then south along the normal pool line 175 feet; then east 46 feet to the normal pool line to the place of beginning; containing 8,050 square feet, more or less. This tract of river bottom land is adjacent to 110.717 acres of land owned by the Hillman Coal and Coke Company. The Hillman Coal and Coke Company owns in fee simple the 110.717 acres which borders along the ordinary high water line which parallels the ordinary low water shoreline, which in this pool, (the Maxwell pool) is the same as the normal pool shoreline, elevation 763.0 feet. This 110.717 acre tract of land is recorded in the Recorder of Deeds Office in and for Greene County at Deed Book Vol. No.470, Page 553. Hillman Coal and Coke Company also owns in fee simple the land located between the ordinary high water mark (766.4) and the ordinary low water mark (763.0).

An accurate surveyed description of the land concerning the easement shall be prepared by Belle Coal and shall be transmitted to the Department of General Services if requested by the Department of General Services.

Section 2. The cost of the independent appraisal shall be borne by the proposed grantee.

Section 3. The conveyance of the easement and right-of-way shall be approved by the Department of Justice and shall be executed by the Secretary of General Services in the name of the Commonwealth.

Section 4. This act shall take effect immediately.

APPROVED—The 1st day of November, A. D. 1979.

DICK THORNBURGH