

No. 2016-63

AN ACT

HB 1934

Authorizing the Department of General Services, with the approval of West Chester University of Pennsylvania of the State System of Higher Education and the Governor, to grant and convey to Aqua Pennsylvania, Inc., or its assigns, an existing water tower and permanent utility easement from lands of the Commonwealth at West Chester University of Pennsylvania, situate in the Borough of West Chester, Chester County, for the purpose of public water distribution.

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

Section 1. Conveyance authorization.

The Department of General Services, with the approval of West Chester University of Pennsylvania of the State System of Higher Education and the Governor, is hereby authorized on behalf of the Commonwealth to grant and convey to Aqua Pennsylvania, Inc., or its assigns, a potable water tower and all appurtenances thereto, together with a permanent utility easement from lands of the Commonwealth at West Chester University of Pennsylvania, situate in the Borough of West Chester, Chester County, for the purpose of public water distribution, for \$1, under terms and conditions to be established in an easement agreement.

Section 2. Property description.

The permanent utility easement to be conveyed under section 1 totals approximately 4,484 square feet of land and bounded and more particularly described as follows:

ALL THAT CERTAIN Water Tank Easement situate in the Borough of West Chester, County of Chester, Commonwealth of Pennsylvania, as shown on the plan entitled "Permanent Easement, West Chester University Potable Water Tank" prepared for Aqua Pennsylvania, Inc., dated June 15, 2015, by Howell Kline Surveying, LLC., West Chester, PA, being more particularly described as follows:

BEING a circular easement, having a diameter of 75.6 feet, centered on the existing water tank, and extending radially in all directions a distance of 37.8 feet, (10 feet from the drip line of the existing tank), as shown on said plan, the radius point of said circular easement being located the following five (5) courses and distances from a remote point of beginning, a point at the intersection of the southwesterly Right-of-Way line of South Church Street (50' wide Right-of-Way) and the southeasterly Right-of-Way of Sharpless Street (50' wide Right-of-Way): 1) along said southeasterly Right-of-Way line of Sharpless Street, South 58 05' 18" West, 1051.36 feet, to a point on the northeasterly Right-of-Way line of New Street (60' wide Right-of-Way); 2) along said Right-of-Way line of New Street, South 29 40' 17" East, 306.41 feet, to a point, a corner of a Proposed 20' wide Access Easement; 3) leaving said Right-of-Way and continuing along said Easement the next two courses and distances, North 57 01' 40" East, 151.76 feet, to a

point; 4) South 62 06' 19" West, 300.83 feet, to a point; and 5) North 68 53' 40" East, 219.94 feet, to the center of the existing water tank, and the radius point for the aforesaid easement.

CONTAINING 4,484 square feet of land, be the same more or less.

ALONG WITH an appropriate means of ingress and egress thereto through the lands of the Commonwealth of Pennsylvania at West Chester University of Pennsylvania.

Section 3. Execution by Secretary of General Services.

The bill of sale, easement agreement and any other documents necessary to effectuate the above described conveyance, 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 the conveyance authorized under this act shall be borne by the grantee.

Section 5. Expiration.

If the parties have not entered into a bill of sale and easement agreement within three years of the effective date of this act, the authorization provided under this act shall expire.

Section 6. Effective date.

This act shall take effect immediately.

APPROVED—The 1st day of July, A.D. 2016

TOM WOLF