

No. 106

AN ACT

HB 1893

Authorizing the Department of General Services, with the approval of the Governor and the Department of Military Affairs, to transfer a portion of the Fort Indiantown Gap to the United States of America.

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

Section 1. In recognition of the dedication and valor of those who served in the Armed Forces of the United States and cognizant of the immediate need to provide a final resting place for those brave and loyal citizens, the Commonwealth of Pennsylvania hereby authorizes the Department of General Services, with the approval of the Governor and the Department of Military Affairs, to convey without charge to the United States of America title to a certain tract of land, situate in the Townships of East Hanover and Union, County of Lebanon, Commonwealth of Pennsylvania, and being part of Fort Indiantown Gap, bounded and described as follows:

Beginning at a point in East Hanover Township, Lebanon County, at the eastern end of a 97.01 foot arc connecting the southern right-of-way line of Old Cumberland Road (T-601), a 40 foot right-of-way, to the eastern right-of-way line of Fisher Avenue, an 80 foot right-of-way; thence along the southern right-of-way line of Old Cumberland Road (T-601) south 52 degrees 52 minutes 52 seconds east, a distance of 128.64 feet to a point; thence across Old Cumberland Road (T-601) at right angles to the last mentioned course and along land now or late of Ray M. and Ruth Ann Funck north 37 degrees 07 minutes 08 seconds east, a distance of 230.00 feet to a point; thence along the same north 52 degrees 52 minutes 52 seconds west, a distance of 240.40 feet to a point on the eastern right-of-way line of Fisher Avenue L.R. No.38023, an 80 foot right-of-way; thence along the eastern line of the aforesaid right-of-way north 26 degrees 03 minutes 38 seconds east, a distance of 542.14 feet to a point of circular curvature; thence along the arc of a circular curve in a northeasterly direction curving to the right having a radius of 150 feet, an arc distance of 141.27 feet to a point of circular tangency on the southern right-of-way line of Biddle Road L.R. No.38054, a 50 foot right-of-way; thence along the southern right-of-way line of Biddle Road L.R. No.38054, north 80 degrees 01 minute 23 seconds east, a distance of 1828.38 feet to a point of circular curvature; thence along the same in a northeasterly direction on the arc of a circular curve curving to the left having a radius of 1920.83 feet, an arc length of 809.90 feet to a point of circular tangency; thence along the same and across the township line separating East Hanover Township, Lebanon County

from Union Township, Lebanon County north 55 degrees 51 minutes 53 seconds east, a distance of 905.35 feet to a point of circular curvature, in Union Township, Lebanon County, Pennsylvania; thence along the same in a northeasterly direction on the arc of a circular curve curving to the right having a radius of 1406.85 feet, an arc length of 862.74 feet to a point of circular tangency; thence along the same south 88 degrees 59 minutes 57 seconds east, a distance of 801.03 feet to a point of circular curvature; thence along the same in a southeasterly direction on the arc of a circular curve curving to the left having a radius of 6935.98 feet, an arc length of 234.14 feet to a point of circular tangency; thence along the same north 89 degrees 04 minutes 00 seconds east, a distance of 420.12 feet to a point; thence along the same south 89 degrees 39 minutes 22 seconds east, a distance of 86.06 feet to a point; thence along the same south 86 degrees 13 minutes 52 seconds east, a distance of 20.53 feet to a point; thence along the same south 80 degrees 37 minutes 25 seconds east, a distance of 60.63 feet to a point; thence along the same south 79 degrees 03 minutes 23 seconds east, a distance of 186.58 feet to a point at the southwest corner of Biddle Road L.R. No.38054, a 50 foot right-of-way and T-380, a 33 foot right-of-way; thence along the western right-of-way line of T-380, a 33 foot right-of-way, south 09 degrees 58 minutes 42 seconds east, a distance of 33.21 feet to a point; thence along the same south 14 degrees 35 minutes 48 seconds east, a distance of 66.51 feet to a point; thence along the same south 40 degrees 13 minutes 39 seconds east, a distance of 70.42 feet to a point; thence along the same south 52 degrees 53 minutes 48 seconds east, a distance of 72.86 feet to a point; thence along the same south 43 degrees 35 minutes 06 seconds east, a distance of 33.97 feet to a point; thence across T-380, a 33 foot right-of-way, and along land of Commonwealth of Pennsylvania (Fort Indiantown Gap) south 64 degrees 30 minutes 27 seconds east, a distance of 1036.97 feet to a point; thence along the same and across Biddle Road L.R. No.38048, a 50 foot right-of-way, north 26 degrees 08 minutes 30 seconds east, a distance of 228.07 feet to a point on the northern right-of-way line of Biddle Road L.R. No.38048, a 50 foot right-of-way; thence along the aforesaid right-of-way line north 57 degrees 08 minutes 55 seconds west, a distance of 384.11 feet to a point; thence along land of the Commonwealth of Pennsylvania (Fort Indiantown Gap) north 14 degrees 48 minutes 40 seconds east, a distance of 881.32 feet to a point on the southern right-of-way line of a Metropolitan Edison distribution line right-of-way; thence along said right-of-way line north 58 degrees 24 minutes 03 seconds east, a distance of 1973.77 feet to a point; thence along land of the Commonwealth of Pennsylvania (Fort Indiantown Gap) south 13 degrees 03 minutes 17 seconds east, a distance of 751.91 feet to a point; thence along the same south 09 degrees 31 minutes 44 seconds east, a distance of 1269.55 feet to a point; thence along same south 08 degrees 52 minutes 12 seconds east, a distance of 115.75 feet to a point; thence along the same and across Quartermaster Road L.R. No.38067, a 33 foot right-of-way, north 88 degrees 56 minutes 42 seconds east, a distance of 826.65 feet to a point;

thence along the same north 01 degree 31 minutes 44 seconds west, a distance of 360.63 feet to a point; thence along the same north 76 degrees 18 minutes 44 seconds east, a distance of 2274.20 feet to a point on the western right-of-way line of T-444, a 33 foot right-of-way; thence along the aforesaid right-of-way line of T-444 south 34 degrees 51 minutes 52 seconds east, a distance of 305.67 feet to a point; thence along the same south 36 degrees 22 minutes 07 seconds east, a distance of 300.40 feet to a point; thence along the same south 37 degrees 43 minutes 02 seconds east, a distance of 50.93 feet to a point; thence along the same south 42 degrees 51 minutes 52 seconds east, a distance of 52.10 feet to a point; thence along the same south 52 degrees 15 minutes 37 seconds east, a distance of 160.50 feet to a point; thence along the same south 57 degrees 52 minutes 32 seconds east, a distance of 82.81 feet to a point; thence along the same south 64 degrees 51 minutes 42 seconds east, a distance of 85.49 feet to a point; thence along the same south 75 degrees 08 minutes 57 seconds east, a distance of 71.62 feet to a point; thence along the same north 87 degrees 06 minutes 08 seconds east, a distance of 57.76 feet to a point; thence along the same north 65 degrees 15 minutes 33 seconds east, a distance of 125.48 feet to a point; thence along the same north 69 degrees 46 minutes 53 seconds east, a distance of 55.94 feet to a point; thence along the same north 80 degrees 35 minutes 38 seconds east, a distance of 87.87 feet to a point; thence along the same south 85 degrees 03 minutes 25 seconds east, a distance of 177.58 feet to a point of circular curvature; thence along the same in a southeasterly direction on the arc of a circular curve curving to the right having a radius of 290.44 feet, an arc length of 50.91 feet to a point; thence along the same and radial to the aforementioned curve south 14 degrees 59 minutes 08 seconds west, a distance of 8.5 feet to a point; thence along the same in a southeasterly direction on the arc of a circular curve curving to the right having a radius of 281.94 feet, an arc length of 52.15 feet to a point at land now or late of Joseph and Mary Werni; thence along said land and a private cemetery (owners unknown) south 05 degrees 51 minutes 14 seconds west, a distance of 235.26 feet to a point; thence along land now or late of Joseph and Mary Werni south 04 degrees 59 minutes 12 seconds west, a distance of 127.49 feet to a point on the northern right-of-way line of U.S. Route No.81 L.R. No.1005, a limited access and variable width right-of-way; thence along the same in a southwesterly direction along the arc of a circular curve curving to the right having a radius of 3719.83 feet, an arc length of 279.17 feet to a point; thence along the same and radial to the aforementioned curve north 20 degrees 25 minutes 15 seconds west, a distance of 30.00 feet to a point; thence along the same in a southwesterly direction on the arc of a circular curve curving to the right having a radius of 3689.83 feet, an arc length of 236.63 feet to a point of circular tangency; thence along the same south 73 degrees 15 minutes 13 seconds west, a distance of 5.03 feet to a point; thence along the same south 16 degrees 44 minutes 47 seconds east, a distance of 30.00 feet to a point offset 100 foot at right angles from the southbound base line station 356+50.00; thence along

the same south 73 degrees 15 minutes 13 seconds west, a distance of 2244.64 feet to a point offset 142 feet at right angles from center line base line station 334+05.36; thence along land now or late of Sylvester L. and Helen M. Rohrer north 05 degrees 51 minutes 05 seconds east, a distance of 345.33 feet to a point; thence along the same and across Quartermaster Road L.R. No.38067, a 33 foot right-of-way, north 84 degrees 15 minutes 25 seconds west, a distance of 1500.85 feet to a point on the western right-of-way line of Quartermaster Road L.R. No.38067; thence along the western right-of-way line of Quartermaster Road L.R. No.38067 south 12 degrees 58 minutes 43 seconds west, a distance of 847.69 feet to a point at the northeast corner of Quartermaster Road L.R. No.38067 aforementioned and Biddle Road L.R. No.38048, a 50 foot right-of-way; thence across Biddle Road L.R. No.38048 south 87 degrees 01 minute 27 seconds west, a distance of 74.00 feet to a point on the western right-of-way line of Biddle Road L.R. No.38048; thence along land now or late of Sylvester L. and Helen M. Rohrer north 84 degrees 52 minutes 25 seconds west, a distance of 434.58 feet to a point; thence along the same north 64 degrees 22 minutes 15 seconds west, a distance of 305.26 feet to a point; thence along the same south 46 degrees 06 minutes 01 second west, a distance of 531.61 feet to a point; thence along the same south 08 degrees 12 minutes 44 seconds east, a distance of 307.18 feet to a point; thence along land now or late of Florence M. Speck and across the township line separating Union Township, Lebanon County from East Hanover Township, Lebanon County south 83 degrees 36 minutes 38 seconds west, a distance of 2235.70 feet to a point on the eastern right-of-way line of T-380, a 33 foot right-of-way; thence along the eastern right-of-way line of T-380 north 23 degrees 10 minutes 22 seconds west, a distance of 70.50 feet to a point; thence across T-380 and along the northern right-of-way line of Old Cumberland Road (T-601), a 33 foot right-of-way, south 83 degrees 37 minutes 55 seconds west, a distance of 1485.33 feet to a point; thence along the same north 84 degrees 49 minutes 02 seconds west, a distance of 59.95 feet to a point; thence along the same north 76 degrees 07 minutes 30 seconds west, a distance of 30.92 feet to a point at land now or late of George F. and Joyce E. Lerch; thence along said land north 09 degrees 22 minutes 16 seconds east, a distance of 184.41 feet to a point; thence along the same and the northern right-of-way line of Old Cumberland Road (T-601) south 63 degrees 58 minutes 08 seconds west, a distance of 1035.21 feet to a point; thence along the northern right-of-way line of aforementioned road south 79 degrees 11 minutes 13 seconds west, a distance of 32.96 feet to a point; thence along the same south 68 degrees 00 minutes 58 seconds west, a distance of 36.97 feet to a point; thence along the same south 87 degrees 42 minutes 56 seconds west, a distance of 186.25 feet to a point; thence along the same south 83 degrees 36 minutes 08 seconds west, a distance of 1772.08 feet to a point; thence along the same south 87 degrees 46 minutes 13 seconds west, a distance of 109.51 feet to a point; thence along the same north 85 degrees 59 minutes 30 seconds west, a distance of 47.02 feet to a point; thence along the

same north 72 degrees 38 minutes 54 seconds west, a distance of 66.63 feet to a point; thence along the same north 61 degrees 50 minutes 32 seconds west, a distance of 93.55 feet to a point; thence along the same north 58 degrees 42 minutes 01 second west, a distance of 377.92 feet to a point; thence across Old Cumberland Road (T-601) and along the western right-of-way line of a proposed 50 foot right-of-way south 00 degrees 12 minutes 33 seconds west, a distance of 346.24 feet to a point; thence along land now or late of William M. and Joy K. Carroll south 83 degrees 36 minutes 08 seconds west, a distance of 474.94 feet to a point; thence along the same south 05 degrees 51 minutes 33 seconds east, a distance of 725.57 feet to a point; thence along the same south 80 degrees 20 minutes 51 seconds west, a distance of 308.98 feet to a point; thence along land now or late of George S. and Etsuko T. Wells, land now or late of Victor H. Diener and other land now or late of George S. and Etsuko T. Wells north 89 degrees 48 minutes 11 seconds west, a distance of 778.78 feet to a point; thence along land now or late of George S. and Etsuko T. Wells and land now or late of William R. and Nellie C. Roeder south 03 degrees 01 minute 22 seconds east, a distance of 395.72 feet to a point on the northern right-of-way line of U.S. Route No.81 L.R. No.1005 Ramp "F"; thence in a northwesterly direction on the arc of a circular curve curving to the right having a radius of 320 feet, an arc length of 30.44 feet to a point of circular tangency; thence along the same north 35 degrees 00 minutes 11 seconds west, a distance of 469.10 feet to a point of circular curvature; thence along the same in a northwesterly direction on the arc of a circular curve curving to the right having a radius of 320 feet, an arc length of 325.69 feet to a point of circular tangency; thence along the same north 23 degrees 18 minutes 43 seconds east, a distance of 77.12 feet to a point; thence along the same north 20 degrees 15 minutes 33 seconds east, a distance of 227.45 feet to a point; thence along the same north 69 degrees 44 minutes 27 seconds west, a distance of 23.92 feet to a point on the eastern right-of-way line of Fisher Avenue, a variable width right-of-way; thence along the eastern right-of-way line of Fisher Avenue north 23 degrees 18 minutes 43 seconds east, a distance of 80.24 feet to a point offset 90 feet at right angles from center line base line station 960+00.00; thence along the same north 66 degrees 41 minutes 17 seconds west, a distance of 20 feet to a point; thence along the same north 23 degrees 18 minutes 43 seconds east, a distance of 624.96 feet to a point offset 70 foot at right angles from center line base line station 966+24.96; thence along the same north 66 degrees 41 minutes 17 seconds west, a distance of 30.00 feet to a point; thence along the same north 23 degrees 18 minutes 43 seconds east, a distance of 330.15 feet to a point; thence along the same north 26 degrees 03 minutes 38 seconds east, a distance of 345.09 feet to a point of circular curvature; thence in a northeasterly direction on the arc of a circular curve curving to the right having a radius of 55 feet, an arc length of 97.01 feet to a point the place of beginning. Said tract containing 676.8317 acres with a dwelling, barn and outbuildings thereon and is subject to a Metropolitan Edison right-of-way, Bell Telephone Company

of Pennsylvania right-of-way and a 40 foot wide sanitary sewer easement.

Being the same lands vested in the Commonwealth of Pennsylvania by the below listed indentures, and with one exception as indicated below, the same are recorded in the Office for the Recording of Deeds in and for the County of Lebanon, Commonwealth of Pennsylvania to wit: part of a parcel of land late of Harry Kreiser, deeded to Commonwealth by indenture of February 20, 1946 more fully described in Corporation Deed Book No.9 Page 626; and, part of a parcel of land late of Allen H. Houser and deeded to the Commonwealth by indenture of July 23, 1946 and being more fully described in Corporation Deed Book No.9 Page 663; and, part of a parcel of land late of Ephraim V. Lerch et ux, deeded to the Commonwealth by indenture of June 3, 1940 more fully described in Corporation Deed Book No.8 Page 570; and, an entire tract of land late of Elias R. Bomberger deeded to the Commonwealth by indenture of August 7, 1944 more fully described in Corporation Deed Book No.9 Page 415; and, an entire tract of land late of George W. Walmer et ux, deeded to the Commonwealth by indenture of January 23, 1945 more fully described in Corporation Deed Book No.9 Page 472; and, an entire tract of land late of George Soldit et ux, deeded to the Commonwealth by indenture of January 25, 1944 and more fully described in Corporation Deed Book No.9 Page 345; and, part of a parcel of land late of Harry Kucz et ux, acquired by the Commonwealth by Act of Condemnation No.124, June term, 1936, Court of Common Pleas in and for the County of Lebanon, Pennsylvania and on file in the Office of the Prothonotary for the County of Lebanon, Pennsylvania; and, part of a parcel of land late of William M. Kreiser deeded to the Commonwealth by indenture of August 22, 1946 more fully described in Corporation Deed Book No.9 Page 675; and, part of a parcel of land late of Minnie E. Shirk et vir, et al, deeded to the Commonwealth by indenture of March 16, 1939 more fully described in Corporation Deed Book No.8 Page 438; and, part of a parcel of land late of Morris Houser et ux, deeded to the Commonwealth by indenture of July 31, 1937 more fully described in Corporation Deed Book No.8 Page 249; and, part of a parcel of land late of Henry H. Kuntz et ux, deeded to the Commonwealth by indenture of July 19, 1943 more fully described in Corporation Deed Book No.9 Page 298; and, part of a parcel of land late of Amy N. Albert, deeded to the Commonwealth by indenture of July 9, 1943, more fully described in Corporation Deed Book No.9 Page 290.

Together with all and singular, the improvements, ways, waters, water courses, rights, liberties, privileges, hereditaments and appurtenances whatsoever thereunto belonging, or in anywise appertaining, and the reversions and remainders, rents, issues and profits thereof; and all the estate, right, title, interest, property claim and demand whatsoever.

Exclusive of all existing rights-of-way for water lines, sewerage lines and mains, outfalls, electric power lines, telephone and communications lines, gas lines, State maintained roads, township maintained roads and rights of ingress and egress.

Section 2. The deed shall be approved by the Department of Justice and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

Section 3. Exclusive jurisdiction in and over the aforesaid lands, when acquired by the United States is hereby ceded to the United States by the Commonwealth of Pennsylvania, provided that the Commonwealth of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the lands and buildings aforesaid, in so far that civil processes as may issue under the authority of the Commonwealth of Pennsylvania against anyone charged with crime committed outside said land, may be executed thereon in the same manner as if jurisdiction had not been ceded.

Section 4. The jurisdiction ceded to the United States shall be upon the further condition that the Commonwealth reserves to itself and its political subdivisions whatever power of taxation it may constitutionally reserve, to levy and collect all taxes now or hereafter imposed by the Commonwealth and its political subdivisions upon property and persons within the boundaries so ceded.

Section 5. This conveyance is made to the grantee upon the express condition that if the grantee shall cease to use the above described premises for National Cemetery purposes, or shall alienate or attempt to alienate such land, title thereto shall, at the option of the grantor, revert to the Commonwealth of Pennsylvania, provided, however, if permanent improvements or facilities relating to the National Cemetery are erected on the land, including but not limited to interment, memorial, administration, maintenance and visitor improvements or facilities, service roads, drainage and sprinkling systems, and grading and landscaping, this right of reverter will terminate immediately upon the expenditure of any funds appropriated for the construction of any such improvements or facilities with respect to the land so improved and such additional land within the acreage hereby transferred as may be reasonably required by the grantee to protect the integrity of the area being developed, which portion of land shall be described and set forth in a document to be prepared and recorded by the grantee for each phase of development of the said National Cemetery.

Section 6. This act shall take effect immediately.

APPROVED—The 24th day of June, A. D. 1976.

MILTON J. SHAPP