

## No. 324

## AN ACT

## SB 1037

Authorizing the Department of Property and Supplies, with the approval of the Governor, to acquire 29.317 acres, more or less, of land in Somerset Township, Somerset County, for use of the Department of Military Affairs and to convey a tract of Commonwealth land in Somerset Borough, Somerset County, to Somerset Borough under certain conditions.

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

Section 1. The Department of Property and Supplies, with the approval of the Governor, is hereby authorized to acquire in the name of the Commonwealth of Pennsylvania, for use of the Department of Military Affairs, at such considerations as may be agreed upon, a tract of land situate in the Township of Somerset, County of Somerset, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a nail on Route No. 253 leading to Friedens; thence south 68 degrees 51 minutes east a distance of 2,589.87 feet, more or less, along the center of said Route No. 253 to a nail in the middle of said route; thence north 21 degrees 11 minutes west a distance of 466.60 feet, more or less, to an iron pin; <sup>1</sup> thence north 42 degrees 11 minutes east a distance of 206.45 feet, more or less, to an iron pin; thence north 67 degrees 57 minutes east a distance of 512.22 feet, more or less, to a telephone pole; thence north 75 degrees 56 minutes east a distance of 969.10 feet, more or less, to a stake; thence north 10 degrees 03 minutes east a distance of 10 feet, more or less, to a stake; thence north 74 degrees 58 minutes east a distance of 972.50 feet, more or less, to a nail in the center of old Route No. 53; thence south 14 degrees 37 minutes east a distance of 368.37 feet, more or less, to the place of beginning.

Containing 29.317 acres, more or less.

Excepting and reserving all coal, minerals and mining rights heretofore excepted, reserved or conveyed of record, and subject to an avigation easement over and across a portion of the premises as conveyed by William J. Kline and wife to County of Somerset by deed dated February 20, 1954, recorded in the Office for the Recording of Deeds at Somerset, Somerset County, Pennsylvania, in Deed Book Volume 467, page 22.

Being the same premises conveyed to the Borough of Somerset by deed of William J. Kline, widower, dated October 3, 1966, and recorded as aforesaid in Deed Book Volume 633, page 75.

<sup>1</sup> "then" in original.

To have and to hold said premises for the use of the Pennsylvania State Armory Board and the Pennsylvania National Guard for the erection on the premises of an armory: Provided, however, That the conveyance shall be made upon the express condition, that if the above premises are not improved by the erection and completion thereon of an armory or structure for the housing of military personnel and equipment or other military purposes during the period of ten years immediately subsequent to the date of the conveyance, the title and interest in the premises shall be and become wholly void and the premises and appurtenances shall revert to and become revested in the Borough of Somerset, without reentry or any other act or ceremony, except that such reversion and revestment shall take effect only after the Borough of Somerset has duly adopted a resolution setting out the non-use by the Commonwealth of Pennsylvania and its assigns of the premises for military purposes for a continuous ten year period as before mentioned, and a certified copy thereof has been sent to the Commonwealth of Pennsylvania, by registered mail, addressed to Secretary, Department of Property and Supplies, Main Capitol Building, Harrisburg, Pennsylvania, and a certified copy of said resolution duly acknowledged by the Secretary of the Council is recorded in the Recorder's Office of Somerset County, at the expense of the Borough of Somerset, said resolution to be duly indexed in the indices of deeds, naming the Commonwealth of Pennsylvania herein as grantor, and naming the Borough of Somerset herein as the grantee.

The conveyance shall be made under and subject, nevertheless, to all easements, servitudes and rights of other, including but not confined to streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipe line companies as well as under and subject, nevertheless, to any estate or tenancies vested in third persons, whether or not appearing of record, for any portion of the said land or improvements erected thereon.

Section 2. As soon as the Department of Military Affairs begins use of the real property acquired under the provisions of section 1 of this act, the Department of Property and Supplies, with the approval of the Governor, is hereby authorized to convey to the Borough of Somerset in the name of the Commonwealth, at such considerations as may be agreed upon, all that certain parcel of Commonwealth land, constituting the present armory property situate in Somerset Borough, Somerset County, Pennsylvania, bounded and described as follows:

Beginning at the southeasterly corner of the intersection of East Catherine Street and North Center Avenue (formerly Main Cross Street); thence extending southwardly along the easterly side of North Center Avenue 84 feet to the line of Lot No. 6 in the plan of lots hereinafter mentioned; thence extending eastwardly along the dividing line between Lots Nos. 6 and 7 in said plan 115 feet, 6 inches to the westerly line of an alley 9 feet wide as shown on said plan;

thence extending northwardly along the westerly line of said alley and parallel with North Center Avenue 84 feet to the southerly side of East Catherine Street; thence extending westwardly along the southerly side of East Catherine Street 115 feet, 6 inches to the place of beginning.

Being lots Nos. 7 and 8 on C. A. Kimmel plan of lots recorded in the office for the recording of deeds at Somerset, Pennsylvania, Deed Book Volume 146, page 358, and being the same premises conveyed to the Commonwealth of Pennsylvania, by deed of Maggie E. Dickey and her husband, dated December 30, 1920, recorded as aforesaid in Deed Book Volume 232, page <sup>1</sup> 188.

Section 3. The deeds of conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of Property and Supplies in the name of the Commonwealth of Pennsylvania.

APPROVED—The 6th day of December, A. D. 1967.

RAYMOND P. SHAFER

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No. 325

AN ACT

SB 1160

Amending the act of March 10, 1949 (P. L. 30), entitled "An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto," further providing for reimbursements for certain special education services.

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

Section 1. Section 1373.1, act of March 10, 1949 (P. L. 30), known as the "Public School Code of 1949," amended December 22, 1965 (P. L. 1214), is amended to read:

Section 1373.1. Readers; Helpers; Guides; Aides; Appliances; Etc.; Reimbursement.—The Commonwealth shall reimburse school districts out of the moneys appropriated to the Department of Public Instruction for special education for the cost of readers, helpers, guides, aids, appliances, special school books and supplies and devices for any child between the ages of six and twenty-one years of age who is blind, partially sighted, deaf, hard of hearing, or afflicted with cerebral palsy, and who is enrolled, with the approval of the Department of Public Instruction, in any of the public schools of the Com-

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<sup>1</sup> "118" in original.