

No. 2003-60

AN ACT

HB 1674

Authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Beach Street and Dyott Corporations certain tracts of land located in the bed of the Delaware River in the City and County of Philadelphia.

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

Section 1. Legislative findings.

It is hereby determined and declared as a matter of legislative finding:

(1) From the early 19th century through World War II, Cramp Shipyard on the Delaware River was one of the most productive commercial and naval shipbuilding sites in the United States of America.

(2) In 1946, the United States of America acquired Cramp Shipyard from the Cramp Shipbuilding Company.

(3) The shipyard was turned over in 1962 to the Philadelphia Industrial Development Corporation, also known as the PIDC, by the Federal Government.

(4) Despite significant efforts by PIDC, much of the area which was formerly Cramp Shipyard was never developed.

(5) In section 38 of the Water Resources Development Act of 1988 (Public Law 100-676, 33 U.S.C. § 59j-1), the United States Government removed the Federal navigational servitude in the area of the Cramp Shipyard between the bulkhead line and the pierhead line. This was done in order to remove the Federal cloud on title.

(6) The Commonwealth owns the land under the Delaware River between the bulkhead line and the pierhead line and the riparian rights associated with that land.

(7) Further development of this area has been hampered by a lack of financing due to concerns about the Commonwealth ownership of riparian rights and riverbed land as well as the significant costs of environmental remediation necessary at the site.

(8) Transfer of the Commonwealth's interest in the land between the bulkhead line and the pierhead line to the Beach Street Corporation and the Dyott Corporation, current owners of the land on the fastland side of the bulkhead line, will, in concert with the previous Federal release of navigational servitude, allow for financing to remediate and develop the property.

(9) This development will redress the blight and deterioration in the area, result in remediation of environmental contamination at the site and retain and create jobs with attendant tax revenues for the Commonwealth.

Section 2. Conveyance to Beach Street Corporation.

The Department of General Services, with the approval of the Governor, is authorized and directed on behalf of the Commonwealth of Pennsylvania to release, quitclaim, grant and convey to Beach Street Corp., a Pennsylvania corporation, its successors and assigns, for a consideration of \$71,150, that tract of land situated in the bed of the Delaware River in the City and County of Philadelphia, Pennsylvania, between the bulkhead and pierhead lines, established by the Secretary of War on September 10, 1940, in the City and County of Philadelphia, Pennsylvania, consisting of all the muds and land currently or previously under the waters of the Delaware River and contained within the metes and bounds description set forth in paragraph (1) below and all riparian rights appertaining thereto, which tract of land is adjacent to and has a common boundary with the lands presently owned by the said Beach Street Corp.

(1) Beginning at a point on the northerly pierhead line on the Delaware River where the same is intersected by the dividing line between parcel A and parcel B as shown on a plan entitled "Parcels A, B and C, Overall Plan" prepared by Plum & Associates, Project No. 92-066 dated September 14, 1992, and from said beginning point running thence

(i) along the dividing line between parcel A and parcel B as shown on the above referenced plan, north 25 degrees 43 minutes 08 seconds west a distance of 100 feet 0 inches to a rebar set; thence

(ii) continuing along the dividing line between parcel A and parcel B, north 48 degrees 25 minutes 37 seconds west a distance of 113 feet 6 inches to a rebar set; thence

(iii) continuing along the dividing line between parcel A and parcel B, north 50 degrees 38 minutes 49 seconds west a distance of 318 feet 5/8 inches to a point; thence

(iv) crossing through parcel A and running along the northerly bulkhead line of the Delaware River as approved by the Secretary of War on September 10, 1940, north 64 degrees 18 minutes 09 seconds east a distance of 166 feet 5 1/2 inches to a point; thence

(v) continuing along the northerly bulkhead line of the Delaware River, south 48 degrees 30 minutes 57 seconds east a distance of 53 feet 5-5/8 inches to a point; thence

(vi) continuing along the northerly bulkhead line of the Delaware River, north 64 degrees 40 minutes 52 seconds east a distance of 936 feet 8-5/8 to a point; thence

(vii) continuing along the northerly bulkhead line of the Delaware River, north 32 degrees 24 minutes 26 seconds west a distance of 149 feet 2-1/4 inches to a point; thence

(viii) continuing along the northerly bulkhead line of the Delaware River, north 64 degrees 04 minutes 09 seconds east a distance of 296 feet 3-3/4 inches to a point; thence

(ix) along the easterly line of parcel A as shown on the above referenced plan, south 25 degrees 02 minutes 08 seconds east a distance of 586 feet 6-3/8 inches to a point on the pierhead line of the Delaware River; thence

(x) along the northerly pierhead line of the Delaware River, south 64 degrees 16 minutes 59 seconds west a distance of 1217 feet 11-1/4 inches to the point and place of beginning.

(2) 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 3. Conveyance to Dyott Corp.

The Department of General Services, with the approval of the Governor, is authorized and directed on behalf of the Commonwealth of Pennsylvania to release, quitclaim, grant and convey to Dyott Corp., a Pennsylvania corporation, its successors and assigns, for a consideration of \$28,850, that tract of land situated in the bed of the Delaware River in the City and County of Philadelphia, Pennsylvania, between the bulkhead and pierhead lines, established by the Secretary of War on September 10, 1940, in the City and County of Philadelphia, Pennsylvania, consisting of all the muds and land currently or previously under the waters of the Delaware River and contained within the metes and bounds description set forth in paragraph (1) and all riparian rights appertaining thereto, which tract of land is adjacent to and has a common boundary with the lands presently owned by the said Dyott Corp.

(1) Beginning at a point on the northerly pierhead line of the Delaware River where the same is intersected by the easterly street line of Dyott Street (100 feet wide R.O.W) as shown on a plan entitled "Parcels A, B & C, Overall Plan" prepared by Plum & Associates, Project No. 92-066 dated September 14, 1992, and from said beginning point running thence

(i) along the easterly street line of Dyott Street north 30 degrees 02 minutes 52 seconds west a distance of 494 feet 9-3/8 inches to a point; thence

(ii) crossing through parcel B and running along the northerly bulkhead line of the Delaware River as approved by the Secretary of War on September 10, 1940, north 64 degrees 18 minutes 09 seconds east a distance of 663 feet 4-1/2 inches to a point; thence

(iii) along the dividing line between parcel B and parcel A as shown on the above referenced plan, south 50 degrees 38 minutes 49 seconds east a distance of 318 feet 5/8 inches to a rebar set; thence

(iv) continuing along the dividing line between parcel B and parcel A, south 48 degrees 25 minutes 37 seconds east a distance of 113 feet 6 inches to a rebar set; thence

(v) continuing along the dividing line between parcel B and parcel A, south 25 degrees 43 minutes 08 seconds east a distance of 100 feet 0 inches to a point; thence

(vi) along the northerly pierhead line of the Delaware River, south 64 degrees 16 minutes 52 seconds west a distance of 803 feet 10-3/4 inches to a point and place of beginning.

(2) 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 4. Costs and fees.

Costs and fees incidental to these conveyances shall be borne by each grantee.

Section 5. Effective date.

This act shall take effect immediately.

APPROVED—The 30th day of December, A.D. 2003.

EDWARD G. RENDELL