

No. 2011-117

AN ACT

HB 1337

Authorizing the turn back from the Commonwealth to Ward Township, Tioga County, of the road known as Old Possessions Road in Ward Township, Tioga County; and providing for the powers and duties of the Secretary of Conservation and Natural Resources.

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

Section 1. Turn back of Old Possessions Road in Ward Township, Tioga County.

(a) Authorization.—The road known as Old Possessions Road in Ward Township, Tioga County, extending from Mountain Ridge Road to River Road, and having a total length of 3.8 miles, is hereby turned back from the Commonwealth to Ward Township, Tioga County, provided that the conditions specified in subsection (b) are satisfied.

(b) Conditions.—In order for the turn back of the road under subsection (a) to take effect, the following conditions must be satisfied:

(1) The governing body of Ward Township, Tioga County must, by ordinance or resolution, approve the turn back and agree to assume the expense of maintenance and improvement of the road.

(2) A copy of the ordinance or resolution must be submitted to the Secretary of Conservation and Natural Resources with a request for an order of turn back from the secretary.

(3) If the Secretary of Conservation and Natural Resources determines, after reviewing the request submitted under paragraph (2), that the township:

(i) has complied with paragraphs (1) and (2), the secretary shall give public notice of the request by advertising three times, each publication on a different day, in one newspaper of general circulation within the township and by posting a copy of the request in a conspicuous place along the road; or

(ii) has not complied with paragraphs (1) and (2), the secretary shall notify the township in writing of the basis for the noncompliance and provide the township with an opportunity to take corrective action to comply with paragraphs (1) and (2) and resubmit its request.

(4) The Secretary of Conservation and Natural Resources shall publish a statement of compliance with paragraphs (1), (2) and (3)(i) as a notice in the Pennsylvania Bulletin.

(c) Ownership of real property.—The ownership of the real property underlying the roadway shall continue to be retained by the Department of Conservation and Natural Resources in regard to State forest land and by private property owners for those portions of the road crossing privately owned property.

(d) Vacation on roadway.—If the township vacates the roadway, the status of the roadway shall be automatically reinstated and the road shall be

turned back from Ward Township, Tioga County, to the Commonwealth. Upon the occurrence of a reinstatement the secretary shall give notice in the Pennsylvania Bulletin that the reversion has occurred.

(e) Effective date of turn back.—The date of publication of the notice under subsection (b)(4) shall be the date on which the turn back shall take effect.

Section 2. Effective date.

This act shall take effect in 60 days.

APPROVED—The 22nd day of December, A.D. 2011

TOM CORBETT