

## No. 2008-47

## AN ACT

## HB 2158

Authorizing the Department of General Services, with the approval of the Department of Transportation and the Governor, to grant and convey to Pike County or its assigns, certain lands, situate in the Borough of Milford, Pike County, in exchange for a certain tract of land; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Heritage Building Group, Inc., and the Municipal Authority of the Township of South Heidelberg, and their assigns, six permanent sanitary sewer easements and two temporary construction easements, situate in South Heidelberg Township and Lower Heidelberg Township, Berks County; authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Borough of Pottstown, Montgomery County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Township of West Norriton, Montgomery County; authorizing the Department of General Services, with the approval of the Governor, to dedicate, grant and convey to the Strasburg, Lancaster County, Borough Authority, a water main and appurtenances to be constructed by the Department of General Services, together with easements for public water purposes, situate in Strasburg Township, Lancaster County, and to grant such further easements and licenses as may be necessary to provide the Railroad Museum of Pennsylvania with access to public sewer service; authorizing the Department of General Services, with the approval of the Governor and the Department of Transportation, to grant and convey to Parkwood Real Estate Trust LLC, approximately 1.645 acres including a building and all improvements thereon, situate at Parkwood Drive in the City of Allentown and Salisbury Township, Lehigh County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the County of Lackawanna Transit System Authority (COLTS), certain lands situate in the City of Scranton, Lackawanna County, in exchange for a certain tract of land from COLTS situate in the City of Scranton, Lackawanna County.

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

Section 1. Conveyance to Pike County.

(a) Authorization.—The Department of General Services, with the approval of the Department of Transportation and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Pike County certain land and improvements described in subsection (b).

(b) Description.—The property to be conveyed under subsection (a) consists of three tracts containing in aggregate 3.319 acres more or less and improvements known as the Pennsylvania Department of Transportation Pike County Maintenance Facility in the Borough of Milford, Pike County, Pennsylvania, more particularly bounded and described as follows:

## Parcel 1.

BEGINNING at a point, said point being in legal right-of-way line offset at right angle 50 feet from tangent of point of curve Station 25+37.54 on L.R. 8 (Traffic Route 6); thence along same right-of-way line on a curve to the right an arc distance 179.90 feet, south 88 degrees, 55 minutes, 41 seconds east a distance of 179.77 feet to a point; thence along Bennett Street south 34 degrees, 13 minutes, 00 seconds east a distance of 72.78 feet to a point; thence along lands now or formerly of Sam Schoupp south 55 degrees, 47 minutes 00 seconds west a distance of 204.80 feet to point; thence along lands now or formerly of Norman Lehde north 18 degrees, 50 minutes, 00 seconds west a distance of 43.40 feet to a point; thence along same lands of Norman Lehde north 15 degrees, 10 minutes 00 seconds west a distance of 142.60 feet to place of beginning. Containing 0.5504 acres of land, more or less.

## Parcel 2.

BEGINNING at a point, said point being south 53 degrees 36 minutes west 200 feet from the southeasterly side of Bennett Avenue; on the line of lands between Pennsylvania Department of Highways and C. Koenderman, et ux; thence south 36 degrees 24 minutes east 110 feet to a point. Said point being on dividing line of lands of E. Roberts and C. Koenderman, et ux; thence along said dividing line south 53 degrees 36 minutes west 110.8 feet to a point; thence north 49 degrees 30 minutes west 43.2 feet to a point; thence north 64 degrees 15 minutes west 77.53 feet to a point on the line of lands between Pennsylvania Department of Highways and C. Koenderman, et ux; thence along said dividing line of lands north 53 degrees 36 minutes east 157.54 feet to a point. Said point being the place of BEGINNING.

CONTAINING .336 acres of land, more or less.

## Parcel 3.

BEGINNING at a stone monument set in the ground marking the westerly side of Elizabeth Street and the center line of Broad Street, as shown by the official map of the Borough of Milford, thence at right angles to the center line of Broad Street, south thirty-eight degrees E. forty (40.0) feet; thence, south, twelve degrees, thirty-seven minutes east seventy-seven and twenty-two hundredths (77.22) feet, thence, south twenty-three degrees and thirty-six minutes east forty-five (45.0) feet, thence south seven degrees and fifty minutes east one hundred forty and twenty-five hundredths (140.25) feet, thence south seventeen degrees and forty-five minutes east one hundred forty-eight and fifty hundredths (148.50) feet, thence south twenty-one degrees, east eighty-two and fifty hundredths (82.50) feet, thence, south seven degrees, forty-five minutes east, forty-nine and fifty hundredths (49.50) feet, thence south nine degrees and thirty-minutes west, twenty-nine and twenty-five hundredths (29.25) feet to a concrete monument and the beginning point for the land hereby intended to be conveyed, thence along lands of Nell Quick Wells, north fifty-three degrees, thirty-five minutes and twenty-three seconds east, two hundred fifty-nine and sixty-eight hundredths

(259.68) feet to a concrete monument on the westerly side of Bennett Avenue, thence along the westerly side of Bennett Avenue, south thirty-six degrees, twenty-four minutes and thirty-seven seconds, east, three hundred feet (300.00) to a concrete monument; thence at right angles along lands of Nell Quick Wells, south fifty-three degrees thirty-five minutes and twenty-three seconds west, three hundred fifty-seven and fifty-four hundredths (357.54) feet to a concrete monument on line of lands of Brown Estate; thence along said lands north sixty-four degrees and thirty minutes west, eighty-seven and forty-seven hundredths (87.47) feet to a stake; thence north nineteen degrees west, one hundred thirty-two (132.0) feet to a stake; thence north nine degrees and thirty minutes east one hundred thirty-nine and five hundredths (139.05) feet to a concrete monument and place of beginning. CONTAINING TWO AND FORTY-SEVEN ONE HUNDREDTHS ACRES, be the same more or less.

(c) Property to be exchanged.—The conveyance authorized under subsection (a) shall be made in exchange for the conveyance, by special warranty deed, from Pike County to the Commonwealth of Pennsylvania, acting by and through its Department of General Services, of all that certain piece of land located in Blooming Grove Township, Pike County, Pennsylvania, situated at the northwest corner of the intersection of the county prison access road and Route 739, containing 13.5 acres more or less, substantially as shown on the “Stockpile Survey Plan” prepared by the Pennsylvania Department of Transportation, dated May 25, 2004, with a metes and bounds description to be provided by a Professional Land Surveyor duly licensed in accordance with the laws of this Commonwealth.

(d) Conditions.—The conveyance authorized under subsection (a) shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not limited to, streets, roadways and any 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.

(e) Restriction.—The conveyance authorized under this section 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 State law. 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 section to be used in violation of this section, the title shall immediately revert to and revest in the grantor.

(f) Deed of conveyance.—The deed of conveyance authorized under subsection (a) shall be a special warranty deed and shall be executed by the

Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(g) Costs.—Each party shall bear its own fees and costs incidental to these conveyances.

Section 2. Easements through lands of Wernersville State Hospital.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Heritage Building Group, Inc., and the Municipal Authority of the Township of South Heidelberg, and their assigns, six sanitary sewer easements and two temporary construction easements, through the lands of Wernersville State Hospital, situate in South Heidelberg Township and Lower Heidelberg Township, Berks County, under such terms and conditions to be established in an Easement Agreement with the Department of General Services.

(b) Description.—The property to be conveyed consists of six permanent sanitary sewer easements and two temporary construction easements, bounded and more particularly described as follows:

SANITARY SEWER EASEMENT NO. 1

BEGINNING AT A POINT on the Southwesterly right-of-way of the Philadelphia and Reading Railroad (Lebanon Valley Branch, variable width right-of-way), said point being distant along the arc of a circle curving to the right, having a radius of 5,772.65 feet, a central angle of 00 degrees 29 minutes 27 seconds, an arc length of 49.45 feet, a chord bearing North 56 degrees 24 minutes 51 seconds West and a chord distance of 49.45 feet from the Westerly right-of-way line of Point Road (a.k.a. T-374, 33 foot wide right-of-way) and from said point of beginning running, Thence;

The following two courses and distances along a line running through Parcel 7365, lands now or formerly the Commonwealth of Pennsylvania (Wernersville State Hospital):

1. South 33 degrees 58 minutes 48 seconds West, a distance of 17.92 feet to a point, Thence;
2. South 52 degrees 40 minutes 40 seconds East, a distance of 59.02 feet to a point on the westerly right-of-way of Point Road, Thence;
3. Along the Westerly right-of-way line of Point Road, along the arc of a circle curving to the left, having a radius of 581.57 feet, a central angle of 03 degrees 28 minutes 52 seconds, an arc length of 35.34 feet, a chord bearing South 05 degrees 26 minutes 21 seconds West and a chord distance of 35.33 feet to a point, Thence;

The following two courses and distances along a line running through Parcel 7365:

1. North 52 degrees 40 minutes 40 seconds West, a distance of 105.98 feet to a point, Thence;
2. North 33 degrees 58 minutes 48 seconds East, a distance of 46.22 feet to a point on the Southwesterly right-of-way line of the Philadelphia and Reading Railroad, Thence;

3. Along the Southwesterly right-of-way of the Philadelphia and Reading Railroad, along the arc of a circle curving to the left, having a radius of 5,772.65 feet, a central angle of 00 degrees 17 minutes 52 seconds, an arc length of 30.00 feet, a chord bearing South 56 degrees 01 minutes 12 seconds East and a chord distance of 30.00 feet to the point and place of beginning.

Containing 3,430 square feet of 0.079 acres.

#### SANITARY SEWER EASEMENT NO. 2

BEGINNING AT A POINT on the Northeasterly right-of-way line of the Philadelphia and Reading Railroad (Lebanon Valley Branch, variable width right-of-way), said point being distant along the arc of a circle curving to the right, having a radius of 5,686.65 feet, a central angle of 00 degrees 11 minutes 44 seconds, an arc length of 19.42 feet, a chord bearing North 56 degrees 16 minutes 08 seconds West and a chord distance of 19.42 feet from the intersection with the Westerly right-of-way line of Point Road (a.k.a T-374, 33 foot wide right-of-way) and from said point of beginning running, Thence;

1. Along the Northeasterly right-of-way line of the Philadelphia and Reading Railroad, along the arc of a circle curving to the right, having a radius of 5,686.65 feet, a central angle of 00 degrees 18 minutes 08 seconds, an arc length of 30.00 feet, a chord bearing North 56 degrees 01 minutes 12 seconds West and a chord distance of 30.00 feet to a point, Thence;
2. Along a line running through Parcel 7365, lands now or formerly the Commonwealth of Pennsylvania (Wernersville State Hospital), North 33 degrees 58 minutes 48 seconds East, a distance of 40.12 feet to a point on the Westerly right-of-way line of Point Road, Thence;
3. Along the Westerly right-of-way line of Point Road, South 17 degrees 00 minutes 27 seconds East, a distance of 38.61 feet to a point, Thence;
4. Along a line running through Parcel 7365, South 33 degrees 58 minutes 48 seconds West, a distance of 15.81 feet to the point and place of beginning.

Containing 839 square feet or 0.019 acres.

#### SANITARY SEWER EASEMENT NO. 3

BEGINNING AT A POINT on the Easterly right-of-way line of Point Road (a.k.a. T-374, 33 foot wide right-of-way), said point being distant the following two courses and distances from the intersection with the Northeasterly right-of-way line of the Philadelphia and Reading Railroad (Lebanon Valley Branch, variable width right-of-way) and from said point of beginning running, Thence;

The following two courses and distances along the easterly right-of-way line of Point Road:

- A. Along the arc of a circle curving to the left, having a radius of 71.50 feet, a central angle of 15 degrees 50 minutes 55 seconds, an arc length of 19.78 feet, a chord bearing North 09 degrees 05 minutes 00 seconds West and a chord distance of 19.71 feet to a point of tangency, Thence;

B. North 17 degrees 00 minutes 27 seconds West, a distance of 68.80 feet to the true point of beginning and from said point of beginning running, Thence;

The following two courses and distances along the Easterly right-of-way line of Point Road.

1. North 17 degrees 00 minutes 27 seconds West, a distance of 89.46 feet to a point, Thence;
2. Along the arc of a circle curving to the right, having a radius of 351.34 feet, a central angle of 14 degrees 05 minutes 51 seconds, an arc length of 86.45 feet, a chord bearing North 06 degrees 53 minutes 26 seconds West and a chord distance of 86.23 feet to a point, Thence;
3. Along a line running through Parcel 7365, lands now or formerly the Commonwealth of Pennsylvania (Wernersville State Hospital), North 27 degrees 35 minutes 27 seconds East, a distance of 282.13 feet to a point on the Easterly right-of-way line of Point Road, Thence;

The following two courses and distances along the Easterly right-of-way line of Point Road:

1. Along the arc of a circle curving to the right, having a radius of 651.62 feet, a central angle of 03 degrees 05 minutes 48 seconds, an arc length of 35.22 feet, a chord bearing North 55 degrees 26 minutes 23 seconds East and a chord distance of 35.21 feet to a point, Thence;
2. Along the arc of a circle curving to the left, having a radius of 1,461.02 feet, a central angle of 04 degrees 20 minutes 32 seconds, an arc length of 110.72 feet, a chord bearing North 53 degrees 16 minutes 25 seconds East and a chord distance of 110.69 feet to a point, Thence;

The following four courses and distances along the line running through Parcel 7365:

1. South 48 degrees 09 minutes 50 seconds West, a distance of 97.96 feet to a point, Thence;
2. South 27 degrees 35 minutes 27 seconds West, a distance of 342.21 feet to a point, Thence;
3. South 10 degrees 40 minutes 14 seconds East, a distance of 133.47 feet to a point, Thence;
4. South 33 degrees 58 minutes 48 seconds West, a distance of 9.14 feet to the point and place of beginning.

Containing 12,036 square feet or 0.276 acres.

#### SANITARY SEWER EASEMENT NO. 4

BEGINNING AT THE INTERSECTION of Northeasterly right-of-way line of West Penn Avenue (a.k.a. U.S. Route 422, a.k.a. L.R. 149, 100 foot wide right-of-way) and the Westerly right-of-way line of Point Road (a.k.a. T-374, 33 foot wide right-of-way, 50 foot wide right-of-way per tax map), and from said point of beginning running, Thence;

1. Along the Northeasterly right-of-way line of West Penn Avenue, North 61 degrees 49 minutes 45 seconds West, a distance of 245.21 feet to a point, Thence;

The following six courses and distances along a line running through Parcel 4351, lands now or formerly the Commonwealth of Pennsylvania (Wernersville State Hospital):

1. North 58 degrees 29 minutes 08 seconds East, a distance of 34.75 feet to a point, Thence;
2. South 61 degrees 49 minutes 45 seconds East, a distance of 212.45 feet to a point, Thence;
3. North 41 degrees 30 minutes 00 seconds East, a distance of 328.00 feet to a point, Thence;
4. North 43 degrees 17 minutes 44 seconds East, a distance of 198.85 feet to a point, Thence;
5. North 39 degrees 26 minutes 55 seconds East, a distance of 181.02 feet to a point, Thence;
6. North 46 degrees 50 minutes 16 seconds East, a distance of 29.63 feet to a point on the Southwesterly side of an existing 20 foot wide sanitary sewer easement, Thence;
7. Along a line running through Parcel 3451 and along an existing 20 foot wide sanitary sewer easement, South 11 degrees 37 minutes 57 seconds West, a distance of 54.76 feet to a point on the Westerly right-of-way line of Point Road, Thence;

The following two courses and distances along the Westerly right-of-way line of Point Road:

1. South 42 degrees 48 minutes 36 seconds West, a distance of 503.06 feet to a point, Thence;
2. South 40 degrees 34 minutes 12 seconds West, a distance of 212.45 feet to the point and place of beginning.

Containing 22,492 square feet or 0.52 acres.

SANITARY SEWER EASEMENT NO. 5

BEGINNING AT A POINT on the dividing line between Parcel 7365, lands now or formerly the Commonwealth of Pennsylvania (Wernersville State Hospital) and Parcel 5933, lands now or formerly Heritage-Springdale, L.P., said point being distant the following two courses and distances from the intersection of Northwesterly ultimate right-of-way line of Furnace Road (a.k.a. L.R. 06068, a.k.a. T-382, 33 foot wide legal right-of-way) with the dividing line between Parcel 5933 and Parcel 1856, lands now or formerly Admixtures, Inc.:

- A. Along the dividing line between Parcel 5933 and Parcel 1856, North 42 degrees 19 minutes 56 seconds West, a distance of 521.88 feet to a point, Thence;
- B. Along the dividing line between Parcel 7365 and Parcel 5933, South 42 degrees 18 minutes 49 seconds West, a distance of 91.53 feet to the true point and place of beginning, and from said point of beginning running, Thence;

1. Along the dividing line between Parcel 7365 and Parcel 5933, South 42 degrees 18 minutes 49 seconds West, a distance of 30.04 feet to a point, Thence;

The following five courses and distances along a line running through Parcel 7356:

1. North 50 degrees 32 minutes 03 seconds West, a distance of 388.71 feet to a point, Thence;
2. North 54 degrees 37 minutes 43 seconds West, a distance of 400.26 feet to a point; Thence,
3. North 48 degrees 32 minutes 34 seconds West, a distance of 401.15 feet to a point, Thence;
4. North 45 degrees 49 minutes 06 seconds West, a distance of 394.96 feet to a point, Thence;
5. North 52 degrees 40 minutes 40 seconds West, a distance of 15.10 feet to a point on the Easterly right-of-way line of Point Road (a.k.a. T-374, 33 foot wide right-of-way), Thence;
6. Along the Easterly right-of-way line of Point Road, along the arc of circle curving to the right, having a radius of 548.57 feet, a central angle of 03 degrees 46 minutes 58 seconds, an arc length of 36.22 feet, a chord bearing North 03 degrees 15 minutes 57 seconds East, and a chord distance of 36.21 feet to a point, Thence;

The following five courses and distances along a line running through Parcel 7356:

1. South 52 degrees 40 minutes 40 seconds East, a distance of 37.18 feet to a point, Thence;
2. South 45 degrees 49 minutes 06 seconds East, a distance of 396.04 feet to a point, Thence;
3. South 48 degrees 32 minutes 34 seconds East, a distance of 398.85 feet to a point, Thence;
4. South 54 degrees 37 minutes 43 seconds East, a distance of 399.74 feet to a point, Thence;
5. South 50 degrees 32 minutes 03 seconds East, a distance of 391.27 feet to a point and place of beginning.

Containing 48,356 square feet or 1.110 acres.

#### SANITARY SEWER EASEMENT NO. 6

BEGINNING AT A POINT on the Westerly right-of-way line of Point Road (a.k.a. T-374, 33 foot wide right-of-way, 50 foot wide right-of-way per tax map) said point being distant the following two courses and distances from the intersection of the Westerly right-of-way line of Point road with the Northeasterly right-of-way line of West Penn Avenue (a.k.a. U.S. Route 422, a.k.a. L.R.149, 100 foot wide right-of-way):

The following two courses and distances along the Westerly right-of-way line of Point Road:

- A. North 40 degrees 34 minutes 12 seconds East, a distance 212.45 feet to a point, Thence;



B. North 42 degrees 48 minutes 36 seconds East, a distance of 503.06 feet to the true point and place and beginning and from said point of beginning running, Thence;

The following two courses and distances along the Northerly end of a variable width sanitary sewer easement running through parcel 3451, lands now or formerly the Commonwealth of Pennsylvania (Wernersville State Hospital):

1. North 11 degrees 37 minutes 57 seconds East, a distance of 54.76 feet to a point, Thence;
2. South 46 degrees 50 minutes 16 seconds West, a distance of 8.67 feet to a point, Thence;

The following four courses and distances along a line running through parcel 3451:

1. North 11 degrees 37 minutes 57 seconds East, a distance of 280.61 feet to a point, Thence;
2. North 17 degrees 56 minutes 15 seconds East, a distance of 206.27 feet to a point, Thence;
3. North 41 degrees 07 minutes 38 seconds East, a distance of 255.31 feet to a point, Thence;
4. North 12 degrees 51 minutes 16 seconds West, a distance of 143.30 feet to a point, Thence;
5. Along the dividing line between parcel 3451 and parcel 9003, lands now or formerly Moore and along the Southerly end of a 20 foot wide sanitary easement, South 45 degrees 34 minutes 28 seconds East, a distance of 55.50 feet to a point, Thence;

The following four courses and distances along a line running through parcel 3451:

1. South 12 degrees 51 minutes 16 seconds East, a distance of 111.88 feet to a point, Thence;
2. South 41 degrees 07 minutes 38 seconds West, a distance of 264.43 feet to a point, Thence;
3. South 17 degrees 56 minutes 15 seconds West, a distance of 198.46 feet to a point, Thence;
4. South 11 degrees 37 minutes 57 seconds West, a distance of 285.32 feet to a point on the Westerly right-of-way line of Point Road, Thence;
5. Along the Westerly right-of-way line of Point Road, South 42 degrees 48 minutes 36 seconds West, a distance of 48.29 feet to the point and place of beginning.

Containing 26,746 feet or 0.614 acre.

#### TEMPORARY CONSTRUCTION EASEMENT NO. 1

BEGINNING AT A POINT on the Easterly right-of-way line of Point Road (a.k.a. T-374, 33 foot wide right-of-way), said point being distant the following two courses and distances from the intersection of the Easterly right-of-way line of Point Road and the Northeasterly right-of-way line of the

Philadelphia and Reading Railroad (Lebanon Valley Branch, variable width right-of-way).

The following two courses and distances along the Easterly right-of-way line of Point Road:

- A. Along the arc of a circle curving to the left, having a radius of 71.50 feet, a central angle of 15 degrees 50 minutes 55 seconds, an arc length of 19.78 feet, a chord bearing North 09 degrees 05 minutes 00 seconds West and a chord distance of 19.71 feet to a point of tangency, Thence;
- B. North 17 degrees 00 minutes 27 seconds West, a distance of 39.85 feet to the true point and place of beginning and from said point of beginning running, Thence;
1. Along the Easterly right-of-way line of Point Road, North 17 degrees 00 minutes 27 seconds West, a distance of 96.52 feet to a point, Thence;

The following three courses and distances along a line running through Parcel 7365 lands now or formerly the Commonwealth of Pennsylvania (Wernersville State Hospital)

1. North 33 degrees 58 minutes 48 seconds East, a distance of 25.29 feet to a point, Thence;
2. South 56 degrees 01 minutes 12 seconds East, a distance of 75.00 feet to a point, Thence;
3. South 33 degrees 58 minutes 48 seconds West, a distance of 86.05 feet to the point and place of beginning.

Containing 4,175 square feet or 0.096 acres.

#### TEMPORARY CONSTRUCTION EASEMENT NO. 2

BEGINNING AT A POINT on the Northeasterly right-of-way of West Penn Avenue (a.k.a. U.S. Route 422, A.K.A. L.R. 149, 100 foot wide right-of-way) at the intersection of the dividing line between Parcel 3451, lands now or formerly the Commonwealth of Pennsylvania (Wernersville State Hospital) and Parcel 9003, lands now or formerly Moore, and from said point of beginning running, Thence;

1. Along the dividing line between Parcel 3451 and Parcel 9003, North 42 degrees 15 minutes 15 seconds East, a distance of 77.89 feet to a point, Thence;

The following three courses and distances along a line running through Parcel 3451:

1. South 31 degrees 30 minutes 52 seconds East, a distance of 57.95 feet to a point, thence;
2. South 58 degrees 29 minutes 08 seconds West, a distance of 53.63 feet to a point on the Northeasterly right-of-way line of West Penn Avenue, Thence;
3. Along the Northeasterly right-of-way line of West Penn Avenue, North 61 degrees 49 minutes 45 seconds West, a distance of 41.91 feet to the point and place of beginning.

Containing 3,137 square feet or  
0.072 acres.

(c) Conditions.—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) Sewer capacity retained.—This section shall not be construed to convey any excess sewage capacity available at Wernersville State Hospital. It is the intent of the General Assembly that the Commonwealth retain the current sewer capacity for either current and future Commonwealth operations at Wernersville State Hospital or general health care purposes within this Commonwealth.

(e) Easement agreement.—The Easement Agreement shall be in a form and substance acceptable to the Department of General Services 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) Execution.—In the event that an Easement Agreement is not executed within one year from the effective date of this Act, the authorization contained herein shall be null and void.

### Section 3. Conveyance in Pottstown, Montgomery County.

(a) Authorization.—The Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, is hereby authorized on behalf of the Commonwealth to grant and convey the tract of land described in subsection (b) together with any buildings, structures or improvements thereon, situate in the Borough of Pottstown, Montgomery County, Pennsylvania. The Department of General Services shall sell the property using, in its discretion, one of the following methods of sale: an invitation for sealed bids or public auction.

(b) Description of property.—The property to be conveyed pursuant to this section consists of approximately 0.29 acres and a building bounded and more particularly described as follows:

ALL THAT CERTAIN tract of land situate in the Borough of Pottstown, Montgomery County more particularly bounded and described according to a Survey thereof made by Ruddach and McCracken, Civil Engineers on March 24, 1906, as follows, to wit:

SITUATE on the north side of King Street (Sixty feet wide) at the distance of Ninety five feet Westward from the West side of Charlotte Street (Forty feet wide), containing in front or breadth on the said King Street Eighty-four feet and extending of that width in length or depth Northward between lines at right angles to the said King Street, One hundred and fifty feet.

CONTAINING 0.29-acres more or less.

BEING the same premises conveyed by Margaret E. Lee, Surviving Executrix, to Mary J. Lee Fretz, by deed dated April 25, 1894, and recorded in the Montgomery County Recorder of Deeds Office, in Deed Book No. 403, Page 90.

BEING the same property conveyed to the Commonwealth of Pennsylvania, from Mary J. Lee Fretz, widow, by deed dated April 12, 1906 and recorded in the Montgomery County Recorder of Deeds Office, in Deed Book 554, Page 140.

(c) Conditions of conveyance.—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) Deed of conveyance.—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.

(e) Deposit of proceeds.—The proceeds from the sale shall be deposited in the State Treasury Armory Fund.

#### Section 4. Conveyance in West Norriton, Montgomery County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth to grant and convey, at a price to be determined through competitive bidding, the tract of land described in subsection (b) together with any buildings, structures or improvements thereon, situate in the Township of West Norriton, Montgomery County, Pennsylvania.

(b) Description of property.—The property to be conveyed pursuant to this section consists of approximately 0.28 acres and building bounded and more particularly described as follows:

ALL THAT CERTAIN lot or parcel of land being Parcel No. 63-00-09103-00-5 situate in the Township of West Norriton, County of Montgomery, more commonly known as 174 N. Whitehall Road, West Norriton Township, Montgomery County, Pennsylvania.

BEING a portion of the lands conveyed to the Commonwealth of Pennsylvania by John W. Cullen and Betty C. Cullen, and recorded in Montgomery County Deed Book 1944, Page 176.

(c) Conditions of conveyance.—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) Deed of conveyance.—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) Deposit of proceeds.—The proceeds from the sale shall be deposited in the General Fund.

Section 5. Water main and easements in Strasburg Township, Lancaster County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to dedicate, grant and convey to the Strasburg, Lancaster County, Borough Authority, for \$1, a water main and appurtenances to such water main to be constructed by the Department of General Services as part of Project No. DGS 980-6, together with such easements as may be necessary for purposes of the operation, maintenance, repair and replacement of such water main and appurtenances, over, through, and in certain property constituting, or adjacent to, the grounds of the Railroad Museum of Pennsylvania, as described in subsection (b).

(b) Description of easement.—Pursuant to subsection (a):

(1) The Department of General Services is authorized to grant to the Strasburg, Lancaster County, Borough Authority a permanent easement, not to exceed 25 feet in width, over, through, and in the real property constituting the grounds of the Railroad Museum of Pennsylvania, consisting of the real property acquired by the General State Authority pursuant to deeds recorded at the Office of the Recorder of Deeds of Lancaster County at Record Book W, Volume 56, Page 212, Record Book O, Volume 60, Page 527, and Record Book D, Volume 57, Page 123.

(2) The Department of General Services is further authorized to transfer, convey or assign to the Strasburg, Lancaster County, Borough Authority any easement acquired by the Department of General Services as part of Project No. DGS 980-6 for purposes of the construction, operation, maintenance, repair, and replacement of the water main and appurtenances.

(3) All of the above described easements are to be used for purposes of the operation, maintenance, repair, and replacement of the water main and appurtenances to be constructed by the Department of General Services as part of Project No. DGS 980-6.

(c) Execution of deed.—Any deed or other conveyance document executed pursuant to this section shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(d) Covenant to repair.—Any deed conveying an easement over, through and in the grounds of the Railroad Museum of Pennsylvania shall contain a covenant requiring the grantee to repair, to the satisfaction of the Commonwealth of Pennsylvania, any damage to the easement area caused by

the Grantee's operation, maintenance, repair or replacement of said water main and appurtenances.

(e) Easements or licenses for public sewer service.—The Department of General Services is further authorized to transfer and convey, with the approval of the Governor, any easements or licenses necessary to provide the Railroad Museum of Pennsylvania with access to public sewer service. Access to public sewer service may be provided by means of a connection to privately owned sewer facilities.

(f) Costs and fees.—Costs and fees incidental to the conveyances authorized by subsection (a) shall be borne by the Commonwealth of Pennsylvania.

Section 6. Conveyance in City of Allentown and Salisbury Township, Lehigh County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Transportation, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Parkwood Real Estate Trust LLC, approximately 1.645 acres including a building and all improvements thereon, as described in subsection (b), for \$805,000, in accordance to an Agreement of Sale dated September 12, 2007, with the Department of General Services, the Department of Transportation and Parkwood Real Estate Trust LLC.

(b) Property description.—The property to be conveyed, pursuant to subsection (a) consists of approximately 1.645 acres, building and improvements, more particularly described as follows as shown on a plan titled "Plan Showing Property Of The Commonwealth Of Pennsylvania - Department Of Transportation, Located in City of Allentown and Salisbury Township, Lehigh County, PA," dated November 6, 2007, bearing File No. S-11018, as prepared by The Pidcock Company, Civil Engineering and Land Planning - Architecture - Land Surveying, Oxford Drive at Fish Hatchery Road, Allentown, Pennsylvania:

Beginning at the intersection of the northerly legal right-of-way line for limited access for Pennsylvania State Route 0078 (variable width) with the westerly legal right-of-way line for Pennsylvania State Route 2007, also known as Oxford Drive (60.00 feet wide), and in line of lands of the Commonwealth of Pennsylvania, Department of Transportation; thence along the northerly legal right-of-way line for limited access for Pennsylvania State Route 0078 the seven following courses: (1) N 53 degrees 34 minutes 02 seconds W 58.25 feet to a point, (2) S 77 degrees 23 minutes 12 seconds W 210.41 feet to a point, (3) S 05 degrees 05 minutes 09 seconds W 22.50 feet to a point, (4) N 84 degrees 29 minutes 51 seconds W 275.01 feet to a point, (5) N 05 degrees 05 minutes 09 seconds E 14.50 feet to a point, (6) N 30 degrees 27 minutes 07 seconds W 43.01 feet to a point, and (7) N 83 degrees 51 minutes 55 seconds W 50.84 feet to a concrete monument in line of lands of Parkwood Real Estate Trust LLC; thence (8) along lands of the Parkwood Real Estate Trust LLC, N 39 degrees 54 minutes 00 seconds E 109.25 feet to

a concrete monument in the southerly property line of Parkwood Drive (a private road); continuing along lands of the Parkwood Real Estate Trust LLC and along the southerly property line of Parkwood Drive the eight following courses: (9) on a curve to the left having a radius of 60.00 feet (delta 118 degrees 48 minutes 33 seconds, tangent 101.47 feet, chord N 70 degrees 30 minutes 09 seconds E 103.29 feet) for an arc distance of 124.42 feet to a point of reverse curvature, (10) on a curve to the right having a radius of 20.00 feet (delta 82 degrees 49 minutes 09 seconds, tangent 17.64 feet, chord N 52 degrees 30 minutes 27 seconds E 26.46 feet) for an arc distance of 28.91 feet to a point of tangency, (11) S 86 degrees 04 minutes 58 seconds E 81.93 feet to a point of curvature, (12) on a curve to the right having a radius of 175.00 feet (delta 30 degrees 00 minutes 00 seconds, tangent 46.89 feet, chord S 71 degrees 04 minutes 58 seconds E 90.59 feet) for an arc distance of 91.63 feet to a point of tangency, (13) S 56 degrees 04 minutes 58 seconds E 101.82 feet to a point of curvature, (14) on a curve to the left having a radius of 150.00 feet (delta 27 degrees 30 minutes 00 seconds, tangent 36.70 feet, chord S 69 degrees 49 minutes 58 seconds E 71.31 feet) for an arc distance of 71.99 feet to a point of tangency, (15) S 83 degrees 34 minutes 58 seconds E 40.41 feet to a point of curvature, and (16) on a curve to the right having a radius of 44.00 feet (delta 60 degrees 00 minutes 00 seconds, tangent 25.40 feet, chord S 53 degrees 34 minutes 58 seconds E 44.00 feet) for an arc distance of 46.08 feet to a point of tangency in the westerly right-of-way line of Pennsylvania State Route 2007; thence (17) along the westerly right-of-way line of Pennsylvania State Route 2007, S 23 degrees 34 minutes 58 seconds E 40.32 feet to the point of beginning.

CONTAINING 1.645 acres or 71,652 Square Feet.

(c) Conditions.—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) Land 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 State law. 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 subsection, the title shall immediately revert to and revest in the Grantor.

(e) Deed of conveyance.—The deed of conveyance shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Deposit of proceeds.—Proceeds from this conveyance shall be deposited in the Motor License Fund.

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

(h) Disposal.—In the event that this conveyance is not executed in accordance with the Agreement of Sale, the property may be disposed of in accordance with section 2003 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 7. Conveyance in City of Scranton, Lackawanna County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the County of Lackawanna Transit System Authority (hereinafter COLTS) certain lands situate in the City of Scranton, Lackawanna County, in exchange for a certain tract of land from COLTS situate in the City of Scranton, Lackawanna County.

(b) Description.—The property to be conveyed to COLTS under subsection (a) consists of approximately 2.52 acres of land and improvements thereon bounded and more particularly described as follows:

LOT 1A

BEGINNING at a 3/4 inch iron pin, the intersection of the southeasterly right-of-way line of Cliff Street with the southwesterly right-of-way line of Lackawanna Avenue as shown on a plan titled, "The Commonwealth of Pennsylvania - Department of General Services - RD 1216 Pg 289 - Minor Subdivision" dated July, 2005 and prepared by Acker Associates, Inc.;

Thence along said line of Lackawanna Avenue South 51 degrees 28 minutes 04 seconds East four hundred seventy-one and five hundredths (471.05 feet) feet to a point in line of lands of Scranton Mall Associates;

Thence along said lands South 38 degrees 37 minutes 01 second West one hundred three and one hundredth (103.01 feet) feet to a point in line of lands of Lackawanna County Rail Authority;

Thence along said lands of Lackawanna County Rail Authority the following four (4) courses and distances:

1. South 70 degrees 49 minutes 56 seconds West five and ninety-three hundredths (5.93 feet) feet to a point,
2. North 88 degrees 44 minutes 38 seconds West fifty-seven and seventy-nine hundredths (57.79 feet) feet to a point of curvature,
3. along a curve to the right having a radius of nine hundred eighty-eight and thirty-one hundredths (988.31 feet) feet for an arc length of three hundred sixty-one and fifty-one hundredths (361.51 feet) feet (chord bearing and distance being North 68 degrees 51 minutes 46 seconds West 359.50 feet) to a point of tangency, and
4. North 53 degrees 36 minutes 54 seconds West eighty and seven hundredths (80.07 feet) feet to a point on the southeasterly right-of-way line of Cliff Street;



Thence along said line of Cliff Street North 38 degrees 49 minutes 51 seconds East two hundred fifty-three and five tenths (253.50 feet) feet to the point of BEGINNING.

CONTAINING 2.24 acres of land being the same, more or less.

LOT 1B

BEGINNING at a 5/8 inch rebar on the southeasterly right-of-way line of Cliff Street, said point also being a common corner of lands the National Park Service and Lot 1B as shown on a plan titled, "The Commonwealth of Pennsylvania - Department of General Services - RB 1216 Pg 289 - Minor Subdivision" dated July, 2005 and prepared by Acker Associates, Inc.;

Thence along said line of Cliff Street North 38 degrees 49 minutes 51 seconds East thirty-nine and twenty-six hundredths (39.26 feet) feet to a point in line of Lackawanna County Rail Authority;

Thence along said lands of Lackawanna County Rail Authority the following two (2) courses and distances:

1. South 51 degrees 32 minutes 09 seconds East one and forty-eight and thirty-nine hundredths (148.39 feet) feet to a point, and
2. South 66 degrees 46 minutes 09 seconds East fifty-five and twenty-six hundredths (55.26 feet) feet to a point;

Thence along Lot 2 the following three (3) courses and distances:

1. South 25 degrees 41 minutes 58 seconds West eleven and fifty-nine hundredths (11.59 feet) feet to a point,
2. South 39 degrees 59 minutes 28 seconds West fifty-eight and five hundredths (58.05 feet) feet to a point, and
3. South 48 degrees 45 minutes 01 second West twenty-two and ninety-five hundredths (22.95 feet) feet to a point in line of lands of the National Park Service;

Thence along said lands of the National Park Service North 40 degrees 40 minutes 45 seconds West two hundred two and five tenths (202.50 feet) feet to the point of BEGINNING.

CONTAINING 12,315 square feet (0.28 acres) of land being the same, more or less.

(c) Exchange.—The conveyance authorized by subsection (b) shall be in exchange for the conveyance, by special warranty deed, from COLTS, to the Commonwealth of Pennsylvania, acting by and through its Department of General Services, of all that certain piece or parcel of land situate in the City of Scranton, Lackawanna County, Pennsylvania, bounded and described as follows:

All that certain lot, piece or parcel of land situate in the 8th Ward, City of Scranton, County of Lackawanna and State of Pennsylvania, bounded and described as follows:

Beginning at a point located on the northeasterly side of Lackawanna Avenue, said point being also located by a bearing of N 39 degrees 00 minutes W, and a distance of 138.0 feet as measured along the northeasterly side of Lackawanna Avenue from its intersection with the northwesterly

right-of-way line of the D.L. & W. R.R.; thence, along the line of Lackawanna Avenue N 39 degrees 00 minutes W, 294.52 feet to a point of intersection with a curve measured radially 100 feet from the center line of the D. & H. R.R. Co.; thence on a curve to the left parallel to the center line of said D. & H. R.R. and 100 feet therefrom, said curve having a radius of 750.14 feet and length of 867.02 feet with a long chord bearing and distance of N 71 degrees 01 minute E, 819.55 feet to a point; thence S 39 degrees 00 minutes E, 45.04 feet to a point on the northwesterly right-of-way line of the D.L. & W. R.R.; thence along said right-of-way the following two courses and distances (1) on a curve to the right, having a radius of 4,037.11 and length of 278.15 and a long chord bearing and distance of a 31 degrees 32 minutes W, 278.10 feet and (2) S 47 degrees 38 minutes W, 208.68 feet to a corner of other lands of the S.R.A.; thence along lands of said S.R.A., the following two courses and distances (1) N 39 degrees 00 minutes W, 136.0 feet and (2) S 51 degrees 00 minutes W, 300.0 feet to the place of beginning.

Containing 2.277 acres of land, more or less, as surveyed by John R. Hennemuth, Registered Civil Engineer.

#### Parcel 18-A

All that certain lot, piece or parcel of land situate in the 8th Ward, City of Scranton, County of Lackawanna and State of Pennsylvania, bounded and described as follows:

Beginning at a point located on the northeasterly side of Lackawanna Avenue, said point being also located by a bearing of N 39 degrees 00 minutes W and a distance of 138.00 feet as measured along the northeasterly side of Lackawanna Avenue from its intersection with the northwesterly right-of-way line of the D. L. & W. R.R., said point being also common to a corner of Parcel 18 of the S.R.A. as shown on drawing D-14-72 by John R. Hennemuth, P.E.; thence along the line of parcel 18, N 51 degrees 00 minutes E, 300 feet to a corner; thence still along the line of Parcel 18, S 39 degrees 00 minutes E, 6.0 feet to a corner; thence over and across other lands of the S.R.A., S 51 degrees 00 minutes W, 300.0 feet to a point on the northeasterly side of Lackawanna Avenue; thence along the side of said Avenue N 39 degrees 00 minutes W, 6.0 feet to the place of beginning. Containing 0.041 acres of land and shown as Parcel 18-A on drawing B-22-72 by John R. Hennemuth, Registered Civil Engineer.

CONTAINING 2.318 acres, more or less.

The conveyance described in 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, 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) Easements.—The conveyance described in subsection (b) 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.

(e) Special warranty deed.—The conveyance described in subsection (b) 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) Covenants.—Any conveyance authorized under subsection (b) 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 section to be used in violation of this section, the title shall immediately revert to and revest in the grantor.

(g) Costs and fees.—All costs and fees incidental to the conveyance authorized by this act shall be borne by the grantee.

(h) Voidance.—In the event that the conveyance is not executed by May 16, 2010, the authorization contained in this section shall become null and void.

Section 8. Effective date.

This act shall take effect immediately.

APPROVED—The 4th day of July, A.D. 2008.

EDWARD G. RENDELL