

## No. 1990-166

## AN ACT

## SB 895

Authorizing the Department of General Services, with the approval of the Governor and the Department of Corrections, to convey certain land in the Borough of Huntingdon, Huntingdon County, to the Borough of Huntingdon; authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to Bernard C. Banks, Jr., a tract of land situate in Kingston Township, Luzerne County, Pennsylvania; authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to Frank Jerome an easement over lands belonging to the Commonwealth situate in Indiana Township, Allegheny County, Pennsylvania; authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to the Middletown Fire Department a tract of land situate in Middletown Township, Delaware County, Pennsylvania; authorizing the State Armory Board of the Department of Military Affairs and the Department of General Services, with the approval of the Governor, to sell and convey a tract of land, together with the building and structures thereto, in the City of Chester, Delaware County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Education, to lease to Temple University a tract of land with improvements thereon in the City of Philadelphia, Pennsylvania; and authorizing and directing the Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, to convey to Pavia Cemetery Association a certain tract of land situate in Union Township, Bedford County, in exchange for a certain tract of land.

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

Section 1. (a) The Department of General Services, with the approval of the Governor and the Department of Corrections, is hereby authorized and directed, on behalf of the Commonwealth of Pennsylvania, to grant and convey to the Borough of Huntingdon, for a consideration of one dollar, the following land and rights therein situate in the Borough of Huntingdon, Huntingdon County, Pennsylvania, bounded and described as follows:

## ITEM NO. 1

All that parcel of land situate in the Borough of Huntingdon, County of Huntingdon and Commonwealth of Pennsylvania, bounded and described as follows, viz:

Beginning at a point marked by an iron pin at the northeasterly corner of land now or formerly of Rex McMickens on the westerly side of the railroad of Penn Central Transportation Company known as the Main Line in the vicinity of said transportation company's mile post 203, said beginning point being in the westerly line of the former Pennsylvania Canal lands approximately 1405 feet north of the northerly line of 8th Street as measured along said westerly line of former Canal lands;

Extending from said beginning point the following ten courses and distances, the first seven thereof being by remaining land of said transportation company: (1) north 00 degrees 35 minutes west 31.0 feet to an iron pin distant 58 feet westwardly, at right angles, from the center line of the eastbound main track of railroad of said transportation company; (2) south 75 degrees 40 minutes west 92.0 feet to an iron pin distant 150 feet westwardly, at right angles, from said center line of eastbound main track; (3) north 14 degrees 15 minutes west, parallel with said center line of eastbound main track, 1508.0 feet to an iron pin; (4) north 75 degrees 40 minutes east 113.0 feet to an iron pin distant 37 feet westwardly, at right angles, from said center line of eastbound main track; (5) north 14 degrees 15 minutes west, parallel with said center line of eastbound main track, 1106.0 feet to an iron pin; (6) south 75 degrees 40 minutes west 78.0 feet to an iron pin; and (7) continuing south 75 degrees 40 minutes west 10 feet, more or less, to the east bank of the Juniata River; thence (8) southwardly, along said east bank of river, 2775 feet, more or less, to the northerly line of said land now or formerly of Rex McMickens; thence (9) north 75 degrees 40 minutes east along said northerly line of the last mentioned land, 20 feet, more or less, to an iron pin, which last mentioned iron pin is located the following twelve courses and distances from the iron pin at the end of course number six herein: (a) south 07 degrees 29 minutes west 160.3 feet to an iron pin; (b) south 10 degrees 06 minutes west 249.4 feet to an iron pin; (c) south 05 degrees 43 minutes east 211.2 feet to an iron pin; (d) south 22 degrees 45 minutes east 118.0 feet to an iron pin; (e) south 09 degrees 38 minutes east 198.2 feet to an iron pin; (f) south 15 degrees 45 minutes east 160.3 feet to an iron pin; (g) south 11 degrees 46 minutes east 318.2 feet to an iron pin; (h) south 12 degrees 54 minutes east 442.9 feet to an iron pin; (i) south 01 degree 04 minutes west 299.4 feet to an iron pin; (j) south 12 degrees 04 minutes east 194.3 feet to an iron pin; (k) south 19 degrees 05 minutes east 160.0 feet to an iron pin; and (l) south 40 degrees 01 minute east 202.0 feet; and thence (10) continuing north 75 degrees 40 minutes east along said northerly line of land now or formerly of Rex McMickens, 247.5 feet to the place of beginning, containing 14.15 acres, more or less.

#### ITEM NO. 2

All the right, title and interest of the Commonwealth, in and to the muds and land under the waters of the Juniata River, bounding the hereinbefore described on the west as far into the said river as such right, title and interest extends or should extend by law or custom and all riparian rights appertaining thereto.

#### ITEM NO. 3

All the rights of the Commonwealth, in the 20 feet wide access roadway to the land described in Item No. 1 above, the baseline of which is described as follows:

Beginning at the same beginning point established at the beginning point in the parcel of land containing 14.15 acres, more or less, hereinbefore

described, said beginning point being in the general easterly line of an existing roadway as depicted on a plan of survey made by Paul J. Logue, Registered Professional Engineer No. 7994E, dated November 1972;

Extending from said beginning point, the following six courses and distances along said baseline: (1) south 18 degrees 20 minutes east 86.5 feet to an iron pin distant 15 feet west of the east line of said roadway and 5 feet east of the west line of said roadway; (2) south 04 degrees 28 minutes west 248.7 feet to an iron pin distant 10 feet west of the east line of said roadway and 10 feet east of the west line of said roadway; (3) south 06 degrees 20 minutes east 299.5 feet to an iron pin distant 5 feet west of the east line of said roadway and 15 feet east of the west line of said roadway; (4) south 19 degrees 32 minutes east 199.3 feet to an iron pin distant 5 feet west of the east line of said roadway and 15 feet east of the west line of said roadway; (5) south 32 degrees 21 minutes east 99.7 feet to an iron pin; and (6) south 35 degrees 23 minutes east 269.6 feet to an iron pin in the prolongation westwardly of the first street north of 8th Street, the point of ending for the parcel of land being described.

(b) 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.

(c) Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 2. (a) The Department of Transportation, with the approval of the Governor, is hereby authorized and directed, on behalf of the Commonwealth of Pennsylvania, to grant and convey to Bernard C. Banks, Jr., for fair market value as determined by an independent appraiser approved by the Department of Transportation, the following tract of land situate in Kingston Township, Luzerne County, Pennsylvania, bounded and described as follows:

Beginning at an iron pin corner on the westerly side of Pennsylvania Department of Transportation State Route 1036, said corner being 50 feet westerly from the construction center line Station 58+85.00 and shown as corner A-1 on map of property plat of the Pennsylvania Department of Transportation, thence along the right-of-way line of said State route as shown on said map north 31 degrees 31 minutes 23 seconds east a distance of 253.31 feet to an iron pin corner; thence along the division line of land of the Pennsylvania Department of Transportation and land of L. B. Sharpe et ux., north 70 degrees 22 minutes 52 seconds west a distance of 141.45 feet to an iron pin corner; thence along the right-of-way line of Old Carverton Road on a curve to the left with a radius of 794.02 feet, the following bearings and chord distances: (1) south 16 degrees 28 minutes 49 seconds west a distance of 20.11 feet to a wood stake corner; (2) south 15 degrees 34 minutes 05 seconds west a distance of 25 feet to a wood stake corner; (3) south 14 degrees 38 minutes 56 seconds west a distance of 25 feet to a wood stake corner; (4) south 12 degrees 00 minutes 47 seconds west a distance of 25 feet to a wood stake corner; (5) south 10 degrees 12 minutes 28 seconds west a distance of 25.10 feet to a wood stake corner; (6) south 09 degrees 40 minutes

17 seconds west a distance of 25 feet to a wood stake corner; (7) south 08 degrees 58 minutes 21 seconds west a distance of 25 feet to an iron pin corner; thence along said right-of-way line south 07 degrees 00 minutes 40 seconds west a distance of 69.14 feet to an iron pin corner. Thence along the right-of-way line of a road approach south 57 degrees 50 minutes 17 seconds east a distance of 54.01 feet to an iron pin corner, the place of beginning containing 0.56 acres, more or less. Comprising a parcel of land being bounded on the north by land of L. B. Sharpe et ux., on the east by State Route 1036, on the south by road approach and on the west by Old Carverton Road. Being a portion of lots 135, 136 and 137, section 1, Meadow-Crest Division, Kingston Township, Pennsylvania. Excepting on this parcel of land an Agreement No. 54710 dated July 30, 1975, between Pennsylvania Department of Transportation and the Meadow Crest Water Company providing for the relocation of water facilities to accommodate Legislative Route 40124, section 2.

(b) 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 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 or improvements erected thereon.

(c) The deed of conveyance shall contain conditions that no building may be done upon the land and the land must be preserved in its natural condition or that the land will revert to the Commonwealth.

(d) The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of Transportation in the name of the Commonwealth of Pennsylvania.

(e) Costs and fees incidental to this conveyance shall be borne by the grantee.

(f) Moneys received from the conveyance shall be deposited in the Motor License Fund.

Section 3. (a) The Department of Transportation, with the approval of the Governor, is hereby authorized and directed, on behalf of the Commonwealth of Pennsylvania, to grant and convey to Frank Jerome, for the sum of \$1 and other good and valuable consideration approved by the Department of Transportation, an easement over the following certain tract or parcel of land to encompass a 10-foot gas line easement situate in Indiana Township, Allegheny County, Pennsylvania, bounded and described as follows:

The point of beginning being south 87 degrees 53 minutes 51 seconds west a distance of 723.78 feet from the northwesterly corner of property now or formerly of Carl DeSantis, et ux., and on easterly property line of John J. Harmon, et ux. now or formerly and being the southwest corner of property held by the Commonwealth of Pennsylvania; thence along 10-foot gas line easement by the following courses and distances: north 13 degrees 46 minutes 05.5 seconds east for a distance of 63.64 feet; thence north 68 degrees 14 minutes 07.7 seconds east 30.82 feet; south 83 degrees 17 minutes 32.1

seconds east 78.02 feet; north 48 degrees 46 minutes 55.4 seconds east 201.66 feet; north 68 degrees 09 minutes 11.3 seconds east 25.01 feet; north 85 degrees 56 minutes 49.4 seconds east 29.87 feet; south 83 degrees 45 minutes 55 seconds east 28.03 feet; south 81 degrees 36 minutes 11.9 seconds east 19.48 feet; south 72 degrees 32 minutes 54.9 seconds east 26.51 feet; north 70 degrees 08 minutes 54 seconds east 195.92 feet; north 58 degrees 23 minutes 10.8 seconds east 434.64 feet; north 43 degrees 07 minutes 07.2 seconds east 22.46 feet; thence north 67 degrees 51 minutes 27.8 seconds east for a distance of 90.17 feet to easterly property line of the Commonwealth of Pennsylvania property and westerly line of existing easement per Deed Book, Volume 5598, Page 148, dated February 5, 1976; thence by the following courses and distances: north 67 degrees 51 minutes 27.8 seconds east 37.87 feet; south 82 degrees 10 minutes 13.3 seconds east 27.09 feet; south 77 degrees 19 minutes 46.3 seconds east 21.19 feet; north 54 degrees 29 minutes 05.2 seconds east 14.57 feet; north 52 degrees 51 minutes 31.4 seconds east for a distance of 18.72 feet to a point being the northerly line of existing easement and northeasterly corner of 10-foot gas line easement; thence along existing northerly easement line for an arc distance of 11.37 feet having a radius of 266.01 to southeasterly corner of 10-foot gas line easement; thence along the southerly line of 10-foot gas line easement the following courses and distances: south 52 degrees 51 minutes 31.4 seconds west 24.27 feet; south 54 degrees 29 minutes 05.2 seconds west 19.19 feet; north 77 degrees 19 minutes 46.3 seconds west 25.23 feet; north 82 degrees 10 minutes 13.3 seconds west 23.99 feet; thence south 67 degrees 51 minutes 27.8 seconds west for a distance of 45.23 feet to a point on easterly property line of property held by the Commonwealth of Pennsylvania and westerly line of existing easement; thence along the southerly line of 10-foot gas line easement through Commonwealth of Pennsylvania property the following courses and distances: south 67 degrees 51 minutes 27.8 seconds west 77.93 feet; south 43 degrees 07 minutes 07.2 seconds west 21.60 feet; south 58 degrees 23 minutes 10.8 seconds west 437.01 feet; south 70 degrees 08 minutes 54 seconds west 200.32 feet; north 72 degrees 32 minutes 54.9 seconds west 29.09 feet; north 81 degrees 36 minutes 11.9 seconds west 18.50 feet; north 83 degrees 45 minutes 55 seconds west 26.95 feet; south 85 degrees 56 minutes 49.4 seconds west 27.41 feet; thence south 68 degrees 09 minutes 11.3 seconds west 21.73 feet; south 48 degrees 46 minutes 55.4 seconds west 204.40 feet; north 83 degrees 17 minutes 32.1 seconds west 79.92 feet; south 68 degrees 14 minutes 07.7 seconds west 23.19 feet; thence south 13 degrees 46 minutes 05.5 seconds west for a distance of 55.66 feet to a point on the southerly property line of property held by the Commonwealth of Pennsylvania and on the northerly property line now or formerly of Carl DeSantis, et ux., thence along common property line of Carl DeSantis and the Commonwealth of Pennsylvania south 87 degrees 53 minutes 51 seconds west for a distance of 10.40 feet to the point of beginning.

Containing 0.3130 acres.

(b) The conveyance shall be made under and subject to all other easements, servitudes and rights of others, including, but not confined to,

streets, roadways and rights of 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 or improvements erected thereon.

(c) The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of Transportation in the name of the Commonwealth of Pennsylvania.

(d) Costs and fees incidental to this conveyance shall be borne by the grantee.

(e) Moneys received from the conveyance shall be deposited in the Motor License Fund.

Section 4. (a) The Department of Transportation, with the approval of the Governor, is hereby authorized and directed, on behalf of the Commonwealth of Pennsylvania, to grant and convey to the Middletown Fire Department, for one-half the fair market value as determined by an independent appraiser approved by the Department of Transportation, the following tract of land situate in Middletown Township, Delaware County, Pennsylvania, bounded and described as follows:

Beginning at a point at the corners of two properties, said properties being owned by the Pennsylvania Department of Transportation and S.A.B. Engineering and Construction, Inc., (formerly the Roosevelt School); thence along the common property line of the above stated properties the following two courses and distances: south 34 degrees 06 minutes east 163.95 feet, and south 49 degrees 30 minutes west 432.75 feet; thence in a northwesterly direction following the legal right-of-way line of New Middletown Road (S.R.352) parallel to and 70 feet east of the center line along an arc curving to the left having a radius of 2934.93 feet a distance of 91.17 feet to a point; thence along said legal right-of-way line north 74 degrees 28 minutes 08 seconds east 20.00 feet to a point; thence in a northwesterly direction following the legal right-of-way line of New Middletown Road (S.R.352) parallel to and 90 feet east of the center line along an arc curving to the left having a radius of 2954.93 feet a distance of 120.16 feet to a point, said point being 15 feet south of the center line of an access road (back entrance) to the Pennsylvania Department of Transportation Bortendale maintenance yard; thence north 48 degrees 17 minutes 31 seconds east 15 feet south of and parallel to said access road 349.74 feet to a point; thence along said Pennsylvania Department of Transportation land south 34 degrees 06 minutes east 25.67 feet to the first mentioned point and place of beginning.

Containing 1.640 acres, more or less.

(b) 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 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 or improvements erected thereon.

(c) The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of Transportation in the name of the Commonwealth of Pennsylvania.

(d) Costs and fees incidental to this conveyance shall be borne by the grantee.

(e) Moneys received from the conveyance shall be deposited in the Motor License Fund.

Section 5. (a) The State Armory Board of the Department of Military Affairs having determined in accordance with 51 Pa.C.S. § 1507 (relating to sale of unusable armories and land) that Chester Armory and the real estate to which it is appurtenant are no longer suitable for military services due to changes in the needs of the military service, it and the Department of General Services, with the approval of the Governor, are hereby authorized to sell and convey, by general warranty deed, acting on behalf of the Commonwealth of Pennsylvania, for a consideration of \$82,500, which consideration is hereby determined to be the fair market value of the real estate and structures hereinafter described, to the highest responsible bidder, its successors and assigns, the right, title and interest of the Commonwealth in a tract of land, and the armory building known as Chester Armory, appurtenant thereto, in the City of Chester, Delaware County, Commonwealth of Pennsylvania, containing approximately 16,000 square feet with an armory building thereon erected, more particularly described as follows:

All that certain lot or piece of ground situated in the City of Chester aforesaid, described according to a survey thereof made by B. G. Ladomus, City Engineer, on the thirteenth day of November A.D. 1906, as follows, to wit:

Situate on the southwest corner of Eighth Street (sixty feet wide) and Market Street (fifty feet wide) containing in front or breadth on the said Eighth Street one hundred and sixty (160) feet and extending of that width in length or depth southward between lines at right angles to the said Eighth Street, and along the west side of said Market Street one hundred (100) feet to a certain twenty (20) feet wide alley leading eastward into the said Market Street (the smaller part of the lot of ground) above described (being part of a large lot or piece of ground) which John D. Lear by indenture dated the fourth day of September A.D. 1906 and recorded in the Office for Recording of Deeds in and for the County of Delaware aforesaid in Deed Book L. No. 12, Page 52400, granted and conveyed unto the said J. Irvin Taylor in fee. Subject to the payment of a certain mortgage for two thousand dollars therein mentioned which has since been fully paid off and satisfied of indenture dated the twenty-eighth day of December A.D. 1906 and intended to be forthwith recorded, granted and conveyed unto the said J. Irvin Taylor in fee, together with the right and use of said alley in common with the owners of other lands abutting thereon.

The above described tract being the whole, or part of, the site of Chester Armory.

Being the same premises which the Commonwealth of Pennsylvania, acting by and through the Department of Property and Supplies, by its deed bearing date March 16, 1907, and recorded in the Office for Recording of Deeds in and for Delaware County, Pennsylvania, in Deed Book P. No. 12, Page 270, granted, conveyed and confirmed unto the General State Authority (first party hereto), its successors and assigns.

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 or improvements erected thereon.

The conveyance shall also be made under and subject to any reservations set forth in the aforementioned deeds to the Commonwealth of Pennsylvania.

(b) The deed of conveyance shall be approved as provided by law and shall be executed by the Adjutant General for the State Armory Board of the Department of Military Affairs and the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(c) All moneys received from the sale of the land and armory herein authorized to be conveyed shall be deposited in the State Treasury Armory Fund.

Section 6. (a) The Department of General Services, with the approval of the Governor and the Department of Education, is hereby authorized and directed, on behalf of the Commonwealth of Pennsylvania, to lease to Temple University, for a term of 50 years and upon such terms and conditions as the Department of General Services shall prescribe, the property described hereinafter in consideration of the assurance by Temple University to continue to use such property in furtherance of its educational mission, specifically for student housing, such property being the tract of land, with improvements thereon, situate in the City of Philadelphia and bounded and described as follows:

Beginning at a point on the northwesterly side of Broad Street, 113 feet wide, which point is measured northeastwardly along the said northwesterly side of Broad Street the distance of 120 feet, more or less, from a point formed by an intersection of the said northwesterly side of Broad Street and the northeasterly side of Diamond Street, 70 feet wide; thence extending from said point of beginning northwestwardly the distance of 138 feet, 7 inches, more or less, to a point; thence extending northeastwardly the distance of 2 1/4 inches, more or less, to a point; thence extending northwestwardly the distance of 61 feet, 5 inches, more or less, to a point on the southeasterly side of Carlisle Street, 40 feet wide; thence extending northeastwardly along the southeasterly side of Carlisle Street the distance of 304 feet, 9 3/4 inches, more or less, to a point on the southwest side of a 3-foot wide alley, which extends southeastwardly communicating with various width alleys; thence extending southeastwardly partly along the southwest side and the said 3-foot wide alley the distance of 200 feet, more or less, to a point of the said northwesterly side of Broad Street the distance of 305 feet, more or less, to a point, being the first mentioned point and place of beginning.

(b) The instrument of lease shall contain a clause that the property leased thereunder shall be used by Temple University in furtherance of its educational mission, specifically for student housing, and, if at any time Temple



University ceases to use such property therefor, the lease shall immediately terminate and full title to the property shall revert to and revest in the Commonwealth of Pennsylvania. The instrument of lease 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. Prior to execution of the aforementioned proposed lease, there shall be a five-year offsite community development plan that shall be agreed upon in writing between community representatives and Temple University affecting the area bounded by North Broad Street, Susquehanna Avenue, North Fifteenth Street and Diamond Street, pursuant to a memorandum of understanding dated November 19, 1990.

(c) Any costs and fees incidental to the instrument of lease shall be borne by Temple University.

Section 7. (a) The Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, is hereby authorized and directed, on behalf of the Commonwealth of Pennsylvania, to grant and convey to the Pavia Cemetery Association the following tract of land bounded and described as follows:

All that certain lot, piece or parcel of land situated in the Township of Union, County of Bedford, Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at a concrete marker, a common corner with the Pavia Cemetery Association, thence through the lands of the grantor, north 00 degrees 11 minutes 40 seconds west 430.46 feet to a concrete marker; thence through the lands of the grantor, south 86 degrees 41 minutes 40 seconds east 304.15 feet to a concrete marker; thence through the lands of the grantor, south 00 degrees 11 minutes 40 seconds east 430.46 feet to a concrete marker; thence with the lands of the Pavia Cemetery Association, north 86 degrees 41 minutes 40 seconds west 304.15 feet to a concrete marker, the place of beginning.

Containing 3.00 acres as shown on a draft of survey by Diehl & Whetstone.

Being a portion of Parcel 11 as contained in the deed from the United States of America to the Commonwealth of Pennsylvania dated September 26, 1945, and recorded in Bedford County Deed Book 239, Page 251.

(b) The conveyance authorized by subsection (a) shall be in exchange for the conveyance by Pavia Cemetery Association to the Commonwealth of Pennsylvania of a tract of land bounded and described as follows:

All that certain tract of land situate in the Township of Union, County of Bedford, and the Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Beginning at a corner being the southeast corner of the whole tract; thence with the lands of William Shaffer, north 69 degrees 13 minutes west 252.08 feet to a concrete marker on the east bank of Pavia Run; thence with the east bank of Pavia Run, north 12 degrees 35 minutes west 76.35 feet to a concrete marker on the east bank of Pavia Run; thence with the lands of Shannon Ickes, south 82 degrees 13 minutes east 23.10 feet to an apple tree; thence

with the lands of Shannon Ickes, north 12 degrees 57 minutes west 119.30 feet to a concrete marker; thence with the lands of Shannon Ickes, north 15 degrees 17 minutes west 72.0 feet to a concrete marker on the east bank of Pavia Run; thence with the lands of Shannon Ickes, north 08 degrees 19 minutes west 82.22 feet to a concrete marker; thence with the lands of Dorothy Dibert, the grantor, south 78 degrees 52 minutes east 209.85 feet to a concrete marker; thence with the lands of Dorothy Dibert, north 02 degrees 42 minutes east 209.33 feet to a concrete marker on the lands of Norman Cathers; thence with the lands of Norman Cathers and Blue Knob State Park, south 85 degrees 01 minute east 178.71 feet to a concrete marker; thence with the lands of Blue Knob State Park, south 10 degrees 25 minutes west 590.62 feet to a concrete marker, the place of beginning.

Containing 3.15 acres as shown on a draft of Diehl & Whetstone.

Being part of a larger tract of land that became vested in Dorothy Dibert, by deed recorded in Bedford County Deed Book 298, Page 258.

(c) Conveyance of the land described in subsection (a) shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of 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 or improvements erected thereon.

(d) The deed of conveyance of the property described in subsection (a) shall contain a clause that the property conveyed shall be used for the purpose of maintaining a cemetery by Pavia Cemetery Association, and, if at any time Pavia Cemetery Association or its successor in function conveys the property or permits the property to be used for any purpose other than the purpose specified in this subsection, the title to the property shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(e) The deed of conveyance of the property described in subsection (a) 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.

(f) The parties to the transaction shall bear their respective costs.

Section 8. This act shall take effect immediately.

APPROVED—The 7th day of December, A. D. 1990.

ROBERT P. CASEY