

Time and manner of payment of service increment contributions and withdrawals.

(4) Service increment contributions shall be paid at the same time and in the same manner as pension contributions, and may be withdrawn in full, without interest, by persons who leave the employment of the city, subject to the same conditions by which pension contributions may be withdrawn *or by persons who retire before becoming entitled to any service increment*. When any person is reemployed by the city after withdrawal of pension contributions, his or her prior service shall not be used in the computation of service increment unless the amount of such contributions be repaid into the pension fund, subject to the same conditions by which pension fund withdrawals are permitted to be repaid.

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Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 24th day of August, A. D. 1961.

DAVID L. LAWRENCE

No. 506

AN ACT

Amending the act of May 10, 1956 (P. L. 1569), entitled "An act authorizing the City of Philadelphia to accept the conveyance, under certain conditions, of the site of Fort Mifflin," by the Commonwealth of Pennsylvania giving up its right of occupancy of Mud Island under certain circumstances, and by granting rights of occupancy thereof to the City of Philadelphia.

Real property.

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

Preamble and section 1, act of May 10, 1956, P. L. 1569, amended.

Section 1. The preamble and section 1, act of May 10, 1956 (P. L. 1569), entitled "An act authorizing the City of Philadelphia to accept the conveyance, under certain conditions, of the site of Fort Mifflin," are amended to read:

Preamble.

Whereas by Act of the General Assembly of the Commonwealth of Pennsylvania passed April 15, 1795, 3 Smith's Laws 223, all the right, title, property and interest of the Commonwealth in and to the island, commonly called Mud Island, situate in the Delaware River, together with all the improvements thereon erected, was ceded to and vested in the United States of America, provided, inter alia, that the State of Pennsylvania may at all times occupy the said island and fortifications, whenever the same shall not be possessed by a military force under the United States, and

Whereas, said land, particularly that part which is the site of Fort Mifflin, is of historical importance and interest to the City of Philadelphia, and

Whereas, said land is now known as the Fort Mifflin Military Reservation and is under the jurisdiction of the United States Army, and

Whereas, the Federal government has indicated a willingness to convey that portion of Mud Island upon which is located historic Fort Mifflin to the City of Philadelphia, provided the city complies with certain conditions, to wit, the construction of a fence to separate the area conveyed to the city from the area to be retained by the United States [, and the revocation by the Commonwealth of Pennsylvania of the reservation contained in the Act of Assembly of April 15, 1795, insofar as it applies to the area to be retained by the United States, by which the Commonwealth retained the right to occupy said island and fortifications whenever the same shall not be possessed by a military force under the United States]: And provided further, That such conveyance shall contain a reservation to the United States, in the event of war or national emergency, to prohibit the use by the public of the access road to old Fort Mifflin during a period of hazard due to operations of the Naval Ammunition Depot adjacent thereto, and

Whereas, the City of Philadelphia has expressed a desire to acquire other property which the Federal government has declared surplus; to wit, the Naval Ammunition Depot at Fort Mifflin, part of which may have been Mud Island at one time.

Section 1. The City of Philadelphia is hereby authorized to accept, subject to a reservation to the United States in the event of war or national emergency, to prohibit the use by the public of the access road thereto, part of the tract of land to which all right, title and interest of the Commonwealth was ceded by the Act of the General Assembly on April 15, 1795, 3 Smith's Laws 223, bounded and described as a certain tract or parcel of land situate in the County of Philadelphia, Commonwealth of Pennsylvania bounded and described as follows:

Beginning at a white stone monument standing in the boundary line between land of the United States of America, designated as Fort Mifflin and land now or formerly of the Atlantic Refining Company, said monument being situate north 8 degrees 02 minutes east, 1775.20 feet from where said boundary line intersects the northerly shore line of the Delaware River and passing over a certain other stone monument at 340.13 feet from the said northerly line of the Delaware River; thence from the aforesaid point of beginning binding the aforesaid Atlantic Refining Company land north 8 degrees 02 minutes east, 111.30 feet to a point; thence along the lands of the United States Government north

City of Philadelphia authorized to accept certain land, subject to a reservation to the United States in the event of war or national emergency.

Description.

69 degrees 55 minutes east, 588.20 feet to a point; thence north 59 degrees 21 minutes east, 254.17 feet to a point on the edge of a private road; thence along said road south 30 degrees 27 minutes 37 seconds east, 100.84 feet to a gate post; thence along said road south 44 degrees 06 minutes 29 seconds east, 143.84 feet to a point; thence along said road south 47 degrees 55 minutes 28 seconds east, 107.65 feet to an intersection point of said road and the Fort Mifflin Road; thence crossing the first mentioned road south 41 degrees 41 minutes 02 seconds west, 35.42 feet to a point on the edge of mentioned roads; thence along the first mentioned road south 48 degrees 20 minutes 06 seconds east 356.79 feet to a point; thence south 41 degrees 26 minutes 38 seconds west, 134.08 feet to a point; thence south 12 degrees 16 minutes 56 seconds east, 197.63 feet to a point; thence south 6 degrees 34 minutes 07 seconds west, 118.04 feet to a marker on the sea wall; thence south 6 degrees 34 minutes 07 seconds west, 155.87 feet to a point; thence along the Delaware River south 52 degrees 15 minutes west, 1809.63 feet to a point in the line of the Atlantic Refining Company; thence along the line of the Atlantic Refining Company north 8 degrees 02 minutes east, 340.13 feet to a white stone monument; thence along the same Atlantic Refining Company lands north 8 degrees 02 minutes east, 1435.07 feet to the place of beginning, containing 41.9 acres of land, more or less.

[The remaining portion of said land, in order that it may be utilized by the United States for Civil Works purposes, shall be and remain in the United States of America, free and clear of the right of the Commonwealth to occupy the said island and fortifications, whenever the same shall not be possessed by a military force under the United States, it being the intent hereby to eliminate the right of such occupancy, retained by the Commonwealth in the Act of the General Assembly of April 15, 1795, 3 Smith's Laws 223.]

Mud Island.

In order that all of the land comprising Mud Island may be properly used by the City of Philadelphia, therefore, the rights of the Commonwealth to occupy the said island and fortifications whenever the same shall not be possessed by a military force under the United States shall be granted to the City of Philadelphia, it being the intent hereby to grant the right of such occupancy retained by the Commonwealth in the Act of the General Assembly of April 15, 1795, 3 Smith's Laws 223, to the City of Philadelphia.

Act effective immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 24th day of August, A. D. 1961.

DAVID L. LAWRENCE