

No. 2000-60

AN ACT

SB 1183

Authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey oil, gas and mineral rights, including coal, that the Commonwealth possesses in a certain parcel of land situate in Canaan Township, Wayne County, Pennsylvania, to the United States of America and releasing certain restrictions on that land; authorizing and directing the Department of General Services, with the approval of the Governor, to sell and convey to Warren County Conservation District a certain tract of land situate in the Township of Glade, Warren County, Pennsylvania; and authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to sell and convey to Media Borough a certain tract of land situate in Media Borough, Delaware County, Pennsylvania.

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

Section 1. Conveyance of oil, gas and mineral rights.

(a) The Department of General Services, with the approval of the Governor, is hereby authorized and directed to convey to the Federal Government of the United States of America all rights and interest in oil, gas and mineral rights, including coal, in a tract of land described as follows:

ALL THAT CERTAIN tract of land situated on the west side of Canaan Road (T-466) on the southerly side of a 30-foot-wide right-of-way and access road in Canaan Township, Wayne County, Commonwealth of Pennsylvania, as shown on a plan prepared by RETTEW Associates, Inc., drawing number 981890-02, and being more fully bounded and described as follows:

BEGINNING AT A POINT, a P.K. nail (found) in or near the centerline of Canaan Road (T-466), said point being the northeasterlymost corner of the herein described tract; thence in and along the centerline of said Canaan Road the following six courses and distances: (1) S 18 degrees 37 minutes 37 seconds W, (Grid bearing) 376.62 feet (114.794 meters) to a P.K. nail (found), (2) S 20 degrees 16 minutes 03 seconds W, 1007.21 feet (306.998 meters) to a point, (3) S 20 degrees 37 minutes 25 seconds W, 650.11 feet (198.154 meters) to a point, (4) S 20 degrees 09 minutes 49 seconds W, 430.41 feet (131.189 meters) to a point, (5) S 16 degrees 15 minutes 27 seconds W, 737.88 feet (224.906 meters) to a point, and (6) S 21 degrees 45 minutes 15 seconds W, 213.42 feet (65.051 meters) to a point in or near the centerline intersection of said Canaan Road and a stream; thence in and along the centerline of said stream several courses and distances for a total distance of 4,640 feet, more or less, (1,414.27 meters, more or less) to a point in or near the centerline of a 20-foot-road right-of-way easement leading to an existing cemetery southwest of the herein described property

and for purposes of mathematical closure a survey line follows the stream as follows: N 20 degrees 48 minutes 23 seconds W, 1948.43 feet (593.883 meters) to a point; thence continuing along a survey line N 42 degrees 21 minutes 18 seconds W, 1,848.03 feet (563.281 meters) to aforesaid point in and along the centerline of a 20-foot-wide road access easement; thence in and along the centerline of said 20-foot-wide road easement N 51 degrees 09 minutes 39 seconds E, 130.05 feet (39.639 meters) to a point in or near the centerline of a 30-foot-wide right-of-way leading to Owego Turnpike, said road right-of-way being used as an access road; thence in and along said 30-foot-wide right-of-way access road the following nine courses and distances: (1) S 51 degrees 14 minutes 34 seconds E, 212.56 feet (64.788 meters), (2) S 72 degrees 31 minutes 09 seconds E, 229.70 feet (70.013 meters) to a point, (3) S 79 degrees 57 minutes 23 seconds E, 265.26 feet (80.851 meters) to a point, (4) S 82 degrees 48 minutes 27 seconds E, 615.96 feet (187.745 meters) to a point, (5) S 88 degrees 53 minutes 59 seconds E, 390.20 feet (118.933 meters) to a point, (6) N 78 degrees 13 minutes 32 seconds E, 392.54 feet (119.646 meters) to a point, (7) N 52 degrees 09 minutes 11 seconds E, 131.06 feet (39.947 meters) to a point, (8) N 39 degrees 04 minutes 36 seconds E, 60.11 feet (18.322 meters) to a point; and (9) N 35 degrees 17 minutes 15 seconds E, 336.96 feet (102.706 meters) to a 1/2 inch rebar (found) in or near the centerline intersection of aforesaid access road and another access road leading to aforesaid Canaan Road; thence in and along said access road leading to Canaan Road S 71 degrees 49 minutes 51 seconds E, 631.99 feet (192.631 meters) to the POINT OF BEGINNING.

CONTAINING: 96.449 acres, more or less, and being a portion of that property conveyed under a deed recorded in the Office of the Recorder of Deeds in Wayne County, Deed Book 510, Page 572, which deed was modified by a supplemental deed dated January 24, 1994, and recorded in the same office on May 19, 1994, Deed Book 934, Page 191.

(b) Restrictions imposed under the act of January 19, 1968 (1967 P.L.992, No.442), entitled "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses," upon the use of the property described under subsection (a) are hereby released.

(c) The deed of conveyance of the rights referred to in subsection (a) and releasing the specified restrictions in accordance with subsection (b) 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 the conveyance authorized by this section shall be borne by the Grantee.

Section 2. Conveyance to Warren County Conservation District.

(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, sell and convey to the Warren

County Conservation District, for consideration equal to the fair market value as determined by an independent appraisal, a tract of land as further described below.

(b) The property to be conveyed is a single tract of land situate in the Township of Glade, Warren County, Pennsylvania, bounded and described as follows:

Commencing at a set 1/2 inch rebar located at the intersection of the westerly right-of-way of Conewango Avenue Extension and the northerly right-of-way of Hatch Run Road, said rebar being the Point of Beginning:

Thence North 00 degrees 40 minutes 48 seconds East a distance of 566.06 feet along the westerly right-of-way of Conewango Avenue Extension to a set 1/2 inch rebar;

Thence North 81 degrees 06 minutes 21 seconds East a distance of 261.06 feet along lands of The Commonwealth of Pennsylvania to a set 1/2 inch rebar;

Thence South 00 degrees 40 minutes 48 seconds West a distance of 619.63 feet severing lands of The Commonwealth of Pennsylvania to a set 1/2 inch rebar;

Thence North 85 degrees 39 minutes 42 seconds West a distance of 141.46 feet along the northerly right-of-way of Hatch Run Road to a set 1/2 inch rebar;

Thence South 04 degrees 20 minutes 18 seconds West a distance of 5.00 feet along the northerly right-of-way of Hatch Run Road to a set 1/2 inch rebar;

Thence North 86 degrees 18 minutes 06 seconds West a distance of 116.09 feet along the northerly right-of-way of Hatch Run Road to a set 1/2 inch rebar, said rebar being the Point of Beginning.

CONTAINING a total area of 152,460.0 Sq. Ft. or 3.5 Acres.

BEING DEPICTED on a survey plat (Number C98214) prepared by John E. Cox, Professional Land Surveyor, on November 10, 1998.

LESS AND ACCEPTING a permanent thirty-foot-wide right-of-way across the tract of land from Conewango Avenue Extension to the remaining 347.50 acre parcel.

(c) The conveyance authorized by this section shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, cable, water, electric, sewer, gas or pipeline companies, as well as under the subject to any lawful and enforceable interest, estates or tenancies vested in third persons, appearing of record, for any portion of the land or improvements erected thereon.

(d) The deed of conveyance authorized by this section 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. In the event that this conveyance is not executed within 12 months of the effective date of this act, the property shall continue to be used by the Warren County

Conservation District in accordance with the terms and conditions of the Interagency Agreement between the Warren County Conservation District and the Commonwealth of Pennsylvania, dated September 18, 1997.

(e) Warren County Conservation District shall obtain subdivision approval for the subdivision resulting from this conveyance prior to formal closing.

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

Section 3. Conveyance of Media National Guard Armory.

(a) The Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, is hereby authorized and directed to grant and convey to the Borough of Media, Delaware County, Pennsylvania, for a fair consideration based on fair market value as determined by an independent appraiser, a tract of land as described in subsection (b).

(b) The property to be conveyed is a tract of land together with a building and improvements situate in Borough of Media, Delaware County, Pennsylvania, bounded and described as follows:

All that certain tract of land situated on the southwesterly corner of State and Church Streets, containing in front or breadth on the said State Street, one hundred (100) feet and extending of that width in length or depth southwardly one hundred and fifty (150) feet to the northerly side of Baker Street (thirty feet wide) together with the right and use of said Baker Street in common with the owners of the other lands abutting thereon.

This property being identified as Tax Map No. 26-04-560.00.

Being the same property that James A. McDowell et al., as trustees of the First Methodist Episcopal Church of Media, by their deed dated November 7, 1907, and recorded in the Delaware County Recorder of Deeds Office in Deed Book S-12, Page 31, granted and conveyed unto the Commonwealth of Pennsylvania.

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

(d) The deed of conveyance shall be by special warranty deed 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.

(f) The deed of conveyance authorized by this section shall contain a clause that the property is to be used for economic development purposes by the Borough of Media and if the property is not used for such purposes it shall revert to the Commonwealth of Pennsylvania.

Section 4. Applicability.

Section 1 shall take effect upon the expenditure of the Federal funds appropriated for the construction of a correctional facility on the tract described in section 1 or a tract adjacent to it, and the Department of General Services shall publish the date of such expenditure as a notice in the Pennsylvania Bulletin.

Section 5. Effective date.

This act shall take effect immediately.

APPROVED—The 22nd day of June, A.D. 2000.

THOMAS J. RIDGE