

No. 197

AN ACT

HB 1984

Authorizing the Department of Property and Supplies, with the approval of the Governor and the Secretary of Public Welfare, to convey 75.5 acres, more or less, of land situate in Newton Township, Lackawanna County to the Abington Heights School Board.

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 and the Secretary of Public Welfare is hereby authorized in behalf of the Commonwealth of Pennsylvania to convey to the Abington Heights School Board, Lackawanna County, the following described tract of land situate in Newton Township, Lackawanna County, Commonwealth of Pennsylvania:

Beginning at the most westerly corner of land of the grantor herein as shown on a map prepared by H. B. Dunning, Engineer No. 4215, dated November 11, 1948 and recorded in Map Book No. 7, page No. 25 in the Lackawanna County Courthouse, said corner also being a corner in lands formerly of Isaac Smith; thence along the line of lands formerly of Isaac Smith north 10 degrees east 1,290 feet more or less to a point in the southerly right-of-way line of Pennsylvania Traffic Route No. 629; thence along the southerly right-of-way line of Pennsylvania Traffic Route No. 629 south 85 degrees east 1,680 feet more or less to a point near the intersection of Pennsylvania Traffic Route No. 629 and Pennsylvania Legislative Route No. 35018; thence along the southerly right-of-way line of Legislative Route No. 35018 south 79 degrees east 516 feet more or less to a point; thence along the line of other lands of the grantor herein south 6 degrees west 1,520 feet more or less to a point on the line of lands formerly of Lewis Covey; thence along the line of lands formerly of Lewis Covey the following courses and distances: north 76 degrees 45 minutes west 550 feet more or less to a point; thence north 65 degrees 30 minutes west 645.2 feet to a point; thence south 49 degrees 45 minutes west 602.3 feet to a point on the line dividing lands formerly of John Holgate and Isaac Smith; thence along the line of lands formerly of Isaac Smith north 54 degrees 30 minutes west 816.5 feet to a point the place of beginning.

Containing 75.5 acres more or less.

Being part of a conveyance from the Lackawanna County Institution District et al to the Commonwealth of Pennsylvania by deed dated December 10, 1948 and recorded December 14, 1948 in Lackawanna County Deed Book No. 478, page 577.

The conveyance shall be made under and subject to all 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 estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

Section 2. The deed of conveyance shall contain a clause providing that the lands conveyed shall be used for school purposes by the Abington Heights School Board and if at any time the said Abington Heights School Board conveys said property or if said property is used for any purpose other than school purposes, the title thereto shall immediately revert to the Commonwealth of Pennsylvania.

Section 3. The deed 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.

Section 4. Before the transfer of the tract of land hereinbefore described is consummated, an appraisal of all the land shall be made by three appraisers. One shall be selected by the Department of Property and Supplies, the second shall be selected by the Abington Heights School Board, and these two shall select the third appraiser. The three appraisers so selected shall be licensed real estate brokers, and shall receive one hundred dollars (\$100) each, as compensation for their services, including expenses, said services to be equally borne by the Department of Property and Supplies and the Abington Heights School Board.

The appraisers shall, within two weeks of their appointment, meet and shall, collectively, determine the market value of the tract of land. The decision of two of the three appraisers shall bind the third appraiser, and shall be made in detailed form with a signed copy delivered to the Secretary of Property and Supplies, Abington Heights School Board, and the Attorney General. The Abington Heights School Board shall pay the Department of Property and Supplies the market value of the aforementioned tract of land thus determined.

Section 5. All moneys received from the sale of the land herein authorized to be conveyed shall be deposited in the General Fund.

Section 6. This act shall take effect immediately.

APPROVED—The 23rd day of July, A. D. 1970.

RAYMOND P. SHAFER

The foregoing is a true and correct copy of Act of the General Assembly No. 197.

A handwritten signature in cursive script, appearing to read "Raymond P. Shafer".

Secretary of the Commonwealth.