

No. 2009-46

AN ACT

HB 792

Authorizing the Department of General Services, with the approval of the Governor and the Department of Corrections, to grant and convey to Schuylkill County certain lands situate in Ryan Township, Schuylkill County.

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

Section 1. Conveyance in Ryan Township, Schuylkill County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Corrections, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Schuylkill County approximately 4.748 acres of vacant land together with a 50-foot-wide ingress and egress easement as described in subsection (b) for \$48,000.00 and under terms and conditions to be established in an agreement of sale with the Department of General Services.

(b) Description.—The property to be conveyed, pursuant to this section, consists of approximately 4.748 acres of land thereon more particularly described as follows:

BEGINNING at a point, an iron pin at the intersection of the south right-of-way line of Prison Road, a proposed 50' wide right-of-way, and the east right-of-way line of PP&L Company; said point being located, S 51-37-36E - 72.13' and S 51-37-36 E-108.47' from a disk at the intersection of the south right-of-way line of Interstate 81 and the east right-of-way line of PP&L Company; thence from the place of beginning along the above-mentioned proposed south right-of-way line of Prison Road for the following:

1. Along a curve to the right having:

Angle, 01-50-20

Radius, 675.00'

Tangent, 10.83'

Length, 21.66'

Chord, S 78-58-10 E-21.66' to a point,

2. S 78-03-00 E-92.05' to a point,

3. Along a curve to the left, having:

Angle, 17-35-59

Radius, 765.00'

Tangent, 118.43'

Length, 234.99'

Chord, S 86-51-00 E-234.07' to a point,

4. N 84-21-00 E - 309.52' to an iron pin,

at a common corner with the proposed south right-of-way line of Prison Road; thence continuing through said Commonwealth of Pennsylvania Department of General Services property, S 17-17-00 E-710.82' to an iron pin on the said east right-of-way line of PP&L Company; thence continuing through the same and along PP&L Company east right-of-way line, N 51-37-36 W - 1102.35' to the place of beginning.

DESCRIBED PARCEL being shown as Parcel 1 on the Lot Plan for the County of Schuylkill Pre-Release Facility Subdivision prepared by WJP Engineers.

DESCRIBED PARCEL being a portion of property of the Commonwealth of Pennsylvania Department of General Services as shown on deed dated October 13, 1983, as recorded in Schuylkill County Deed Book 1336, Page 128, and identified in County Tax Assessment records as UPI No. 26-06-15.

CONTAINING 4.748-acres or 206,832 square feet.

TOGETHER with an ingress and egress easement along and across a proposed 50' right-of-way as proposed for the existing Prison Access Road, crossing Commonwealth of Pennsylvania Department of General Services property, bounded and described as follows:

BEGINNING at a point, at the intersection of the proposed north right-of-way line of Prison Road and the east right-of-way line of an unnamed access road, said point being located, S 41-59-39 E-75.81' from a disk located at the northwest corner of Commonwealth of Pennsylvania Department of General Services property; thence from the place of beginning through Commonwealth of Pennsylvania Department of General Services property for the following:

1. N 49-09-56 E - 106.99' to a point,
2. Along a curve to the right, having:
 - Angle, 35-11-04
 - Radius, 300.00'
 - Tangent, 95.12'
 - Length, 184.22'
 - Chord, N 66-45-28 E-181.34' to a point.

On the south right-of-way line of Interstate 81; thence partly along the south right-of-way line of Interstate 81 and partly through Commonwealth of Pennsylvania Department of General Services property, N 84-21-00 E-781.21' to a survey disk; thence continuing through Commonwealth of Pennsylvania Department of General Services property for the following:

1. Along a curve to the right, having:
 - Angle, 17-35-59
 - Radius, 725.00'
 - Tangent, 112.23'
 - Length, 222.70'
 - Chord, S 86-51-00 E-221.83' to a point,
2. S 78-03-00 E-92.05' to a point,
3. Along a curve to the left, having:

Angle, 17-35-59

Radius, 715.00'

Tangent, 110.69'

Length, 219.63'

Chord, S 86-51-00 E-218.77' to a point,

4. N 84-21-00 E-299.23' to a point,

5. S 17-17-00 E-51.05' to an iron pin,

at a common corner with the proposed northeast corner of Parcel 1 of the County of Schuylkill Pre-Release Facility Subdivision; thence partly along said Parcel 1 and continuing through Commonwealth of Pennsylvania Department of General Services property for the following:

1. S 84-21-00 W - 309.52' to a point,

2. Along a curve to the right, having:

Angle, 17-35-59

Radius, 765.00'

Tangent, 118.43'

Length, 234.99'

Chord, N 86-51-00 W-234.07' to a point,

3. N 78-03-00 W-92.05' to a point,

4. Along a curve to the left, having:

Angle, 17-35-59

Radius, 675.00'

Tangent, 104.49'

Length, 207.34'

Chord, N 86-51-00 W-206.53' to a point,

5. S 84-21-00 W-781.21' to a point,

6. Along a curve to the left, having:

Angle, 35-11-04

Radius, 250.00'

Tangent, 79.27'

Length, 153.52'

Chord, S 66-45-28 W-151.12' to a point,

7. S 49-09-56 W-105.97' to a point,

On the above-mentioned east right-of-way line of an unnamed access road; thence along said right-of-way line, N 41-59-39 W-50.01' to the place of beginning.

DESCRIBED PARCEL being a portion of property of the Commonwealth of Pennsylvania Department of General Services by deed dated October 13, 1983, recorded in Schuylkill County Deed Book 1336, Page 128, and identified in County Tax Assessment records in UPI No. 26-06-0014, 26-06-0015 and 26-06-0007.

CONTAINING 2.176-acres or 94,766 square feet.

(c) Easements.—The conveyance 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 any telephone, telegraph,

water, electric, 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) Restriction.—The conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions) or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Restricted use.—The deed of conveyance shall be made:

(1) Under and subject to a condition that the grantee or its successors shall utilize the property only as an adult prerelease parole center and for no other purpose. Should the grantee utilize the property for any other purpose or attempt to convey the property, the property shall immediately revert to and revest in the grantor.

(2) Under and subject to a condition that should the grantee or its successors fail to complete a project to construct and open an adult prerelease parole center on the property within five years, the property shall immediately revert to and revest in the grantor.

(f) Deed of conveyance.—The deed of conveyance shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

(h) Expiration of authorization.—In the event that an agreement of sale between the parties is not executed within two years of the effective date of this section, the authorization contained in this section shall expire.

Section 2. Effective date.

This act shall take effect immediately.

APPROVED—The 9th day of October, A.D. 2009.

EDWARD G. RENDELL