

No. 2000-97

AN ACT

SB 1468

Amending the act of June 25, 1999 (P.L.205, No.27), entitled "An act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; and authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania," further providing for the purpose of the conveyance; authorizing and directing the Department of General Services, with the approval of the Governor and Department of Transportation, to sell and convey to the Borough of Hollidaysburg certain land situate in the Borough of Hollidaysburg, Blair County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor, to convey a tract of land in the Borough of Selinsgrove, Snyder County, to the Eastern Snyder County Regional Authority in exchange for another tract of land in the Borough of Selinsgrove, Snyder County; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Snyder County certain lands situate in Penn Township; authorizing conveyance of certain lands to Warren County; and authorizing conveyance to Warren County of certain lands situate in Conewango Township.

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

Section 1. The title of the act of June 25, 1999 (P.L.205, No.27), entitled "An act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; and authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania," is amended to read:

AN ACT

Authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; [and] authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical

Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania[,]; *authorizing and directing the Department of General Services, with the approval of the Governor and Department of Transportation, to sell and convey to the Borough of Hollidaysburg certain land situate in the Borough of Hollidaysburg, Blair County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor, to convey a tract of land in the Borough of Selinsgrove, Snyder County, to the Eastern Snyder County Regional Authority in exchange for another tract of land in the Borough of Selinsgrove, Snyder County; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Snyder County certain lands situate in Penn Township.*

Section 2. Section 1(e) of the act is amended to read:

Section 1. East Allen Township, Northampton County.

(e) Purpose.—Notwithstanding the provisions set forth in subsection (d), the deed of conveyance shall contain a clause that the land conveyed shall be used only for purposes which are compatible to the provisions under the Surplus Property Disposition Plan No. 1 of 1995 *or for other municipal purposes.*

Section 3. The act is amended by adding sections to read:

Section 4.1. Hollidaysburg Borough, Blair County.

(a) *Authorization.—The Department of General Services, with the approval of the Governor and Department of Transportation, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant, sell and convey by special warranty deed to the Borough of Hollidaysburg for fair consideration equal to the fair market value as determined by an independent appraisal the tract of land and buildings described in subsection (b).*

(b) *Description.—The property to be conveyed pursuant to subsection (a) is the following tract of land consisting of the Department of Transportation's Blair County Maintenance Facility situate in the Borough of Hollidaysburg, Blair County, Pennsylvania, bounded and described as follows:*

BEGINNING at an iron pin on the northeasterly side of Bedford Street, said iron pin being N. 30 degrees 40 minutes W. and sixty-five (65) feet from an angle point in said street; thence by lot No. 2, land N/F of Hollidaysburg Union Prayer Band, N. 59 degrees 20 minutes E. one hundred thirty-nine and eighty-five one-hundredths (139.85) feet to a tack in a 4-inch stake on the westerly bank of the Frankstown Branch of the Juniata River; thence S. 32 degrees 6 minutes E. ninety-three and seventy-four one-hundredths (93.74) feet to a stake on the westerly bank of the Frankstown Branch of the Juniata River; thence S. 32 degrees 17

minutes E. one hundred fifty-three and ninety-five one-hundredths (153.95) feet to a tack in a 4-inch post on the westerly bank of the Frankstown Branch of the Juniata River and on the northwesterly side of a fifteen (15) foot alley; thence along the northwesterly side of said alley S. 70 degrees 45 minutes W. one hundred seventy-nine and eight-tenths (179.8) feet to a tack in a 6 inch post at the intersection of the northwesterly side of said alley and the easterly side of Bedford Street; thence along the easterly side of Bedford Street N. 19 degrees 15 minutes W. one hundred fifty (150) feet to a tack in a 6-inch post at an angle point in Bedford Street; thence by the northeasterly side of Bedford Street N. 30 degrees 40 minutes W. sixty-five (65) feet to the point of beginning.

CONTAINING 0.8158 of an acre, more or less.

(c) *Condition.*—*The conveyance authorized by this section is subject to the Commonwealth of Pennsylvania's completion of a new maintenance shed for the Pennsylvania Department of Transportation, hereinafter referred to as PADOT, and PADOT vacating the above-described tract of land.*

(d) *Easements.*—*The conveyance authorized by this section shall be made under and subject to all lawful and enforceable easements, servitudes, infringements known or unknown 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 and 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.*

(e) *Restrictions.*—*The deed of conveyance shall contain a clause that the property conveyed shall be used for municipal purposes, and if at any time the Borough of Hollidaysburg or its successor in function conveys the property or permits the property to be used for any purpose other than that specified in this subsection, the title to the property shall immediately revert to and revest in the Commonwealth of Pennsylvania.*

(f) *Execution.*—*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 or within 12 months of PADOT vacating the premises, whichever is later, the property may be disposed of in accordance with Article XXIV-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.*

(g) *Government approvals.*—*Grantee shall be solely responsible to obtain all required subdivision approvals and all other governmental approvals necessary for the transfer or intended use of the transferred tract and its buildings required as a result of this conveyance. All fees and costs associated with obtaining the subdivision or other approvals shall be borne by the Grantee.*

(h) Costs and fees.—All other costs and fees incidental to the conveyance, including, but not limited to, appraisal fees, title insurance, survey, authorized by this section shall be borne by the Grantee.

(i) General fund.—Proceeds from this sale shall be deposited in the General Fund.

Section 4.2. Conveyance to Eastern Snyder County Regional Authority.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed to convey to the Eastern Snyder County Regional Authority the tract of land described in subsection (b) in exchange for the tract of land described in subsection (c).

(b) Land to be conveyed from the Commonwealth.—All that certain tract or parcel of land situate in the Borough of Selinsgrove, Snyder County, Pennsylvania, being bounded and described as follows:

BEGINNING at a point on the Northern right-of-way line of Sandkill Road, said point being in the center of the described 30-foot wide easement;

- 1. Thence thru the lands of the Commonwealth of Pennsylvania North forty degrees twenty-nine minutes East a distance of fifty-eight and seventy-nine hundredths feet to a point;*
- 2. Thence thru the same North ten degrees twenty-nine minutes East a distance of one hundred thirty-four and seventy-eight hundredths feet to a point;*
- 3. Thence thru the same North forty degrees twenty-nine minutes East a distance of four hundred ninety-six feet to a point at the end of said easement.*

(c) Land to be conveyed to the Commonwealth.—ALL that certain tract or parcel of land situate in the Borough of Selinsgrove, Snyder County, Pennsylvania, being bounded and described as follows:

BEGINNING at a point on the Northerly right-of-way line of Sandhill Road. Said point being a distance of twenty-seven and thirty hundredths feet and measured in a Easterly direction along said Northerly right-of-way line from the intersection of said right-of-way line with the Westerly line of property of the Commonwealth of Pennsylvania.

- 1. Thence North eleven degrees, eleven minutes, sixteen seconds East a distance of three hundred twenty-six and ninety-five hundredths feet to an existing manhole.*
- 2. Thence South seventy-eight degrees, fifty-one minutes, twenty-nine seconds East a distance of three hundred seventeen and fifty-seven hundredths feet to an existing manhole.*
- 3. Thence North eighty-six degrees, four minutes, thirty-one seconds East a distance of seventy-six and five hundredths feet to an existing manhole.*
- 4. Thence North thirty-six degrees, fifty-one minutes, forty-four seconds East a distance of one hundred eighty-six feet to a point*

located South thirty-six degrees, fifty-one minutes, forty-four seconds West twelve feet from an existing manhole.

The above described right-of-way is thirty feet wide. Fifteen feet on each side of the existing sewer line with the exception of line number 2 where the right-of-way is ten feet on the South side and fifteen feet on the North side. Being part of the same right-of-way as described in Deed Book 144, Page 312.

(d) Deed.—The deed of conveyance shall be approved as provided by law and shall be executed by the Department of General Services in the name of the Commonwealth.

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

Section 4.3. Penn Township, Snyder County.

(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 and convey to Snyder County certain land described in subsection (b) for fair market value as determined by independent appraisal.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately seven acres bounded and more particularly described as follows:

Beginning at a found iron spike in the centerline of State Route 1010 (Old Colony Road - formerly Legislative Route 54068); said iron spike marking the southeasterly corner of other land now or formerly of Snyder County. Thence along said other land now or formerly of Snyder County, the following 5 courses and distances:

(1) N 45 degrees 45 minutes 00 seconds W a distance of 247.34 feet to a point;

(2) N 26 degrees 08 minutes 40 seconds W a distance of 315.10 feet to a found iron pin;

(3) S 81 degrees 18 minutes 00 seconds W a distance of 339.28 feet to a point;

(4) S 00 degrees 33 minutes 10 seconds E a distance of 207.42 feet to a found iron pin; and

(5) S 15 degrees 14 minutes 00 seconds E a distance of 345.87 feet to a point in the centerline of aforesaid State Route 1010.

Thence through land of the Commonwealth of Pennsylvania, of which the land herein described is a part, the following 7 courses and distances:

(1) S 65 degrees 39 minutes 10 seconds W a distance of 10.99 feet, to a set nail in the centerline of said State Route 1010;

(2) N 26 degrees 06 minutes 10 seconds W, passing through a set iron pin at a distance of 16.51 feet, a total distance of 708.31 feet to a set iron pin;

(3) N 87 degrees 03 minutes 40 seconds E a distance of 555.08 feet to a set iron pin;

(4) S 84 degrees 24 minutes 50 seconds E a distance of 583.16 feet to a set iron pin;

(5) S 06 degrees 39 minutes 00 seconds W, passing through a set iron pin at a distance of 473.34 feet, a total distance of 489.84 feet to a set nail in the centerline of aforesaid State Route 1010;

(6) N 83 degrees 21 minutes 00 seconds W a distance of 143.05 feet to a set nail in the centerline of said State Route 1010; and

(7) on an arc concave to the south; having a radius of 572.96 feet, a chord bearing of N 86 degrees, 08 minutes, 50 seconds W, and a chord distance of 55.89 feet; an arc distance of 55.91 feet to the place of beginning.

Containing an area of 7 acres of land.

Being all of Lot Number 1, as shown on the Plan of Subdivision for Snyder County Commissioners, as prepared by Gerald E. Bickhart & Sons, Inc., dated 03-31-94, and recorded in Snyder County Map File number 2275.

(c) Easements.—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) Release of restrictions.—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 section 2 are hereby released.

(e) Deed.—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.

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

(g) Alternative disposition.—In the event that this conveyance is not executed within 12 months of the effective date of this act, the property may be disposed of in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 4. Warren County conveyance.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Public Welfare, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Warren County 15 acres of vacant land, more or less, described in subsection (b) for fair market value as determined by independent appraisal.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of the 15 acres of vacant land, more or less, bounded and more particularly described as follows:

BEGINNING at a Rebar and Cap (Found) at the Northeast corner of Lands of the North Warren Municipal Authority and the West Right-of-Way line of S.R.0062.

Thence North 78 degrees 40 minutes 19 seconds West a distance of 605.00 Feet to a Point, said point being a Rebar and Cap (Set),

Thence North 26 degrees 48 minutes 38 seconds East a distance of 1133.75 Feet to a point, said point being a Rebar and Cap (Set),

Thence North 52 degrees 55 minutes 39 seconds East a distance of 320.69 Feet to a Point, said point being a Rebar and Cap (Set),

Thence South 84 degrees 09 minutes 01 second East a distance of 237.80 Feet to a Point, said point being a Rebar and Cap (Set),

Thence South 04 degrees 21 minutes 58 seconds West a distance of 74.75 Feet to a Point, said point being a Fence Corner (Found),

Thence South 18 degrees 17 minutes 11 seconds West a distance of 1290.43 Feet to a Point, said point being the Place of Beginning.

The above-described parcel contains or is said to contain 653,402 square feet or 15.000 acres of land more or less.

(c) Restrictions.—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 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) Deed.—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.—Costs and fees incidental to this conveyance shall be borne by the Grantee.

(f) Proceeds.—The proceeds from the sale shall be placed in the General Fund.

Section 5. Warren County conveyance in Conewango Township.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Public Welfare, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Warren County 22.7451 acres of vacant land, more or less, described in subsection (b) for fair market value as determined by independent appraisal.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of all that certain piece or parcel of land situate in Conewango Township, Warren County, Pennsylvania, bounded and described as follows:

BEGINNING at the point of intersection of the northerly right-of-way line of Jackson Run Road with the northwesterly right of way of Market Street Extension (Route 62);

THENCE North 39 degrees 12 minutes 07 seconds West along said northerly right-of-way line of Jackson Run Road a distance of 213.40 feet to a point of curvature;

THENCE northwesterly along said northerly right-of-way line along the arc of a curve concave to the southwest having a central angle of 12 degrees 04 minutes 30 seconds, a radius of 980.37 feet, a distance of 206.61 feet to a point of tangency;

THENCE North 51 degrees 16 minutes 37 seconds West along said right-of-way line a distance of 443.73 feet to a point of curvature;

THENCE northwesterly along said northerly right-of-way line along the arc of a curve concave to the southwest having a central angle of 15 degrees 43 minutes 30 seconds, a radius of 1067.14 feet, a distance of 392.88 feet to a point of tangency;

THENCE North 67 degrees 00 minutes 07 seconds West along said northerly right-of-way line a distance of 120.76 feet to the easterly line of the Warren State Hospital Cemetery;

THENCE North 27 degrees 08 minutes 51 seconds East along the said easterly line of the cemetery a distance of 390.10 feet;

THENCE North 86 degrees 20 minutes 58 seconds East a distance of 92.88 feet;

THENCE North 51 degrees 19 minutes 50 seconds East a distance of 228.53 feet;

THENCE North 90 degrees 00 minutes 00 seconds East a distance of 679.09 feet;

THENCE South 23 degrees 37 minutes 03 seconds East a distance of 120.87 feet;

THENCE South 55 degrees 32 minutes 09 seconds East a distance of 118.17 feet;

THENCE South 79 degrees 56 minutes 49 seconds East a distance of 104.60 feet to a point on the westerly right-of-way line of said Market Street Extension;

THENCE South 33 degrees 13 minutes 34 seconds West along said westerly right-of-way a distance of 75.20 feet;

THENCE South 18 degrees 17 minutes 41 seconds West along said right-of-way a distance of 200.00 feet;

THENCE South 15 degrees 34 minutes 55 seconds West along said westerly right-of-way a distance of 800.86 feet;

THENCE South 04 degrees 15 minutes 31 seconds West along said westerly right-of-way a distance of 41.23 feet;

THENCE South 73 degrees 15 minutes 42 seconds West along said right-of-way a distance of 68.48 feet to the Point of Beginning. Containing 22.7451 acres of vacant land more or less.

(c) Restrictions.—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 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) Deed.—

(1) 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.

(2) The deed of conveyance shall contain a condition reciting that the land herein conveyed shall be used for open space or agricultural purposes, and, if at any time Warren County or its successors in function conveys said property or authorizes or permits said property to be used for any purpose other than those aforementioned, the title to the land shall immediately revert and revest in the Commonwealth of Pennsylvania.

(e) Alternate disposition of property.—In the event this conveyance is not executed in compliance with the Purchase Agreement, the property may be disposed of in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

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

(g) Proceeds.—The proceeds from the sale shall be placed in the Agricultural Conservation Easement Purchase Fund.

Section 6. This act shall take effect immediately.

APPROVED—The 20th day of December, A.D. 2000.

THOMAS J. RIDGE