

No. 1994-23

AN ACT

HB 989

Authorizing and directing the Department of Transportation, with the approval of the Governor, to sell and convey a tract of land situate in the Borough of State College, Centre County, Pennsylvania, to the Borough of State College; and authorizing the Department of General Services, with the approval of the Governor, to convey a parcel of land in Conewango Township, Warren County.

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

Section 1. (a) The Department of Transportation, as successor in interest to the Pennsylvania Transportation Assistance Authority, a public corporation organized and existing under the act of January 22, 1968 (P.L.27, No.7), known as The Pennsylvania Transportation Assistance Authority Act of 1967, and dissolved by operation of the act of January 22, 1968 (P.L.42, No.8), known as the Pennsylvania Urban Mass Transportation Law, which was subsequently repealed by the act of August 5, 1991 (P.L.238, No.26), entitled "An act amending Titles 74 (Transportation) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, codifying provisions relating to public transportation; imposing certain fees and taxes; further providing for certain Pennsylvania Turnpike projects; defining "farm equipment"; further providing for the responsibilities of vehicle transferees, for exemptions from registration and certificates of title and for the use of dealer plates, multipurpose dealer plates and farm equipment plates; further providing for funeral processions; further providing for a restricted receipts fund and for registration for snowmobiles and ATV's; establishing the Snowmobile Trail Advisory Committee; further providing for the highway maintenance and construction tax; and making repeals," is the owner of a one-sixth interest in property more fully described in subsection (b) which was purchased in part with Commonwealth funds pursuant to an agreement dated June 16, 1977, between the Centre Area Transportation Authority and the Pennsylvania Transportation Assistance Authority.

(b) The Department of Transportation, as successor in interest to the Pennsylvania Transportation Assistance Authority, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to sell and convey to the Borough of State College, Centre County, for the sum of \$1, the Department's one-sixth interest in the property as a result of the contract of June 16, 1977. The property involved is more fully described as follows:

All that certain tract of land situate in the Borough of State College, Centre County, Pennsylvania, bounded and described as follows:

Beginning at a concrete monument at the southwesterly corner of a 6.696 acre tract of land of the Borough of State College as shown on a survey and map prepared for Sheesley Supply Company by J.R. Mattern, R.P.E., No. 8918, dated May 8, 1959, and being Drawing No. 1477 in the Offices of the Borough of State College; thence by premises now or formerly of E.G. Wasson (Glenview Development), north 28 degrees 20 minutes west, 192.5 feet to a point; thence by premises retained by the Borough of State College, north 61 degrees 25 minutes east, 380.0 feet to a point and south 28 degrees 20 minutes east, 192.5 feet to a point; thence by premises of Sheesley Supply Company, south 61 degrees 25 minutes west, 380.0 feet to the place of beginning.

Containing 1.6 acres.

Together with an easement for the purpose of ingress and egress from the described premises to Osmond Street, to be used in common and jointly with the Borough of State College, 32 feet in width, the center line of which is located approximately as follows:

Beginning at a point on the easterly boundary of the above described premises and located north 28 degrees 20 minutes west, 61 feet, more or less, from lands of Sheesley Supply Company; thence north 61 degrees 25 minutes east, 89 feet, more or less, to a point; thence 56 feet, more or less, by the arc of a curve to the right, whose radius is 86 feet; thence 44 feet, more or less, by the arc of a curve to the left, whose radius is 100 feet to a point on the westerly end or termination of Osmond Street, a 60-foot right-of-way, said point being north 28 degrees 20 minutes west, 25 feet, more or less, from the southeasterly corner of premises of the Borough of State College, said easement to lie 16 feet on either side of said center line as described.

(c) The conveyance shall be made under and subject to all easements, servitudes and rights of others, including, but not limited 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 or improvements erected thereon.

(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 the conveyance shall be borne by the Centre Area Transportation Authority.

Section 2. (a) The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to join with Conewango Township in Warren County, in the conveyance of a parcel of land situate in Conewango Township, Warren County, to Lois Straziser, for the fair market value of the land to be determined by an independent appraiser approved by the Department of General Services.

(b) The land to be conveyed is as follows:

All that certain piece or parcel of land situate in the Township of Conewango, Warren County, Commonwealth of Pennsylvania, and being more particularly bounded and described as follows:

Commencing at an iron pipe in the southerly right-of-way line of Main Street Extension said pipe marking the northwest corner of premises owned by Lois Straziser, thence south 31 degrees 26 minutes west 145.18 feet to an iron pipe; thence north 54 degrees 32 minutes west 93.29 feet to an iron pipe; thence north 28 degrees 36 minutes 13 seconds east 138.85 feet to an iron pipe in the southerly right-of-way line of Main Street Extension; thence along said southerly right-of-way line south 58 degrees 32 minutes east 100 feet to the place of beginning.

Containing 0.3143 acres, more or less.

Being a part of the same land which the Commonwealth of Pennsylvania conveyed to the Township of Conewango, Warren County, Pennsylvania, pursuant to a deed dated April 10, 1974, and recorded in the Warren County Recorder's Office in Deed Book 383, page 734; title to which reverts to the Commonwealth of Pennsylvania when the grantee, Conewango Township, Warren County, ceases to use the property for public purposes.

(c) 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.

(d) 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.

(e) The Commonwealth of Pennsylvania and Conewango Township shall each receive one-half the amount of the consideration paid by the grantee.

(f) The joinder in the deed by the Department of General Services shall waive any right, title or interest the Commonwealth of Pennsylvania may have in the tract of land described herein pursuant to section 2 of the act of January 23, 1974 (P.L.7, No.3), entitled "An act authorizing the Department of Property and Supplies with the approval of the Governor and the Department of Public Welfare to sell and convey to the Township of Conewango, Warren County, a certain lot or tract of land containing 12 acres more or less in Conewango Township, Warren County."

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

Section 3. This act shall take effect immediately.

APPROVED—The 29th day of April, A.D. 1994.

ROBERT P. CASEY