

## No. 2009-21

## AN ACT

SB 54

Authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Susquehanna Township a pedestrian easement through certain lands situate in Susquehanna Township, Dauphin County.

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

Section 1. Pedestrian easement in Susquehanna Township, Dauphin 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 Susquehanna Township a pedestrian easement over and through certain lands situate in Susquehanna Township, Dauphin County, for \$1.

(b) Description.—The easement to be conveyed under subsection (b) consists of approximately 6.44 acres bounded and more particularly described as follows:

ALL THAT CERTAIN strip of land located in Susquehanna Township, Dauphin County, being 30 feet wide and extending for a length of approximately 5,381 feet (the “Original Pathway”), identified as “Proposed 30’ Easement” on the “Construction Plan for the Capital Area Greenbelt Northern Corridor, Susquehanna Township, Dauphin County, Pennsylvania, June 2003” recorded on September 12, 2003, at the Recorder of Deeds of Dauphin County at Deed Book 255, Page 2802 (the “Plan”), together with an additional strip of land extending 35 feet in a northerly or westerly direction from the northern or western boundary (as applicable) of the Original Pathway between the centerline station 51+00 and centerline station 85+00, as such centerline stations are depicted on the Plan.

CONTAINING approximately 6.44-acres.

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

(e) Permanent restriction.—The deed of easement shall contain a permanent restriction specifically limiting the use of the pedestrian easement by the grantee for the Capital Area Greenbelt. If the easement area ceases being utilized for the Capital Area Greenbelt, the easement shall immediately extinguish and all property rights shall revert to the Commonwealth. The

restriction shall be in form and substance approved by the Department of General Services and shall be included in the deed of easement.

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

(g) Expiration.—In the event that this conveyance is not executed within 12 months of the effective date of this section, the authority contained in this section shall expire.

Section 2. This act shall take effect immediately.

APPROVED—The 14th day of July, A.D. 2009.

EDWARD G. RENDELL