

No. 115

AN ACT

HB 1847

Authorizing the Secretary of Environmental Resources with the approval of the Governor, to transfer certain Project 70 lands in Centre County to the Department of Transportation for a highway project under certain conditions.

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

Section 1. Pursuant to the requirements of subsection (b) of section 20, act of June 22, 1964 (P.L.131), known as the "Project 70 Land Acquisition and Borrowing Act," the General Assembly authorizes the Secretary of Environmental Resources with the approval of the Governor, to transfer the hereinafter described land in College Township in Centre County to the Department of Transportation for a right-of-way for construction of Project L.R. 1050 section 2 involving relocation of Traffic Route 322.

Such land shall be free of the restrictions on use and alienation prescribed by section 20, act of June 22, 1964 (P.L.131), known as the "Project 70 Land Acquisition and Borrowing Act," upon:

(1) The secretary may acquire from any State agency or political subdivision land which the State agency or political subdivision acquired with Project 70 funds: Provided, however, That (i) the State agency or political subdivision by proper resolution or ordinance approves such acquisition and (ii) suitable substitute land may be acquired by the secretary and conveyed to the State agency or political subdivision in exchange for the Project 70 land acquired or, if no such suitable substitute land is available, the secretary shall pay to the State agency or political subdivision the fair market value of the land so acquired.

(2) The execution and filing of a document of release citing such reimbursement and release of the said land from the restrictions on use and alienation prescribed by subsection (b) of section 20 of said act.

The document of release in such cases shall, upon such reimbursement, be prepared by the Attorney General and filed in the office of the recorder of deeds of the county in which the said land is located. Such reimbursement shall be paid by the State Treasurer into the Acquisition Fund if said fund is still active, or if such is not the case, into the Project 70 Land Acquisition Sinking Fund. Compliance with this subsection constitutes the express approval of the General Assembly of release of the restrictions on use or alienation of lands acquired by the Department of Transportation required by subsection (b) of section 20 of said act.

Section 2. The land and right-of-way to be transferred by the Secretary of Environmental Resources with the approval of the Governor to the Department of Transportation for a right-of-way for construction

of Project L.R. 1050, section 2 to relocate Traffic Route 322 is more particularly described as follows:

Project Description

Project L.R. 1050, section 2 beginning at a point on new location approximately 2700 feet west of L.R. 14016. Fox Hollow Road in Patton Township, approximately 0.75 miles northeast of Overlook Heights, thence in a southeasterly direction, and terminating at a point on new location approximately 3900 feet southeast of existing L.R. 14019 Branch Road, in College Township, approximately 0.57 miles south of Lemont, Centre County, a distance of approximately 4.52 miles.

Right-of-way Description

The right-of-way acquisition will affect two (2) "Project 70" sites, the first being located between Station 361 + 60 and Station 365 + 50 (total of 12.90 acres) having a maximum width of 310 feet more or less. It will be necessary to acquire 2.44 acres from the first site and 3.49 acres from the second site for the new highway.

Section 3. This act shall take effect immediately.

APPROVED—The 9th day of June, A. D. 1972.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 115.



Secretary of the Commonwealth.