

No. 1981-98

## AN ACT

HB 1379

Authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to sell and convey a parcel of land situate in Skippack Township, Montgomery County, Pennsylvania.

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

Section 1. Pursuant to subsection (b) of section 20, act of June 22, 1964 (1st Sp.Sess., P.L.131, No.8), known as the "Project 70 Land Acquisition and Borrowing Act," the General Assembly authorized the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to sell and convey to Michael Petriello and Virginia M. Petriello, husband and wife, a tract of land with improvements thereon, reserving in and over said tract of land a flood easement, situate in Skippack Township, Montgomery County, Pennsylvania, said tract being more fully described as follows:

Beginning at a point formed by the intersection of the center line of Cedars Road (proposed 60 feet wide) and the center line of Anders Road (proposed 60 feet wide); thence extending along the center line of Cedars Road, south 82 degrees 27 minutes east 166.17 feet to a point of curve; thence continuing along the center line of Cedars Road, southeasterly and northeasterly on the arc of a circle curving to the left having a radius of 300 feet, the arc distance of 104.98 feet to a point of tangent in the center line of Cedars Road; thence continuing along the center line of Cedars Road, north 77 degrees 30 minutes east 51 feet to a point in line of Lot No.9 on said plan; thence extending along Lot No.9 on said plan, north 12 degrees 30 minutes west, crossing the northwesterly side of Cedars Road, 410.89 feet to a point on the southeasterly side of lands now or late of Philadelphia Electric Company Transmission Line; thence extending south 80 degrees 20 minutes west along the last mentioned lands and crossing the southeasterly side of Anders Road, 184.34 feet to a point in the center line of Anders Road; thence extending along the center line of Anders Road, south 7 degrees (incorrectly given in prior deed as 70 degrees), 33 minutes west 367.21 feet to the first mentioned point and place of beginning. Containing 2.29 acres more or less.

Reserving, however, to the Commonwealth of Pennsylvania, its successors and assigns, a perpetual easement to overflow, flood and submerge the aforescribed tract of land and any improvements thereon by reason of the construction by the Commonwealth, its successors or assigns, of a dam or dams in and across Skippack Creek.

o And providing, further, That the Commonwealth of Pennsylvania, its successors or assigns, shall not be liable, in any manner, for what might

otherwise be called compensation for damage as a result of flooding by reason of the construction of said dam or dams.

Being the same tract of land acquired by the Commonwealth of Pennsylvania by a Declaration of Taking filed on September 24, 1970, in Eminent Domain in the Court of Common Pleas of Montgomery County, Pennsylvania, docketed to Number 70-12095.

Section 2. (a) The consideration for this sale and conveyance shall be the sum of \$47,450 plus interest at the rate of 5% from September 27, 1971 to the date of settlement and of \$6,550 plus interest at the rate of 5% from December 22, 1975 to the date of settlement.

(b) The land to be sold and conveyed by the Department of General Services shall be free of restrictions on use and alienation prescribed by section 20 of the act of June 22, 1964 (1st Sp.Sess., P.L.131, No.8), known as the "Project 70 Land Acquisition and Borrowing Act," upon the execution and filing of a document of release which shall be prepared as provided by law and filed in Montgomery County, Pennsylvania.

Section 3. Costs and fees related to the preparation and recordation of the property shall be borne by the grantees.

Section 4. The Deed of Conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

Section 5. All moneys received by the Department of Environmental Resources from the sale of the lands herein authorized to be conveyed shall be deposited in the Project 70 Reserve Account.

Section 6. This act shall take effect immediately.

APPROVED—The 1st day of October, A. D. 1981.

DICK THORNBURGH