

No. 1977-106

AN ACT

HB 737

Authorizing the Department of General Services with the approval of the General State Authority to convey a tract of land located in West Nantmeal Township, Chester County to the Chester County Water Resources Authority.

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

Section 1. The Department of General Services is hereby authorized on behalf of the Commonwealth of Pennsylvania and the General State Authority to convey to the Chester County Water Resources Authority for a consideration of \$47,500 the following described tract of land in West Nantmeal Township, Chester County, Pennsylvania, bounded and described as follows:

Beginning at a point in the title line of Creek Road (Route 282) said point being a corner of land of Clarence M. Miller; thence from said point of beginning along lands of said Miller, south 25 degrees 00 minutes west 528.00 feet to a point a corner of ground of Thomas K. Hartenstine; thence along the lands of said Hartenstine the following two courses and distances: (1) along the east branch of the Brandywine Creek north 81 degrees 52 minutes 56 seconds west 401.61 feet to a point; (2) south 13 degrees 49 minutes 40 seconds west 420.91 feet to a point in the north line of lands of Robert K. Greenfield and Paul H. Fried formerly Pennsylvania Railroad - New Holland Branch right-of-way; thence along said lands the following two courses and distances: (1) north 73 degrees 04 minutes 50 seconds west 684.19 feet to a point; (2) on a line curving to the left having a radius of 1463.00 feet an arc distance of 718.60 feet and a chord bearing north 87 degrees 09 minutes 06 seconds west 711.39 feet to a point a corner of land of James W. Cresmer, Jr.; thence along said lands the following three courses and distances: (1) north 03 degrees 30 minutes 48 seconds east 413.72 feet to a point; (2) north 68 degrees 44 minutes 22 seconds west 223.94 feet to a point; (3) north 05 degrees 12 minutes 31 seconds east 229.35 feet to an iron pin a corner of ground of Gene Matlack; thence along said lands north 04 degrees 55 minutes 20 seconds east 345.90 feet to an iron pin a corner of ground of Ralph Shingle; thence along said lands north 04 degrees 36 minutes 04 seconds east 376.66 feet to a point in the title line of the aforesaid Creek Road (Route 282); thence along the title line and centerline of Creek Road the following five courses and distances: (1) south 66 degrees 24 minutes 20 seconds east 1507.58 feet; (2) south 67 degrees 15 minutes 53 seconds east 148.14 feet; (3) south 70 degrees 29 minutes 33 seconds east 200.00 feet; (4) south 74 degrees 55 minutes 33 seconds east

200.00 feet; (5) south 76 degrees 56 minutes 33 seconds east 296.91 feet to the point of beginning.

Section 2. 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, sewer, gas or pipeline companies, as well as under and subject to any interest, estates, or tenancies vested in third persons, whether or not appearing of record, for any portion of the land, and the deed shall contain a clause providing, "however, this does not preclude the right of the Commonwealth to obtain a right-of-way from the Chester County Water Resources Authority for the transmission of water from the east branch of the Brandywine for any project approved by the General Assembly on the remaining tract known as Fuzzydele Farms. This reservation remains dependent upon the granting of an allocation of water for such future project by the Pennsylvania Department of Environmental Resources."

Section 3. The deed of conveyance 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 and the General State Authority.

Section 4. The Department of General Services shall distribute the consideration herein before provided for to the General State Authority for distribution to the bondholders thereof.

Section 5. This act shall take effect immediately.

APPROVED—The 22nd day of December, A. D. 1977.

MILTON J. SHAPP