

No. 1994-109

## AN ACT

SB 1701

Authorizing and directing the Department of General Services, with the approval of the Governor, the Department of Public Welfare and the Department of Agriculture, to grant and convey to the Borough of Danville, Montour County, land situate in Mahoning Township and in the Borough of Danville, Montour County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor, to convey to Glade Township Volunteer Fire Department, Inc., a tract of land situate in Glade Township, Warren County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor, to convey a tract of land situate in Frenchcreek Township, Venango County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Corrections, to convey a tract of land in Mount Joy Township, Lancaster County, Pennsylvania; authorizing the conveyance of a permanent right-of-way over certain State land to the Middletown Fire Company No. 1, Delaware County, Pennsylvania; and authorizing the Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, to sell and convey to Mr. and Mrs. Harold Harris certain land situate in the Borough of South Philipsburg, Township of Rush, Centre County, Pennsylvania.

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

Section 1. (a) The Department of General Services, with the approval of the Governor, the Department of Public Welfare and the Department of Agriculture, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Borough of Danville, for the consideration of the extinguishment of bond debt of the Danville State Hospital of approximately \$360,000, the following tract of land situate in Mahoning Township and the Borough of Danville, Montour County, Pennsylvania, bounded and described as follows:

Beginning at a point on the southern side of U.S. Route 11, said point being the northernmost point of the described tract of land; thence along the outside perimeter the following courses and distances: south 86 degrees 35 minutes 54 seconds east 1084.29 feet; south 85 degrees 18 minutes 36 seconds east 934.96 feet; thence on a curve to the left having an arc distance of 412.88 feet, radius of 1761.34 feet and a chord length of 411.94 feet; thence north 81 degrees 15 minutes 33 seconds east 455.73 feet; south 70 degrees 55 minutes 11 seconds east 124.07 feet; south 71 degrees 48 minutes 46 seconds east 2111.92 feet; south 76 degrees 57 minutes 44 seconds east 98.98 feet; south 80 degrees 51 minutes 25 seconds east 93.82 feet; south 80 degrees 53 minutes 49 seconds east 75.13 feet; south 17 degrees 28 minutes 55 seconds east 1177.93 feet; south 68 degrees 18 minutes 28 seconds west 483.52 feet; south 82 degrees 40 minutes 10 seconds west 2149.80 feet; south

16 degrees ten minutes 23 seconds east 337.45 feet; south 76 degrees 4 minutes 23 seconds west 1348.82 feet; south 15 degrees 25 minutes 48 seconds west 183.63 feet; south 3 degrees 21 minutes 55 seconds east 465.40 feet; south 67 degrees 19 minutes 43 seconds east 211.58 feet; south 7 degrees 20 minutes 57 seconds west 48.36 feet; south 86 degrees 48 minutes 17 seconds east 69.28 feet; north 32 degrees 11 minutes 43 seconds east 24.87 feet; south 18 degrees 14 minutes 16 seconds east 1413.98 feet; south 74 degrees west 920.71 feet; south 22 minutes 35 seconds west 447.95 feet; north 88 degrees 14 minutes 59 seconds west 498.09 feet; south 4 degrees 19 minutes 40 seconds west 625.33 feet; north 75 degrees 31 minutes 5 seconds west 934.41 feet; north 71 degrees 4 minutes 15 seconds west 450.96 feet; north 64 degrees 52 minutes 10 seconds west 1053.62 feet; north 56 degrees 21 minutes 57 seconds west 514.63 feet; north 49 degrees 29 minutes 48 seconds west 494.38 feet; north 41 degrees 26 minutes 44 seconds west 921.33 feet; south 40 degrees 32 minutes 32 seconds west 97.56 feet; north 34 degrees 1 minute 37 seconds west 192.92 feet; north 37 degrees 29 minutes 41 seconds east 63.59 feet; north 52 degrees 55 minutes 35 seconds 149.62 feet; south 67 degrees 6 minutes 25 seconds east 225.10 feet; north 52 degrees 20 minutes 35 seconds east 613 feet; north 39 degrees 12 minutes 45 seconds west 790.39 feet; north 28 degrees 40 minutes 38 seconds east 100.14 feet; north 36 degrees 23 minutes 16 seconds west 167.47 feet; north 32 degrees 4 minutes 13 seconds west 135.41 feet; north 58 degrees 33 minutes 39 seconds east 72.18 feet; south 29 degrees 58 minutes 39 seconds east 98.19 feet; south 35 degrees 49 minutes 7 seconds east 107.13 feet; north 66 degrees 38 minutes 24 seconds east 369.02 feet; thence along Department of Public Welfare south 27 degrees 22 minutes 2 seconds east 279.62 feet; north 75 degrees 1 minute 29 seconds east 76.60 feet; south 36 degrees 33 minutes 26 seconds east 119.38 feet; south 22 degrees 26 minutes 59 seconds east 936.78 feet; south 61 degrees 51 minutes 55 seconds west 183.32 feet; south 36 degrees 5 minutes 58 seconds east 454.81 feet; south 34 degrees 38 minutes 20 seconds east 539.47 feet; south 51 degrees 36 minutes 49 seconds west 165.89 feet; south 37 degrees 1 minute 58 seconds east 454.60 feet; north 61 degrees 21 minutes 43 seconds east 213.66 feet; south 43 degrees 45 minutes 17 seconds east 104.91 feet; north 57 degrees 45 minutes 3 seconds east 79.98 feet; north 16 degrees 54 minutes 3 seconds west 92.20 feet; north 63 degrees 22 minutes 10 seconds east 332.69 feet; south 25 degrees 35 seconds east 45.06 feet; north 88 degrees 37 minutes 31 seconds east 263.21 feet; south 47 degrees 20 minutes 35 seconds east 131.01 feet; south 83 degrees 20 minutes 9 seconds east 341.87 feet; north 57 degrees 26 minutes 44 seconds east 370 feet; north 47 degrees 22 minutes 36 seconds west 350 feet; north 59 degrees 8 minutes 33 seconds east 177.94 feet; north 78 degrees 42 minutes 35 seconds east 123.09 feet; north 73 degrees 44 minutes 12 seconds east 83.44 feet; north 51 degrees 8 minutes 56 seconds east 284.26 feet; north 51 degrees 40 minutes 50 seconds east 320.50 feet; north 45 degrees 34 minutes 58 seconds east 522.22 feet; north 21 degrees

19 minutes 29 seconds west 1081.47 feet; south 77 degrees 38 minutes 8 seconds west 303.36 feet; south 71 degrees 23 minutes 51 seconds west 347.80 feet; north 20 degrees 34 minutes 58 seconds west 310 feet; south 78 degrees 26 minutes west 250 feet; north 15 degrees 44 minutes 51 seconds west 1027.69 feet; south 81 degrees 13 minutes 20 seconds west 310 feet; south 10 degrees 36 seconds west 73.83 feet; south 81 degrees 13 minutes 20 seconds west 106.77 feet; south 4 degrees 27 minutes 3 seconds west 655.42 feet; south 81 degrees 41 minutes 23 seconds west 997.11 feet; thence along the outside perimeter north 31 degrees 12 minutes 21 seconds east 966.90 feet; south 85 degrees 12 minutes 3 seconds east 159.32 feet; north 5 degrees 44 minutes 26 seconds east 116.14 feet; south 86 degrees 14 minutes 19 seconds east 464.22 feet; north 2 degrees 55 minutes 48 seconds east 157.74 feet; north 5 degrees 45 minutes 1 second west 651.40 feet; south 84 degrees 38 minutes 1 second east 359.44 feet; north 3 degrees 30 minutes 48 seconds east 1135.76 feet to the place of beginning.

Containing 459.22 acres.

(b) This 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 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.

(c) The land and buildings shall only be used for agricultural purposes and for use of sewer sludge application related to agricultural uses and, if at any time the property is used for other purposes, the title thereto shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(d) The deed 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.

(e) Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 2. (a) The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth to grant and convey to Glade Township Volunteer Fire Department, Inc., for a consideration of \$9,000, the following improved tract of land situate in Glade Township, Warren County, bounded and described as follows:

All that certain piece or parcel of land situate in Glade Township, Warren County, Pennsylvania, said parcel being bounded and described as follows:

Commencing at the center line intersection of Conewango Avenue Extension (State Route 1011) and Hatch Run Road (State Route 1008); thence south 85 degrees 51 minutes 15 seconds east along the center line of Hatch Run Road, a distance of 1510.23 feet to a point, said pipe marking the point of beginning; thence north 11 degrees 18 minutes 29 seconds east, a distance of 25.07 feet to a set one-inch iron pipe on the northerly right-of-

way line of Hatch Run Road; thence continuing north 11 degrees 18 minutes 29 seconds east, a distance of 391.46 feet to a set one-inch iron pipe; thence continuing by the following courses, severing the subject parcel from other portions of the Warren State Hospital Tract No. 3: north 6 degrees 57 minutes 15 seconds east, a distance of 544.65 feet to a set one-inch iron pipe; thence north 81 degrees 6 minutes 21 seconds east, a distance of 1149.05 feet to a set one-inch iron pipe; thence south 12 degrees 15 minutes 52 seconds west, a distance of 1521.12 feet to a set one-inch iron pipe on the northerly right-of-way line of Hatch Run Road; thence continuing south 12 degrees 15 minutes 52 seconds west, a distance of 25.25 feet to a point in the center line of Hatch Run Road; thence along a curve of the center line of Hatch Run Road, having a chord bearing north 72 degrees 8 minutes 19 seconds west, a chord length of 380.08 feet, and a radius of 850 feet, to a point; thence north 60 degrees 10 minutes 57 seconds west along the center line of Hatch Run Road, a distance of 312.63 feet to a point; thence along a curve of the center line of Hatch Run Road, having a chord bearing north 70 degrees 44 minutes 18 seconds west, a chord length of 340.43 feet and a radius of 850 feet to a point, said pipe being the point of beginning.

Containing an area of 1,306,800 square feet or 30 acres.

(b) 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 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.

(c) The deed 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.

(d) Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 3. (a) The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to convey to the Venango Area Riding For the Handicapped Association, Inc., the following tract of land situate in Frenchcreek Township, Venango County, Pennsylvania, for a consideration of one-half of the fair market value, the following:

All that certain piece or parcel of land situate in Frenchcreek Township, Venango County, Pennsylvania, bounded and described as follows:

Beginning at a point marked by the intersection of the center line of the public road known as Niles Valley Road, also known as Township Road No. 356 with the center line of Pennsylvania Legislative Route 60020; thence along the center line of Pennsylvania Legislative Route 60020, north 88 degrees 4 minutes 54 seconds east 1,228.57 feet to a point therein; thence along other lands now or late of the Commonwealth of Pennsylvania, south 2 degrees 44 minutes 13 seconds west 1,806.07 feet to the center line of

Pennsylvania Traffic Route 62; thence along the center line of Pennsylvania Traffic Route 62, north 85 degrees 42 minutes 47 seconds west 800.78 feet to a point therein; thence along other lands now or late of the Commonwealth of Pennsylvania, being along the line dividing the Borough of Polk and the Township of Frenchcreek, north 4 degrees 4 minutes 28 seconds east 757.83 feet to a point; thence continuing along the same north 70 degrees 50 minutes 38 seconds west 460.50 feet to a point in the center line of the Niles Valley Road, also known as Township Road 356; thence along the center line of Township Road 356, north 2 degrees 44 minutes 13 seconds east 796.91 feet to the place of beginning.

Containing 40 acres pursuant to a survey prepared by William C. Moffitt, Registered Surveyor No. 8496-E, dated April 24, 1993.

(b) 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 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.

(c) The deed of conveyance shall contain a clause that the property conveyed shall be used for riding for persons with disabilities, and, if at any time the Venango Area Riding For the Handicapped Association, Inc., or its successor in function conveys the property or permits the property to be used for any purpose other than that specified in this section, the title to the property shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(d) The deed 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.

(e) Costs and fees incidental to the conveyance shall be borne by the grantee.

(f) The deed of conveyance shall contain the following covenant:

Development shall not be permitted within 200 feet of the streams on the north and south edges of the site.

(g) The proceeds of the conveyance shall be deposited in the Agricultural Conservation Easement Purchase Fund. The proceeds shall be deposited in accordance with section 7.1(a) of the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture."

Section 4. (a) The Department of General Services, with the approval of the Governor and the Department of Corrections, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey, for a consideration equal to fair market value, to George W. Walborn, Jr., and Nancy B. Walborn the following described tract of land in the Township of Mount Joy, Lancaster County, Pennsylvania:

All that certain unimproved tract of land being situate in the Township of Mount Joy, County of Lancaster, and the Commonwealth of Pennsylvania, said tract being more particularly shown as Lot No. 7 on a final plan prepared for Robert E. Stanley and George W. and Nancy B. Walborn on September 4, 1985, said final plan being recorded in the office of the Recorder of Deeds for Lancaster County, Pennsylvania, in Subdivision Plan Book J-145, Page 106, on December 5, 1985, and all the same being more fully bounded and described as follows, to wit:

Beginning at a point in the center line of Township Road No. 310 (Cassell Road), said point being located a distance of 240 feet, more or less, north of the center line of Pennsylvania Traffic Route 230 and said point also being a corner of property of Robert E. Teufel; thence continuing along said property of Robert E. Teufel south 83 degrees 22 minutes 6 seconds west, a distance of 207.49 feet to a limestone, a corner of property of George W. Walborn; thence continuing along said property of George W. Walborn north 11 degrees 41 minutes 9 seconds west, a distance of 207.34 feet to an iron pin, a corner of Lot No. 3 as shown on the above-described final plan; thence continuing along said Lot No. 3 north 52 degrees 25 minutes 39 seconds west, a distance of 82.78 feet to a nail in the aforementioned center line of Township Road No. 310 (Cassell Road); thence continuing along the said center line of Township Road No. 310 (Cassell Road) the following two courses: (1) south 45 degrees 19 minutes 21 seconds east, a distance of 190 feet to a point, and (2) south 26 degrees 16 minutes 41 seconds east, a distance of 107.03 feet to a point, the place of beginning.

Containing an area of 36,880.71 square feet or 0.847 acre of land which includes the right-of-way area of Township Road No. 310 (Cassell Road).

(b) 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 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.

(c) The deed 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.

(d) Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 5. (a) The Department of General Services, with the approval of the Governor and the Department of Transportation, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Middletown Fire Company No. 1, for a consideration of \$1, a permanent right-of-way for vehicular access and utility facilities on and over a parcel of land situate in Middletown Township, Delaware County, Pennsylvania, being bounded and described as follows:

All that certain strip of land thereto situate in Middletown Township, Delaware County, Commonwealth of Pennsylvania, being bounded and described as follows, to wit:

Beginning at a point in the title line of Middletown Road (40 feet wide), said point being the northeasterly corner of land now or late of James E. and Jean A. Murphy; thence south 52 degrees 30 minutes west 489.27 feet to a point; thence north 37 degrees 30 minutes west 40 feet to a point; thence north 52 degrees 30 minutes east 531.15 feet to a point in the title line of Middletown Road; thence in and along the title line of Middletown Road south 8 degrees 49 minutes west 57.94 feet to the first mentioned point and place of beginning.

Containing 0.47 acres of land more or less.

Excepting and reserving therefrom the right-of-way of Middletown Road.

(b) 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 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.

(c) The deed of conveyance shall contain a clause that the lands conveyed shall be used for volunteer fire company purposes by Middletown Fire Company No. 1, and, if at any time the volunteer fire company or its successor in function conveys said property or permits said property to be used for any purpose other than those aforementioned, the title thereto shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(d) The proceeds of this sale shall be paid into the State Treasury.

(e) The deed 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.

(f) Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 6. (a) The Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant, sell and convey to Mr. and Mrs. Harold Harris for a consideration of \$25,000 the tract of land described in subsection (b).

(b) The property to be conveyed pursuant to subsection (a) is the following tract of land situate in the Borough of South Philipsburg, Township of Rush, Centre County, bounded and described as follows:

Beginning at the corner of Hemlock and C Street in the south side addition to South Philipsburg, Centre County, Pennsylvania; thence along Hemlock Street south 45 degrees west 66 feet to Lot No. 107; thence along the same south 45 degrees east 170 feet to a 16-foot alley; thence along the same north 45 degrees east 66 feet to C Street; thence along the same north 45 degrees west 170 feet to the place of beginning.

Being Lots Nos. 108 and 109 as laid down in the plat plan of the south side addition to said Borough of South Philipsburg.

(c) 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 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.

(d) The proceeds of this sale shall be paid into the State Treasury and deposited in the General Fund and credited to the State Forestry Land Restricted Revenue Account in the Department of Environmental Resources.

(e) The deed 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.

(f) Costs and fees incidental to the conveyance shall be borne by the grantee.

Section 7. This act shall take effect immediately.

APPROVED—The 7th day of December, A.D. 1994.

ROBERT P. CASEY