

No. 100

AN ACT

HB 884

Amending the act of June 9, 1972 (P.L.392, No.115), entitled "An act 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," authorizing the supervisors of College Township, Centre County, to transfer land to the Department of Transportation.

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

Section 1. The title and sections 1 and 2, act of June 9, 1972 (P.L.392, No.115), entitled "An act 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," are amended to read:

AN ACT

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

Section 1. Pursuant to the requirements of subsection (b) of section 20, act of June 22, 1964 (P.L.131, No.8), 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,] *the supervisors of College Township, Centre County*, 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, No.8), 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.]

- (1) *Acquisition by the Department of Transportation of suitable replacement land as approved by the Department of Justice; and*
- (2) *Execution and filing of a document of transfer and release, citing such acquisition 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 *transfer and release* [in such cases shall, upon such reimbursement, be prepared by the Attorney General and] *shall be approved by the Department of Justice 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] *supervisors of College Township, Centre County* 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]

*Description of Highway Project*

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]

*Description of Required Project 70 Land*

The [right-of-way acquisition will affect] *Project 70 land required for the above highway project comprises portions of two (2) "Project 70" sites, the first being located between Station [361 + 60] 360 + 20 and Station [365 + 50] 364 + 09 (total of [12.90] 3.0 acres) having a maximum right-of-way 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.] the second portion being located between Station 405 + 71 and Station 409 + 68 (total of 3.60 acres) having a maximum right-of-way width of 370 feet more or less.*

Section 2. This act shall take effect immediately.

APPROVED—The 25th day of October, A. D. 1973.

MILTON J. SHAPP

The foregoing is a true and correct copy of Act of the General Assembly No. 100.

A handwritten signature in black ink, reading "C. McLaughlin Tucker". The signature is written in a cursive style with a large initial "C" and "M".

*Secretary of the Commonwealth.*