

No. 1979-69

## AN ACT

SB 357

Reenacting and amending the act of November 26, 1978 (P.L.1179, No.276), entitled "An act authorizing the Department of General Services with the approval of the Governor and the Secretary of Public Welfare to convey a certain tract of ground situate in Susquehanna Township, Dauphin County," further describing the tract.

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

Section 1. The act of November 26, 1978 (P.L.1179, No.276), entitled "An act authorizing the Department of General Services with the approval of the Governor and the Secretary of Public Welfare to convey a certain tract of ground situate in Susquehanna Township, Dauphin County," is reenacted and amended to read:

Section 1. The Department of General Services, with the approval of the Governor and the Secretary of Public Welfare is hereby authorized on behalf of the Commonwealth of Pennsylvania to convey for a consideration of \$1 the following described tract of land situate in Susquehanna Township, Dauphin County, Pennsylvania to the city of Harrisburg:

All that certain tract or piece of ground situate in Susquehanna Township, Dauphin County, Pennsylvania bounded and described as follows, to wit:

**[Beginning at an iron pin located on the property line separating land owned by Dauphin County (proposed for use as a park) and Asylum Property (said point being approximately 280 feet southwest of Asylum Run and 150 feet west of a ravine); thence north 21 degrees 53 minutes 37 seconds east a distance of 257.09 feet to a point located in Asylum Run; thence north 85 degrees 59 minutes 24 seconds west a distance of 341.24 feet to a point located in Asylum Run; thence north 66 degrees 50 minutes 33 seconds west a distance of 472.29 feet to a "+" chiseled on the south abutment wall of a bridge; thence south 53 degrees 03 minutes 52 seconds west a distance of 388.42 feet to a point; thence south 07 degrees west a distance of 839.91 feet to an iron pin; thence south 64 degrees 46 minutes 58 seconds east along property owned by the Commonwealth of Pennsylvania, Department of Transportation, a distance of 1171.40 feet to a point (said bearing being described as south 81 degrees 40 minutes 20 seconds east on PennDOT right-of-way plan sheet 38 of 38 for LR 1 Spur F); thence north 48 degrees 31 minutes 45 seconds east along property owned by the Harrisburg School District a distance of 536.73 feet to an iron pin; thence north 25 degrees 54 minutes 11 seconds west along property owned by Dauphin County (proposed for use as a park) a distance of 847.71 feet to the point of beginning said property comprising an area of approximately 31.5 acres:]**

*Beginning at an iron pin on the west R/W line of North 17th Street, said point being located approximately 634 feet north of the intersection of the north R/W line of L.R. 1 Spur F (commonly known as Rt. 22 Bypass) and the west R/W line of North 17th Street; thence north 25 degrees 25 minutes 22 seconds east along the west R/W line of North 17th Street, a distance of 47.00 feet to an iron pin on the north R/W line of the entrance road to the Harrisburg Middle School; thence south 64 degrees 25 minutes 06 seconds east along said R/W line, a distance of 305.64 feet to an iron pin; thence north 48 degrees 31 minutes 45 seconds east along the property line of the Harrisburg Middle School, a distance of 485.69 feet to an iron pin; thence north 25 degrees 54 minutes 11 seconds west, a distance of 847.71 feet along property of the Commonwealth of Pennsylvania, Department of Public Welfare to an iron pin; thence north 21 degrees 53 minutes 37 seconds east, a distance of 257.09 feet to an iron pin located in the stream bed of Asylum Run; thence north 85 degrees 59 minutes 48 seconds west along a line generally following the stream bed of Asylum Run, a distance of 341.12 feet to an iron pin; thence north 66 degrees 50 minutes 33 seconds west, a distance of 472.29 feet along a line generally following the stream bed of Asylum Run to a drill hole in the southeast wing wall of a bridge carrying Sycamore Drive over Asylum Run; thence south 36 degrees 56 minutes 08 seconds west along or near the east side of Sycamore Drive, a distance of 393.52 feet to an iron pin on the east side of an unimproved road known as Pine Drive; thence south 13 degrees 14 minutes 14 seconds west, a distance of 765.14 feet to an iron pin, said point being a property corner of lands of the Commonwealth of Pennsylvania, Department of Transportation; thence south 64 degrees 25 minutes 06 seconds east along the property line of PennDOT, a distance of 887.92 feet to the point of beginning (this bearing is described as north 81 degrees 40 minutes 20 seconds west in Deed for Department of Transportation property filed in Deed Book U, Volume 53, Page 563 in the Dauphin County Records Office; it is the same line as shown hereon; the PennDOT Architectural Unit Drawing showing this property line is 8-5151); said tract of land comprising an area of approximately 31.99 acres. Being part of the same land acquired by the Pennsylvania State Lunatic Hospital in eminent domain proceedings before Common Pleas Court of Dauphin County on November 18, 1895, at 365 January Term 1896, against lands of Margaret Oyster.*

[The conveyance shall be made under and subject, nevertheless, 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, nevertheless, to any estate or tenancies vested in third persons, whether or not appearing of record, for any portion of the said land.]

*“Reserving and excepting herein and hereout the easement of a certain paved road known as Hospital Drive No. 2, connecting with North 17th Street and a dirt road connecting Pine Drive with the said Hospital Drive No. 2, running northwardly from North 17th Street and arcing into said dirt road, paralleling the southerly boundary of the above description, which runs into Pine Drive.*

*“Subject to the easement of three water lines running diagonally across North 17th Street near the point of beginning of the above description, two of which run diagonally across the premises herein above described, to points near the intersection of Pine Drive and Sycamore Drive, and the remaining line of which makes an angle with the direction of the other lines, runs across Hospital Drive No. 2, and nearly parallels the fifth course of the above description as it crosses Asylum Run.”*

Section 2. The Deed of Conveyance shall contain a clause that the lands conveyed shall be used for **[public purposes] a water filtration and treatment facility** by the City of Harrisburg and if at any time the City of Harrisburg conveys said property or authorizes or permits said property to be used for any purpose other than **[public purposes,] a water filtration and treatment facility**, the title thereto shall immediately revert to and revest in the Commonwealth of Pennsylvania.

Section 3. The Deed of Conveyance *and the grant* 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 4. This act shall take effect immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 16th day of October, A. D. 1979.

DICK THORNBURGH