

No. 1997-66

AN ACT

HB 1463

Authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the City of McKeesport a tract of land situate in the Seventh Ward, City of McKeesport, Allegheny County, and to sell and convey to Smithfield Township certain land situate in the Township of Smithfield, Huntingdon County; and authorizing and directing the Department of General Services, with the approval of the Governor, to convey tracts of land and buildings, consisting of a portion of the former Laurelton Center, located in Hartley Township, Union 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, is authorized and directed, on behalf of the Commonwealth of Pennsylvania, to sell and convey to the City of McKeesport, for consideration equal to the fair market value as determined by an independent appraisal obtained by the Department of General Services, the following tract of land situate in the Seventh Ward, City of McKeesport, Allegheny County, Pennsylvania, described as follows:

Being Lot Number 264 in the East Park Extension Plan No.2, as recorded in Plan Book Volume 12, Page 138, said lot having a frontage of 25 feet on the easterly side of Federal Street, and extending back eastwardly between the northerly line of Lot No.265 and the southerly line of Haw Alley, preserving an equal width throughout a distance of 115 feet to a 20-foot alley.

Being a vacant lot known and numbered as 1711 Federal Street, McKeesport, Pennsylvania; Lot and Block 382-H-165.

Containing 2,875 square feet or 0.066 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 telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in their persons, whether or not appearing of record, for any portion of 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 2. (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 grant and convey the following described tracts of land and the improvements erected thereon:

All those certain tracts or parcels of land, with improvements thereon erected, situate in Hartley Township, Union County, Pennsylvania, more particularly bounded and described as follows:

TRACT 1

Beginning at an existing steel pin and stones located on or near the northern right-of-way of S.R. 0045 and on the jurisdictional division line between lands of the Commonwealth of Pennsylvania, Bureau of Forestry and lands of the Commonwealth of Pennsylvania, Department of Public Welfare.

Thence along lands of the Commonwealth of Pennsylvania, Bureau of Forestry by the four following courses and distances:

1. North 22 degrees 29 minutes 55 seconds east, 3685.15 feet, to an existing witnessed stone pile;
2. North 74 degrees 47 minutes 54 seconds east, 831.53 feet, to an existing witnessed stone pile;
3. South 75 degrees 02 minutes 58 seconds east, 143.22 feet, to a point east of Stony Run Road;
4. South 25 degrees 32 minutes 58 seconds east, 1472.86 feet, to an existing witnessed stone pile east of Stony Run Road;
5. Thence along lands of William G. Rodgers and lands of W. James Beamesderfer and Craig A. Beamesderfer and crossing Stony Run Road, south 75 degrees 56 minutes 43 seconds west, 221.73 feet, to an existing stone pile;
6. Thence along lands of W. James Beamesderfer and Craig A. Beamesderfer and lands of Eileen R. Wiand and Lisa L. Mattern, south 20 degrees 40 minutes 20 seconds east, 1491.80 feet, to an existing witnessed stone pile;
7. Thence along lands of Eileen R. Wiand and Lisa L. Mattern, north 65 degrees 52 minutes 26 seconds east, 319.07 feet, to a point in the center of Stony Run Road.

Thence along the center of Stony Run Road and lands of the Commonwealth of Pennsylvania, Bureau of Forestry, by the eight following courses and distances:

1. South 33 degrees 57 minutes 45 seconds east, 570.05 feet, to point in the center of Stony Run Road;
2. South 33 degrees 07 minutes 08 seconds east, 653.60 feet, to point in the center of Stony Run Road;
3. South 30 degrees 01 minute 39 seconds east, 122.79 feet, to point in the center of Stony Run Road;
4. South 21 degrees 25 minutes 18 seconds east, 74.09 feet, to point in the center of Stony Run Road;
5. South 07 degrees 41 minutes 59 seconds east, 91.09 feet, to point in the center of Stony Run Road;

6. South 04 degrees 55 minutes 47 seconds west, 109.33 feet, to point in the center of Stony Run Road;

7. South 09 degrees 10 minutes 51 seconds west, 414.31 feet, to point in the center of Stony Run Road;

8. South 09 degrees 14 minutes 46 seconds west, 603.60 feet, to point on the northern right-of-way of S.R. 0045.

Thence along the northern right-of-way S.R. 0045 by the 13 following courses and distances:

1. North 70 degrees 20 minutes 12 seconds west, 263.53 feet, to a point;
2. North 19 degrees 39 minutes 48 seconds east, 5.00 feet, to a point;
3. North 70 degrees 20 minutes 12 seconds west, 150.00 feet, to a point;
4. South 19 degrees 39 minutes 48 seconds west, 5.00 feet, to a point;
5. North 70 degrees 20 minutes 12 seconds west, 250.29 feet, to a point;
6. North 71 degrees 27 minutes 12 seconds west, 359.32 feet, to a point;
7. North 70 degrees 18 minutes 12 seconds west, 700.74 feet, to a point;
8. North 70 degrees 42 minutes 12 seconds west, 1288.90 feet, to a point;
9. North 19 degrees 17 minutes 48 seconds east, 5.00 feet, to a point;
10. North 70 degrees 42 minutes 12 seconds west, 1145.04 feet, to a point;

11. By a curve to the left having a radius of 3854.70 feet, an arc length of 5.01 feet and a central angle of 00 degrees 04 minutes 28 seconds and a chord of north 70 degrees 44 minutes 26 seconds west, 5.01 inches;

12. South 19 degrees 13 minutes 20 seconds west, 5.00 feet, to a point;

13. By a curve to the right having a radius of 3849.70 feet, an arc length of 277.72 inches and a central angle of 04 degrees 08 minutes 00 seconds and a chord of north 72 degrees 50 minutes 40 seconds west, 277.66 feet, to an existing steel pin and stones, the point and place of beginning.

Tract 1 containing 266.428 acres as above described.

TRACT 2

Beginning at an existing steel pin located approximately 2850 feet east of the intersection of S.R. 0045 and S.R. 0235 and being on or near the southern right-of-way line of S.R. 0045 and on the division line between lands of the Commonwealth of Pennsylvania and lands of Arlon E. Wallace and Crystal A. Heeter.

1. Thence along lands of Arlon E. Wallace and Crystal A. Heeter and lands of Bradley F. Walter and Angelia Walter, south 08 degrees 15 minutes 05 seconds west, 1253.61 feet, to an existing twin oak tree;

2. Thence along lands of Raymond Hoover and Wilma Hoover, north 79 degrees 40 minutes 38 seconds west, 859.47 feet, to an existing steel pin;

3. Thence along lands of Richard J. Harvey and Janet L. Harvey and lands of Montana L. Schlegel and Janice M. Schlegel, north 18 degrees 33 minutes 56 seconds west, 840.74 feet, to an existing steel pin;

4. Thence along lands of Montana L. Schlegel and Janice M. Schlegel, south 72 degrees 46 minutes 49 seconds west, 762.09 feet, to a point on the eastern right-of-way of S.R. 0235.

Thence along the eastern right-of-way of S.R. 0235 by the four following courses and distances:

1. North 26 degrees 19 minutes 18 seconds west, 731.70 feet, to a point;
2. By a curve to the right having a radius of 2844.79 feet, an arc length of 354.94 feet, and a central angle of 07 degrees 08 minutes 55 seconds, and a chord of north 22 degrees 44 minutes 50 seconds west, 354.71 feet to a point;
3. North 19 degrees 10 minutes 23 seconds west, 478.05 feet to a point;
4. By a curve to the right having a radius of 35 feet, an arc length of 78.70 feet, and a central angle of 128 degrees 50 minutes 11 seconds, and a chord of north 45 degrees 14 minutes 43 seconds east, 63.14 feet to a point on the southern right-of-way of S.R. 0045.

Thence along the southern right-of-way of S.R. 0045 by the three following courses and distances:

1. South 70 degrees 20 minutes 12 seconds east, 1020.05 feet, to a point;
2. South 69 degrees 40 minutes 12 seconds east, 1556.28 feet, to a point;
3. By a curve to the right having a radius of 1318.45 feet, an arc length of 192.46 feet, and a central angle of 08 degrees 21 minutes 49 seconds, and a chord of south 65 degrees 29 minutes 18 seconds east, 192.28 feet to an existing steel pin, the point and place of beginning.

Tract 2 containing 64.428 acres as above described.

TRACT 3

Beginning at an existing steel pin located approximately 1180 feet west of the intersection of S.R. 0045 and S.R. 0235 and being on or near the southern right-of-way of S.R. 0045 and on the jurisdictional division line between lands of the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, and lands of the Commonwealth of Pennsylvania, Department of Public Welfare.

Thence along lands of the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, by the 12 courses and distances:

1. South 19 degrees 12 minutes 21 seconds west, 198.88 feet to an existing steel pin;
2. South 67 degrees 09 minutes 50 seconds east, 127.12 feet to a point;
3. South 28 degrees 08 minutes 01 second east, 256.88 feet to a point;
4. South 150 degrees 52 minutes 30 seconds west, 191.06 feet to an existing steel pin;
5. South 40 degrees 31 minutes 46 seconds east, 230.04 feet to an existing steel pin;
6. South 71 degrees 04 minutes 15 seconds west, 186.38 feet to an existing steel pin;
7. South 84 degrees 43 minutes 54 seconds west, 300.50 feet to an existing steel pin;
8. North 68 degrees 29 minutes 54 seconds west, 173.17 feet to an existing steel pin;

9. North 04 degrees 18 minutes 51 seconds east, 692.26 feet to an existing steel pin;

10. North 30 degrees 23 minutes 16 seconds west, 123.70 feet to an existing steel pin;

11. North 13 degrees 21 minutes 43 seconds west, 206.87 feet to an existing steel pin;

12. South 70 degrees 42 minutes 12 seconds east, 94.27 feet to an existing steel pin;

13. Thence along the southern right-of-way of S.R. 0045, south 70 degrees 18 minutes 12 seconds east, 356.77 feet to an existing steel pin, the point and place of beginning.

Tract 3 containing 9.832 acres as above described.

(b) The three tracts under this section or parts thereof may be offered together or separately.

(c) Notwithstanding Article XXIV-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, the Department of General Services shall, through sealed bids, auction or request for proposal, select the purchaser of the tracts and sell the property under this section. Acceptance of an offer shall be subject to a minimum price requirement as established by the department which shall be within a range of fair market value as established through independent appraisal. Proposals submitted in response to a request for proposal must demonstrate a value to the Commonwealth equivalent to the fair market value range as established by the department through independent appraisal. In establishing the value equivalent the department shall consider the following factors: actual monetary consideration, creation of construction jobs, creation of permanent jobs, expansion of local tax base, economic growth, community development, highest and best use and public purpose.

(d) The 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 telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in their persons, whether or not appearing of record, for any portion of land or improvements erected thereon.

(e) The 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.

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

(g) The costs and fees incurred by the Department of General Services for preparing the property under subsection (b) for sale, including, but not limited to, environmental assessments, marketing services, title searches, advertising, appraisals, auctioneer fees and surveys, and by the Department of Public Welfare for protecting and securing the property shall be deducted from the purchase price, and that amount shall be an executively authorized

augmentation to the appropriation from which the costs and fees were paid by the departments, with priority reimbursements being made to General Services and then Public Welfare.

(h) That portion of the conveyance authorized by subsection (b) currently subject to the provision 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," shall continue to be subject to the restrictions provided for in that act and a restrictive covenant limiting the uses of such property to agricultural/open space uses shall be placed in the deed.

Section 3. Smithfield Township.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant, sell and convey to Smithfield Township for fair market value based on an independent appraisal three tracts of land described in subsection (b).

(b) Property description.—The property to be conveyed pursuant to subsection (a) is comprised of the following tracts of land situate in Smithfield Township, Huntingdon County, bounded and described as follows:

Tract No. 1

Beginning at the intersection of the southern right-of-way of new Route 22 and the northwest right-of-way of Route 26; thence along the northwest right-of-way of Route 26, S 69 degrees 06 minutes W 840 feet to a point; continuing along said right-of-way, S 57 degrees 27 minutes W 480 feet to a point on said right-of-way; thence N 70 degrees W 1920 feet to a point; thence N 21 degrees E 1233 feet to a point in the southern right-of-way of old State Highway (Route 22); thence along said right-of-way S 79 degrees 39 minutes E 614 feet to a point intersecting the south right-of-way of existing new Route 22; thence along said right-of-way S 59 degrees 23 minutes E 2335 feet to a point in the northwest right-of-way of Route 26, said point of beginning.

Containing approximately 67.1 acres.

Tract No. 2

Beginning at a point on the southeast right-of-way of Route 26, said point being S 69 degrees 06 minutes W 950 feet from the southern right-of-way of Route 22; thence S 32 degrees 33 minutes E 1033 feet to a point, thence S 57 degrees 27 minutes W 1550 feet to a point; thence N 58 degrees 17 minutes W 1130 feet to a point in the southeast right-of-way of Route 26; thence along said right-of-way N 57 degrees 27 minutes E 2040 feet to said point of beginning.

Containing approximately 42.6 acres.

Tract No. 3

Beginning at a point of the southern right-of-way of new Route 22, said point being S 59 degrees 23 minutes E 450 feet from the southeast right-of-way of Route 26; thence along said right-of-way S 59 degrees 23 minutes E

700 feet to a point; thence S 30 degrees 37 minutes W 580 feet to a point; thence N 38 degrees W 740 feet to a point; thence N 30 degrees 37 minutes E 370 feet to a point in the southern right-of-way of new Route 22, said point of beginning.

Containing approximately 7.6 acres.

The descriptions of the three tracts above are approximate, and the description in the deed of conveyance may be adjusted slightly to reflect the results of a survey which shall be performed.

(c) Rights-of-way.—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) Deposit of proceeds.—The proceeds of this sale shall be paid into the State Treasury and deposited in the General Fund.

(e) Approval and execution of deed.—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.—Costs and fees incidental to the conveyance shall be borne by the grantee.

(g) Other conditions of sale.—The conveyance shall be conditioned on the grantee's meeting and insuring that the requirements of the Commonwealth are met as described in the purchase agreement which shall include, but shall not be limited to, the following:

(1) Appropriate buffer zones, as determined in the Commonwealth's sole discretion, shall be maintained between the Department of Corrections facilities and all surrounding areas.

(2) The grantee and its successors shall take the necessary steps to preserve the present water sources utilized by the Department of Corrections facilities, keeping in mind that development cannot take precedence over the utility needs of these facilities. To that end, grantee shall take the appropriate steps and insure that no contamination of these water resources shall occur, and if, despite the grantee's efforts, the water sources become contaminated, the grantee shall take the necessary steps to decontaminate the water sources and shall be responsible for all incidental and consequential costs that the Commonwealth may incur as a result of the contamination.

Section 4. This act shall take effect immediately.

APPROVED—The 19th day of December, A.D. 1997.

THOMAS J. RIDGE

