

No. 1980-240

## AN ACT

HB 1647

Authorizing and directing the Department of General Services, with the approval of the Department of Public Welfare and the Governor, to convey to Newton Township, Lackawanna County, Pennsylvania, 37.177 acres of land, more or less, situate in Newton Township, Lackawanna 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 Public Welfare and the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania, to grant and convey to the Township of Newton, County of Lackawanna, Pennsylvania, the following tract of land situate in the Township of Newton, County of Lackawanna, Pennsylvania, bounded and described as follows:

All the parcels of land lying in the Township of Newton, County of Lackawanna and Commonwealth of Pennsylvania, more specifically herein described as follows:

## Parcel I

Beginning at the point of intersection of the northwesterly right-of-way line of Pennsylvania Legislative Route 35070 with the southeasterly right-of-way line of Pennsylvania Legislative Route 440; thence along the southeasterly side of L.R.440 for an arc length of 21.00 feet (radius = 2322.01 feet) to a corner; thence radially toward the center of the curve for a distance of 5.0 feet to a corner; thence along the southeasterly right-of-way line of L.R.440 for an arc length of 505.45 feet (radius = 2317.01 feet) to a corner; thence radially away from the center of the curve for a distance of 5.0 feet to a corner; thence along the southeasterly right-of-way line of L.R.440 for an arc length of 356.28 feet (radius = 2322.01 feet) to a corner; thence along the arc of a 15 foot radius curve to the left for a distance of 47.08 feet to a point lying along the northeasterly right-of-way line of Pennsylvania Legislative Route 35018; thence along the northeasterly side of L.R.35018 in a south 85 degrees 17 minutes east direction for a distance of 332.11 feet to a point of curvature; thence along the arc of a 626.30 foot radius curve to the right for a distance of 271.45 feet to a point of tangency; thence along the northeasterly right-of-way line of L.R.35018 in a south 60 degrees 27 minutes east direction for a distance of 245.11 feet to a point of intersection between the right-of-way line of L.R.35018 with the right-of-way line of L.R.35070; thence along the right-of-way line of L.R.35070 in a north 3 degrees 48

minutes east direction for a distance of 529.86 feet to a point of intersection between L.R.35070 and the right-of-way line of L.R.440, said point being the place of beginning.

Said parcel contains approximately 3.885 acres.

#### Parcel II

Beginning at a point lying along the northwesterly right-of-way of Pennsylvania Legislative Route 440 (Application 6851), said point lying in a north 33 degrees 45 minutes west direction at a distance of 25.00 feet from the centerline Station 41 + 78.03 of L.R.440; thence in a north 56 degrees 15 minutes east direction for a distance of 1290.57 feet along the right-of-way line of L.R.440 to a corner; thence in a north 33 degrees 45 minutes west direction for a distance of 5.0 feet to a point of curvature; thence along the arc of a 5759.65 foot radius curve to the right for a distance of 582.50 feet to a corner; thence along the arc of a 15 foot radius curve to the left for a distance of 46.68 feet to a point lying along the right-of-way line of Pennsylvania Legislative Route 365; thence along the arc of a 995.095 foot radius curve to the right for an arc length of 739.00 feet to a corner; thence through lands of the Commonwealth of Pennsylvania, the Grantor, in a south 49 degrees 58 minutes west direction for a distance of 155.00 feet to a corner; thence through lands of the Grantor in a north 39 degrees 12 minutes west direction for a distance of 390.00 feet to a corner; thence through lands of the Grantor in a south 52 degrees 43 minutes west direction for a distance of 582.00 feet to a corner; thence through lands of the Grantor in a south 75 degrees 58 minutes west direction for a distance of 434.00 feet to a corner; thence through lands of the Grantor in a south 8 degrees 53 minutes west direction for a distance of 308.00 feet to a corner; thence through lands of the Grantor in a south 6 degrees 31 minutes west direction for a distance of 278.00 feet to a corner; thence through lands of the Grantor in a south 3 degrees 26 minutes west direction for a distance of 580.00 feet to a point lying along the southeasterly right-of-way line of L.R.440; thence along the right-of-way line of L.R.440 for an arc length of 581.59 feet (radius = 2267.01 feet) to a corner, said corner being the place of beginning.

Said parcel contains approximately 33.292 acres.

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

Section 2. The Deed of Conveyance shall contain a clause that the lands conveyed shall be used for municipal purposes and if at any time the said township or its successor in function conveys said prop-

erty or authorizes or permits said property to be used for any purpose other than municipal purposes, the title thereto shall immediately revert to and revest in the Commonwealth of Pennsylvania.

Section 3. The Deed of Conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania. All costs and fees relating to the conveyance shall be borne by the grantee.

Section 4. This act shall take effect immediately.

APPROVED—The 19th day of December, A. D. 1980.

DICK THORNBURGH