

No. 2004-27

AN ACT

SB 907

Authorizing and directing the Department of General Services, with the approval of the Department of Transportation and the Governor, to convey to Cumberland Township certain permanent easements situated in Cumberland Township, Adams County.

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

Section 1. Conveyance of permanent easements in Cumberland Township, Adams County.

(a) **Authorization.**—The Department of General Services, with the approval of the Department of Transportation and the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to Cumberland Township for a consideration of \$1.00 the following three permanent easements described in subsection (b).

(b) **Legal descriptions.**—The three permanent easements to be granted and conveyed pursuant to this section consist of an easement for highway purposes and two drainage easements for the purpose of installation of drainage facilities for the protection of SR0116 (Fairfield Road), situated in Cumberland Township, Adams County, bounded and described as follows:

EASEMENT NUMBER 1 (for highway purposes)

BEGINNING at a point at the intersection of the northern legal right-of-way limits of SR0116 (Fairfield Road) and the western legal right-of-way limits of T-337 (Old Mill Road), which point is 25 feet north of the design centerline of SR0116 and 16.50 feet west of the design centerline of T-337, which point is also known as SR0116 Station 845+51.38, offset 25.00 feet left;

Thence along the northern legal right-of-way limits of SR0116 South 70 degrees 21 minutes 51 seconds West 32.49 feet to a point on aforementioned northern legal right-of-way limits of SR0116 at Station 845+18.89, offset 25.00 feet left;

Thence leaving the northern legal right-of-way limits of SR0116 and continuing along the arc of a curve to the left having a radius of 25.00 feet, arc length of 45.75 feet, chord bearing of North 17 degrees 56 minutes 25 seconds East and chord distance of 39.63 feet to a point on the western legal right-of-way limits of T-337, which point is also known as SR0116 Station 845+43.05, offset 56.41 feet left;

Thence along the western legal right-of-way limits of T-337 South 34 degrees 29 minutes 01 seconds East 32.49 feet to the PLACE OF BEGINNING.

CONTAINING 240.42 square feet or 0.0055 acres, more or less.

EASEMENT NUMBER 2 (drainage easement)

BEGINNING at a point on the northern legal right-of-way limits of SR0116 (Fairfield Road), which point is 25 feet north of the design centerline of SR0116, which point is also known as SR0116 Station 841+37.52, offset 25.00 feet left;

Thence leaving the northern legal right-of-way limits of SR0116 and through lands now or formerly of the Commonwealth of Pennsylvania North 19 degrees 38 minutes 09 seconds West 5.00 feet to a point at Station 841+37.52, offset 30.00 feet left;

Thence through same North 70 degrees 21 minutes 51 seconds East 10.00 feet to a point at Station 841+47.52, offset 30.00 feet left;

Thence through same South 19 degrees 38 minutes 09 seconds East 5.00 feet to a point on the aforementioned northern legal right-of-way limits of SR0116 at Station 841+47.52, offset 25.00 feet left;

Thence along the northern right-of-way limits of SR0116 South 70 degrees 21 minutes 51 seconds West 10.00 feet to the PLACE OF BEGINNING.

CONTAINING: 50.00 square feet or 0.0011 acres, more or less.

EASEMENT NUMBER 3 (drainage easement)

BEGINNING at a point on the northern legal right-of-way limits of SR0116 (Fairfield Road), which point is 25 feet north of the design centerline of SR0116, which point is also known as SR0116 Station 839+54.09, offset 25.00 feet left;

Thence leaving the northern legal right-of-way limits of SR0116 and through lands now or formerly of the Commonwealth of Pennsylvania North 19 degrees 38 minutes 09 seconds West 5.00 feet to a point at Station 839+54.09, offset 30.00 feet left;

Thence through same North 70 degrees 21 minutes 51 seconds East 10.00 feet to a point at Station 839+64.09, offset 30.00 feet left;

Thence through same South 19 degrees 38 minutes 09 seconds East 5.00 feet to a point on the aforementioned northern legal right-of-way limits of SR0116 at Station 839+64.09, offset 25.00 feet left;

Thence along the northern right-of-way limits of SR0116 South 70 degrees 21 minutes 51 seconds West 10.00 feet to the PLACE OF BEGINNING.

CONTAINING: 50.00 square feet or 0.0011 acres, more or less.

(c) Conditions of conveyance.—Conveyance of the land described in subsection (b) shall be made under and subject to all lawful and enforceable 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 lawful and enforceable estates or tenancies vested in third persons, appearing of record, for any portion of the land or improvements erected thereon.

(d) Execution of deed.—The Deed of Easement of the property described in subsection (b) 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.—Costs and fees incidental to this conveyance shall be borne by the Lessee.

Section 2. Effective date.

This act shall take effect immediately.

APPROVED—The 5th day of April, A.D. 2004.

EDWARD G. RENDELL