

No. 1994-108

AN ACT

SB 1451

Authorizing the Department of General Services, with the approval of the Governor and the Department of Military Affairs, to convey an improved tract of land situate in the Borough of Milton, Northumberland County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor, to convey a tract of land situate in Frenchcreek Township, Venango County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor, to convey to Glade Township Volunteer Fire Department, Inc., a tract of land situate in Glade Township, Warren County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Corrections, to convey a tract of land in Mount Joy Township, Lancaster County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, to sell and convey to Mr. and Mrs. Harold Harris certain land situate in the Borough of South Philipsburg, Township of Rush, Centre County, Pennsylvania; authorizing the conveyance of a permanent right-of-way over certain State land to the Middletown Fire Company No. 1, Delaware County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor, to convey to East Pikeland Township a tract of land situate in East Pikeland Township, Chester County, Pennsylvania; and making a repeal.

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 Military Affairs, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to convey, at a price to be determined through competitive bidding, the following improved tract of land situate in the Borough of Milton, Northumberland County, Pennsylvania, bounded and described as follows:

All that certain lot or parcel of ground situate in the Third Ward of the Borough of Milton, Northumberland County, Pennsylvania, bounded and described as follows, to wit:

Beginning at a point on the east side of Ridge Avenue, which point is at the southwest corner of lands of Shimer Hose Company, and running thence along said Shimer Hose Company lands, south 84 degrees 28.25 minutes east a distance of 150 feet to a stake; thence along other lands of Milton Borough School District, south 5 degrees 26.5 minutes west a distance of 150 feet to a stake; thence along other lands of Milton Borough School District, north 84 degrees 28.25 minutes west a distance of 150 feet to Ridge Avenue; and thence along the east side of Ridge Avenue, north 5 degrees 26.5 minutes east a distance of 150 feet to the place of beginning.

(b) The proceeds of the sale of the land and armory herein authorized to be conveyed shall be deposited in the State Treasury Armory Fund. The

costs and fees incurred by the Department of General Services, including, but not limited to, costs of title searches, notice, surveys and appraisals shall be deducted from the purchase price, and that amount shall be an executively authorized augmentation to the appropriation from which the costs and fees were paid by the department.

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 convey to the Venango Area Riding For the Handicapped Association, Inc., the following tract of land situate in Frenchcreek Township, Venango County, Pennsylvania, for a consideration of one-half of the fair market value, the following:

All that certain piece or parcel of land situate in Frenchcreek Township, Venango County, Pennsylvania, bounded and described as follows:

Beginning at a point marked by the intersection of the center line of the public road known as Niles Valley Road, also known as Township Road No. 356 with the center line of Pennsylvania Legislative Route 60020; thence along the center line of Pennsylvania Legislative Route 60020, north 88 degrees 4 minutes 54 seconds east 1,228.57 feet to a point therein; thence along other lands now or late of the Commonwealth of Pennsylvania, south 2 degrees 44 minutes 13 seconds west 1,806.07 feet to the center line of Pennsylvania Traffic Route 62; thence along the center line of Pennsylvania Traffic Route 62, north 85 degrees 42 minutes 47 seconds west 800.78 feet to a point therein; thence along other lands now or late of the Commonwealth of Pennsylvania, being along the line dividing the Borough of Polk and the Township of Frenchcreek, north 4 degrees 4 minutes 28 seconds east 757.83 feet to a point; thence continuing along the same north 70 degrees 50 minutes 38 seconds west 460.50 feet to a point in the center line of the Niles Valley Road, also known as Township Road 356; thence along the center line of Township Road 356, north 2 degrees 44 minutes 13 seconds east 796.91 feet to the place of beginning.

Containing 40 acres pursuant to a survey prepared by William C. Moffitt, Registered Surveyor No. 8496-E, dated April 24, 1993.

(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 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.

(c) The deed of conveyance shall contain a clause that the property conveyed shall be used for riding for persons with disabilities, and, if at any time the Venango Area Riding For the Handicapped Association, Inc., or its successor in function conveys the property or permits the property to be used for any purpose other than that specified in this section, the title to the property shall immediately revert to and revest in the Commonwealth of Pennsylvania.

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

(f) The deed of conveyance shall contain the following covenant:

Development shall not be permitted within 200 feet of the streams on the north and south edges of the site.

(g) The proceeds of the conveyance shall be deposited in the Agricultural Conservation Easement Purchase Fund. The proceeds shall be deposited in accordance with section 7.1(a) of the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture."

Section 3. (a) The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth to grant and convey to Glade Township Volunteer Fire Department, Inc., for a consideration of \$9,000, the following improved tract of land situate in Glade Township, Warren County, bounded and described as follows:

All that certain piece or parcel of land situate in Glade Township, Warren County, Pennsylvania, said parcel being bounded and described as follows:

Commencing at the center line intersection of Conewango Avenue Extension (State Route 1011) and Hatch Run Road (State Route 1008); thence south 85 degrees 51 minutes 15 seconds east along the center line of Hatch Run Road, a distance of 1510.23 feet to a point, said pipe marking the point of beginning; thence north 11 degrees 18 minutes 29 seconds east, a distance of 25.07 feet to a set one-inch iron pipe on the northerly right-of-way line of Hatch Run Road; thence continuing north 11 degrees 18 minutes 29 seconds east, a distance of 391.46 feet to a set one-inch iron pipe; thence continuing by the following courses, severing the subject parcel from other portions of the Warren State Hospital Tract No. 3: north 6 degrees 57 minutes 15 seconds east, a distance of 544.65 feet to a set one-inch iron pipe; thence north 81 degrees 6 minutes 21 seconds east, a distance of 1149.05 feet to a set one-inch iron pipe; thence south 12 degrees 15 minutes 52 seconds west, a distance of 1521.12 feet to a set one-inch iron pipe on the northerly right-of-way line of Hatch Run Road; thence continuing south 12 degrees 15 minutes 52 seconds west, a distance of 25.25 feet to a point in the center line of Hatch Run Road; thence along a curve of the center line of Hatch Run Road, having a chord bearing north 72 degrees 8 minutes 19 seconds west, a chord length of 380.08 feet, and a radius of 850 feet, to a point; thence north 60 degrees 10 minutes 57 seconds west along the center line of Hatch Run Road, a distance of 312.63 feet to a point; thence along a curve of the center line of Hatch Run Road, having a chord bearing north 70 degrees 44 minutes 18 seconds west, a chord length of 340.43 feet and a radius of 850 feet to a point, said pipe being the point of beginning.

Containing an area of 1,306,800 square feet or 30 acres.

(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 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.

(c) 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.

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

Section 4. (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, for a consideration equal to fair market value, to George W. Walborn, Jr., and Nancy B. Walborn the following described tract of land in the Township of Mount Joy, Lancaster County, Pennsylvania:

All that certain unimproved tract of land being situate in the Township of Mount Joy, County of Lancaster, and the Commonwealth of Pennsylvania, said tract being more particularly shown as Lot No. 7 on a final plan prepared for Robert E. Stanley and George W. and Nancy B. Walborn on September 4, 1985, said final plan being recorded in the office of the Recorder of Deeds for Lancaster County, Pennsylvania, in Subdivision Plan Book J-145, Page 106, on December 5, 1985, and all the same being more fully bounded and described as follows, to wit:

Beginning at a point in the center line of Township Road No. 310 (Cassell Road), said point being located a distance of 240 feet, more or less, north of the center line of Pennsylvania Traffic Route 230 and said point also being a corner of property of Robert E. Teufel; thence continuing along said property of Robert E. Teufel south 83 degrees 22 minutes 6 seconds west, a distance of 207.49 feet to a limestone, a corner of property of George W. Walborn; thence continuing along said property of George W. Walborn north 11 degrees 41 minutes 9 seconds west, a distance of 207.34 feet to an iron pin, a corner of Lot No. 3 as shown on the above-described final plan; thence continuing along said Lot No. 3 north 52 degrees 25 minutes 39 seconds west, a distance of 82.78 feet to a nail in the aforementioned center line of Township Road No. 310 (Cassell Road); thence continuing along the said center line of Township Road No. 310 (Cassell Road) the following two courses: (1) south 45 degrees 19 minutes 21 seconds east, a distance of 190 feet to a point, and (2) south 26 degrees 16 minutes 41 seconds east, a distance of 107.03 feet to a point, the place of beginning.

Containing an area of 36,880.71 square feet or 0.847 acre of land which includes the right-of-way area of Township Road No. 310 (Cassell Road).

(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 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.

(c) 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.

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

Section 5. (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, sell and convey to Mr. and Mrs. Harold Harris for a consideration of \$25,000 the tract of land described in subsection (b).

(b) The property to be conveyed pursuant to subsection (a) is the following tract of land situate in the Borough of South Philipsburg, Township of Rush, Centre County, bounded and described as follows:

Beginning at the corner of Hemlock and C Street in the south side addition to South Philipsburg, Centre County, Pennsylvania; thence along Hemlock Street south 45 degrees west 66 feet to Lot No. 107; thence along the same south 45 degrees east 170 feet to a 16-foot alley; thence along the same north 45 degrees east 66 feet to C Street; thence along the same north 45 degrees west 170 feet to the place of beginning.

Being Lots Nos. 108 and 109 as laid down in the plat plan of the south side addition to said Borough of South Philipsburg.

(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 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 proceeds of this sale shall be paid into the State Treasury and deposited in the General Fund and credited to the State Forestry Land Restricted Revenue Account in the Department of Environmental Resources.

(e) 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.

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

Section 6. (a) The Department of General Services, with the approval of the Governor and the Department of Transportation, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Middletown Fire Company No. 1, for a consideration of \$1, a

permanent right-of-way for vehicular access and utility facilities on and over a parcel of land situate in Middletown Township, Delaware County, Pennsylvania, being bounded and described as follows:

All that certain strip of land thereto situate in Middletown Township, Delaware County, Commonwealth of Pennsylvania, being bounded and described as follows, to wit:

Beginning at a point in the title line of Middletown Road (40 feet wide), said point being the northeasterly corner of land now or late of James E. and Jean A. Murphy; thence south 52 degrees 30 minutes west 489.27 feet to a point; thence north 37 degrees 30 minutes west 40 feet to a point; thence north 52 degrees 30 minutes east 531.15 feet to a point in the title line of Middletown Road; thence in and along the title line of Middletown Road south 8 degrees 49 minutes west 57.94 feet to the first mentioned point and place of beginning.

Containing 0.47 acres of land more or less.

Excepting and reserving therefrom the right-of-way of Middletown Road.

(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 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.

(c) The deed of conveyance shall contain a clause that the lands conveyed shall be used for volunteer fire company purposes by Middletown Fire Company No. 1, and, if at any time the volunteer fire company or its successor in function conveys said property or permits said property to be used for any purpose other than those aforementioned, the title thereto shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(d) The proceeds of this sale shall be paid into the State Treasury.

(e) 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.

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

Section 7. (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 sell and convey to East Pikeland Township the following tract of land situate in East Pikeland Township, Chester County, Pennsylvania, for a consideration of \$1, the following:

Beginning at an iron pin on the northwesterly side of Rapps Dam Road (S.R.1049) (33 feet wide), a corner of lands of the National Guard Armory; thence along lands of said armory and the southerly side of a 20-foot wide right-of-way the five following courses and distances:

- (1) north 39 degrees 37 minutes west 191.90 feet to an iron pin;
- (2) north 56 degrees 10 minutes west 122.94 feet to an iron pin;

(3) north 66 degrees 26 minutes west 87.41 feet to an iron pin;
(4) north 81 degrees 10 minutes west 86.46 feet to an iron pin;
(5) south 71 degrees 38 minutes west 78.42 feet to an iron pin, a corner of lands of the Borough of Phoenixville; thence along lands of the Borough of Phoenixville and crossing said 20-foot wide right-of-way and French Creek, north 27 degrees 16 minutes east 613.66 feet to a spike in the bed of Camp Council Road (T-471) (41.5 feet wide); thence along the bed of Camp Council Road the two following courses and distances:

(1) south 61 degrees east 235.13 feet to a spike;
(2) south 55 degrees 13 minutes east 453.75 feet to a spike in the bed of Rapps Dam Road; thence along the bed of Rapps Dam Road, south 41 degrees west 205.92 feet to a p.k. nail in the deck of a covered bridge over French Creek; thence along French Creek south 38 degrees 23 minutes east 122.71 feet to a point in French Creek, a corner of lands of East Pikeland Township; thence along lands of East Pikeland Township; south 41 degrees west 480.13 feet to an iron pin in the bed of Rapps Dam Road; thence along the bed of Rapps Dam Road, north 06 degrees west 202.64 feet to an iron pin, the first mentioned point and place of beginning.

(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 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.

(c) The deed of conveyance shall contain a clause that the property conveyed shall be used for historic preservation and related purposes by East Pikeland Township, and, if at any time East Pikeland Township or its successor in function conveys the property, fails to ensure the preservation of the historic or archaeological resources or permits the property to be used for any purpose other than those specified in this section, the title to the property shall immediately revert to and revest in the Commonwealth of Pennsylvania. Any significant alterations to the historic buildings or construction activities in the property conveyed which might affect the archaeological remains surrounding the buildings must be reviewed by the Pennsylvania Historical and Museum Commission in advance of construction.

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

Section 8. Section 1 of the act of June 25, 1992 (P.L.310, No.57), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military Affairs, to convey to the Borough of Milton an improved tract of land situate in the Borough of Milton, Northumberland County; and authorizing 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 buildings and structures thereto, in the City of Philadelphia, Philadelphia County," is repealed.

Section 9. This act shall take effect immediately.

APPROVED—The 7th day of December, A.D. 1994.

ROBERT P. CASEY