

No. 2007-25

AN ACT

SB 233

Authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Somerset County certain lands situate in Somerset Township, Somerset County.

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

Section 1. Conveyance of lands in Somerset Township, Somerset County.

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 the County of Somerset certain lands situate in Somerset Township, Somerset County, for \$290,000.

Section 2. Description of land.

The property to be conveyed pursuant to section 1 consists of approximately 108.122 acres +/- and more particularly described as follows: BEGINNING at an existing concrete monument (found), a common corner of the parcel herein described and lands of now or formerly Gregory A. Maust and on line along lands now or formerly of Donald Gene and Mary Elizabeth Snyder, thence along the line of lands now or formerly of Donald Gene and Mary Elizabeth Snyder, South 74 degrees 29 minutes 51 seconds West a distance of 1260.20 feet to an existing concrete monument (found); thence along the same North 69 degrees 54 minutes 10 seconds West a distance of 845.12 feet to an existing concrete monument (found); then along the same, South 31 degrees 06 minutes 41 seconds West a distance of 90.39 feet to an existing concrete monument (found) on the north right of way line of lands now or formerly of the Pennsylvania Turnpike Commission; thence along said right of way line, North 66 degrees 09 minutes 13 seconds West a distance of 1300.93 feet to a set iron pin/cap, a common corner on the north right of way line of lands now or formerly of the Pennsylvania Turnpike Commission and the east right of way line of State Route 219; thence along the east right of way line of said State Route 219, North 24 degrees 09 minutes 48 seconds East a distance of 935.02 feet to a set iron pin/cap; thence along same, North 27 degrees 03 minutes 27 seconds East a distance of 751.38 feet, passing through a set iron pin/cap at 640.00 feet, to a point at the centerline of State Route 31 (Glades Pike); thence along centerline of said road, South 82 degrees 14 minutes 10 seconds East a distance of 239.33 feet to a point; thence by an arc to the right along the centerline of said road having a radius of 2864.93 feet and an arc distance of 497.52 feet to a point; thence along centerline of said road, South 72 degrees 17 minutes 10 seconds East a distance of 1168.95 feet to a point, a common corner with lands now or formerly of the Borough of Somerset; thence along lands now or formerly

of the Borough of Somerset, South 04 degrees 41 minutes 00 seconds East a distance of 197.99 feet to an existing bent 3/4 inch rebar (found); thence along same by an arc to the left having a radius of 160.00 feet and an arc distance of 164.41 feet to a set iron pin/cap; thence along same, South 63 degrees 33 minutes 31 seconds East a distance of 224.06 feet to an existing iron pin/cap (found) on line in common with lands now or formerly of Robert E. and Naomi J. Sheeler; thence along lands now or formerly of Robert E. and Naomi J. Sheeler, now or formerly of Arnold W. and Susan K. Berkebile and now or formerly of Gregory A. Maust, South 20 degrees 48 minutes 07 seconds East a distance of 1069.20 feet, passing through an existing iron pin/cap at 42.26 feet and an existing iron pin/cap at 588.21 feet, to an existing concrete monument, the place of BEGINNING.

Containing 108.122-acres more or less.

Section 3. 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.

Section 4. Restrictions.

Any conveyance authorized under this act shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under the laws of this Commonwealth. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this act to be used in violation of this section, the title shall immediately revert to and revest in the grantor.

Section 5. Special warranty 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.

Section 6. Costs and fees.

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

Section 7. Other costs and fees.

All costs and fees incurred by the Department of Corrections in replacing a storage building located on the property to be conveyed herein shall be deducted from the purchase price and transferred to the appropriation from which the costs and fees were paid by the Department of Corrections. All funds remaining after the transfer to the Department of Corrections shall be deposited in the General Fund.

Section 8. Effective date.

This act shall take effect immediately.

APPROVED—The 2nd day of July, A.D. 2007.

EDWARD G. RENDELL