

No. 1992-81

AN ACT

HB 2156

Authorizing the Department of General Services, with the approval of the Governor, to grant and convey tracts of land situate in East Vincent Township, Chester 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 Governor, is authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the East Vincent Municipal Authority, Chester County, for a consideration of \$1 and other valuable consideration, the following described tracts of land situate in East Vincent Township, Chester County, Pennsylvania, bounded and described as follows:

All those certain tracts of land situate in East Vincent Township, Chester County, Pennsylvania, as shown on a plan entitled "Boundary Survey," made for East Vincent Municipal Authority by SMC Environmental Services Group (SMC) of Valley Forge, Pennsylvania, dated January 9, 1991, and described thereon as follows:

Tract No. 1

Commencing for reference at the point of beginning of that tract of land conveyed to John Frazier Hunt and Myrtrice Penelope McCaskill, husband and wife, by deed recorded in Deed Book 969, Page 224, of the deed records of Chester County, Pennsylvania.

Thence along the lands of Hunt and McCaskill, the following three courses and distances:

- (1) north 81 degrees 25 minutes 50 seconds east 16.30 feet;
- (2) north 30 degrees 12 minutes 06 seconds west 850.90 feet;
- (3) north 26 degrees 54 minutes 42 seconds west 843.34 feet

to the true point of beginning of a tract herein described:

Thence south 63 degrees 05 minutes 18 seconds west 182.48 feet to the northerly right-of-way line of the Philadelphia Electric Company as shown on a plan entitled "Philadelphia Electric Company property, Formerly Schuylkill Secondary branch of Conrail, Parcel 4, Sheet 8 of 14, File No. C-28-7442";

Thence along the same, the following courses and distances:

- (1) along the arc of a 227.18-foot long curve to the left having a central angle of 04 degrees 26 minutes 38 seconds, a radius of 2,929.00 feet and whose chord bears north 49 degrees 09 minutes west 227.12 feet to a point of compound curvature;
- (2) along the arc of a 40.03-foot long curve to the left having a central angle of 01 degree 40 minutes and 58 seconds, a radius of 1,363.00 feet and whose chord bears north 52 degrees 12 minutes 48 seconds west 40.03 feet to a point of tangency;

- (3) north 56 degrees 55 minutes 44 seconds west 183.15 feet;
 - (4) north 62 degrees 12 minutes 40 seconds west 138.71 feet;
- Thence north 09 degrees 14 minutes 08 seconds east 220.88 feet;
- Thence north 54 degrees 27 minutes 03 seconds east 330.79 feet to an angle point in the lands of Hunt and McCaskill;
- Thence along the same, south 26 degrees 54 minutes 42 seconds east 746.25 feet to the point of beginning.
- Containing 5.394 acres of land, more or less.

Tract No. 2

Commencing for reference at the point of beginning of that tract of land conveyed to John Frazier Hunt and Myrtrice Pennelope McCaskill, husband and wife, by deed recorded in Deed Book 969, Page 224, of the deed records of Chester County, Pennsylvania.

Thence along the lands of Hunt and McCaskill, the following three courses and distances:

- (1) north 81 degrees 25 minutes 50 seconds east 16.30 feet;
- (2) north 30 degrees 12 minutes 06 seconds west 850.90 feet;
- (3) north 26 degrees 54 minutes 42 seconds west 843.34 feet to the most easterly corner of Tract No. 1, heretofore described;

Thence along the northeasterly line of Tract No. 1, south 63 degrees 05 minutes 18 seconds west 182.48 feet to a point on the northerly right-of-way line of the Philadelphia Electric Company;

Thence south 10 degrees 46 minutes 13 seconds west 95.18 feet to a point on the southerly right-of-way line thereof and the true point of beginning of the tract herein described:

- Thence south 10 degrees 46 minutes 13 seconds west 477.12 feet;
- Thence south 82 degrees 29 minutes 02 seconds west 328.55 feet;
- Thence north 54 degrees 07 minutes 35 seconds west 346.63 feet;
- Thence north 88 degrees 16 minutes 52 seconds west 603.05 feet;
- Thence north 01 degree 43 minutes 08 seconds east 680.65 feet to the southerly right-of-way line of the Philadelphia Electric Company;

Thence along the same, the following courses and distances:

- (1) along the arc of a 331.38-foot long curve to the right having a central angle of 15 degrees 16 minutes 30 seconds, a radius of 1,243.00 feet and whose chord bears north 84 degrees 56 minutes 18 seconds east 330.40 feet;
- (2) south 35 degrees 05 minutes 51 seconds west 23.80 feet;
- (3) along the arc of a 656.60-foot long curve to the right having a central angle of 30 degrees 45 minutes 39 seconds, a radius of 1,223.00 feet and whose chord bears south 72 degrees 38 minutes 36 seconds east 648.74 feet;
- (4) north 69 degrees 00 minutes 08 seconds east 73.50 feet;
- (5) along the arc of an 88.43-foot long curve to the right having a central angle of 03 degrees 56 minutes 56 seconds, a radius of 1,283.00 feet and whose chord bears south 53 degrees 20 minutes 47 seconds east 88.41 feet to a point of compound curvature;
- (6) along the arc of a 271.84-foot long curve to the right having a central angle of 05 degrees 28 minutes 01 second, a radius of 2,849.00 feet and whose chord bears south 48 degrees 38 minutes 19 seconds east 271.74 feet to a point of beginning.

Containing 19.797 acres of land, more or less.

Section 2. Also being conveyed with the tracts of land described in section 1 are the following perpetual easements or rights-of-way:

(1) A 40-foot right-of-way to the banks of the Schuylkill River, which right-of-way is one of two rights-of-way identified on the plan of Pennhurst Center Parcel No. 1, dated September 25, 1982, as "Water R/W" to be provided to the Commonwealth of Pennsylvania; said 40-foot right-of-way being granted and conveyed is the more northerly of the two rights-of-way on said plan. Reference, Indenture 26th Day of August 1990 between the Commonwealth of Pennsylvania and Eden Valley Farm Partners, Page 5. The Commonwealth of Pennsylvania retains ownership of the other 40-foot right-of-way.

(2) The free and uninterrupted use, liberty and privilege of and passage in and along certain streets or driveways known as Commonwealth Drive, Pennhurst Road, Brown Drive, Dunlap Road and Church Street. Grantor hereby reserves an easement-in-common for access on Commonwealth Drive.

(3) An easement across the lands of grantor known as the Southeastern Pennsylvania Veterans Center for the purpose of constructing, installing, maintaining, repairing and replacing sewer lines, subject to the following limitations:

(i) The sewer lines to be installed shall not interfere in any way with grantor's use and operation of the Southeastern Pennsylvania Veterans Center property.

(ii) The actual location of the sewer lines shall be subject to the written approval of grantor, which approval shall not be unreasonably withheld.

(iii) Grantee shall be responsible for restoration and repair of the surface after installation of any sewer lines and shall indemnify, defend and hold grantor harmless from any loss or liability resulting from such installation work.

(iv) After five years from the date of conveyance of the transfer of the sewage treatment plant to grantee, grantor shall have the right to limit this easement to sewer lines that have been installed during the five-year period and to require grantee to record an appropriate instrument so limiting the easement.

(4) To the extent assignable, all of grantor's rights under that certain license of easement agreement (or agreements) between grantor and the Philadelphia Electric Company (or its predecessor in title) across that parcel of ground owned by the Philadelphia Electric Company which bisects the lands of grantor known as the Southeastern Pennsylvania Veterans Center.

Section 3. These conveyances shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

Section 4. Deeds of conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

Section 5. Costs and fees incidental to these conveyances which are customarily paid by grantees (such as recording fees) shall be borne by the grantee.

Section 6. This act shall take effect immediately.

APPROVED—The 2nd day of July, A. D. 1992.

ROBERT P. CASEY