

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1207 Session of
1985

INTRODUCED BY MOWERY, B. SMITH, KENNEDY, NOYE, DININNI,
MANMILLER, PICCOLA, WAMBACH, DORR, G. M. SNYDER, CHADWICK,
WASS AND BROUJOS, MAY 8, 1985

SENATOR STAUFFER, RULES AND EXECUTIVE NOMINATIONS, IN SENATE,
REPORTED AS AMENDED, NOVEMBER 13, 1985

AN ACT

1 ~~Authorizing and directing the Department of Transportation, with~~ <—
2 ~~the approval of the Governor, to convey to the Corps of~~
3 ~~Engineers of the United States Army a tract of land situate~~
4 ~~in Fairview Township, York County, Pennsylvania.~~

5 AMENDING THE ACT OF JULY 3, 1985 (P.L.139, NO.40), ENTITLED "AN <—
6 ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF
7 TRANSPORTATION, WITH THE APPROVAL OF THE GOVERNOR, TO CONVEY
8 TO THE CORPS OF ENGINEERS OF THE UNITED STATES ARMY A TRACT
9 OF LAND SITUATE IN FAIRVIEW TOWNSHIP, YORK COUNTY,
10 PENNSYLVANIA," FURTHER PROVIDING FOR THE DESCRIPTION OF THE
11 TRACT OF LAND.

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

14 ~~Section 1. The Department of Transportation, with the~~ <—
15 ~~approval of the Governor, is hereby authorized and directed on~~
16 ~~behalf of the Commonwealth of Pennsylvania to sell and convey to~~
17 ~~the Corps of Engineers of the United States Army for a~~
18 ~~consideration of either the fair market value as determined by~~
19 ~~an appraisal or the original cost of acquisition to the~~
20 ~~Commonwealth, whichever is the lower, the following tract of~~
21 ~~land situate in Fairview Township, York County, Pennsylvania,~~

1 ~~bounded and described as follows:~~

2 ~~Beginning at a point on or near "Old Depot Road," thence~~
3 ~~south 59 degrees 02 minutes 54 seconds east 210.00 feet to a~~
4 ~~point; thence south 69 degrees 01 minute 54 seconds east 495.00~~
5 ~~feet to a point; thence north 21 degrees 14 minutes 06 seconds~~
6 ~~east 1,072.00 to a point; thence south 88 degrees 37 minutes 54~~
7 ~~seconds east 110.00 feet to a point; thence north 55 degrees 24~~
8 ~~minutes 30 seconds west 770.00 feet to a point; thence south 20~~
9 ~~degrees 18 minutes 06 seconds west 1,285.00 feet to a point and~~
10 ~~the place of beginning.~~

11 ~~Containing 19 acres, more or less.~~

12 ~~Section 2. The conveyance shall be made under and subject to~~
13 ~~all easements, servitudes and rights of others, including but~~
14 ~~not confined to streets, roadways and rights of telephone,~~
15 ~~telegraph, water, electric, sewer, gas or pipeline companies, as~~
16 ~~well as under and subject to any interest, estates or tenancies~~
17 ~~vested in third persons, whether or not appearing of record, for~~
18 ~~any portion of the land or improvements erected thereon.~~

19 ~~Section 3. The deed of conveyance shall contain clauses that~~
20 ~~provide as follows:~~

21 ~~(1) The property to be conveyed shall be used for the~~
22 ~~expansion or addition of a facility or facilities at New~~
23 ~~Cumberland Army Depot and if at any time the property is not~~
24 ~~used for such purpose the title to the property shall~~
25 ~~immediately revert to the Commonwealth of Pennsylvania.~~

26 ~~(2) All buildings or structures erected on the property~~
27 ~~conveyed shall be in compliance with the Federal Aviation~~
28 ~~Administration rules and regulations and shall not interfere~~
29 ~~with the use of existing runways at the Capital City Airport.~~

30 ~~Section 4. The deed of conveyance shall be approved as~~

~~provided by law and shall be executed by the Secretary of
Transportation in the name of the Commonwealth of Pennsylvania.~~

~~Section 5. This act shall take effect immediately.~~

SECTION 1. SECTION 1 OF THE ACT OF JULY 3, 1985 (P.L.139, <—
NO.40), ENTITLED "AN ACT AUTHORIZING AND DIRECTING THE
DEPARTMENT OF TRANSPORTATION, WITH THE APPROVAL OF THE GOVERNOR,
TO CONVEY TO THE CORPS OF ENGINEERS OF THE UNITED STATES ARMY A
TRACT OF LAND SITUATE IN FAIRVIEW TOWNSHIP, YORK COUNTY,
PENNSYLVANIA," IS AMENDED TO READ:

SECTION 1. THE DEPARTMENT OF TRANSPORTATION, WITH THE
APPROVAL OF THE GOVERNOR, IS HEREBY AUTHORIZED AND DIRECTED ON
BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA TO SELL AND CONVEY,
TO THE CORPS OF ENGINEERS OF THE UNITED STATES ARMY, FOR A
CONSIDERATION OF EITHER THE FAIR MARKET VALUE AS DETERMINED BY
AN APPRAISAL OR THE ORIGINAL COST OF ACQUISITION TO THE
COMMONWEALTH, WHICHEVER IS THE LOWER, THE FOLLOWING TRACT OF
LAND SITUATE IN FAIRVIEW TOWNSHIP, YORK COUNTY, PENNSYLVANIA,
BOUNDED AND DESCRIBED AS FOLLOWS:

[BEGINNING AT A POINT ON OR NEAR "OLD DEPOT ROAD," THENCE
SOUTH 59 DEGREES 02 MINUTES 54 SECONDS EAST 210.00 FEET TO A
POINT; THENCE SOUTH 69 DEGREES 01 MINUTE 54 SECONDS EAST 495.00
FEET TO A POINT; THENCE NORTH 21 DEGREES 14 MINUTES 06 SECONDS
EAST 1,072.00 TO A POINT; THENCE SOUTH 88 DEGREES 37 MINUTES 54
SECONDS EAST 110.00 FEET TO A POINT; THENCE NORTH 55 DEGREES 24
MINUTES 30 SECONDS WEST 770.00 FEET TO A POINT; THENCE SOUTH 20
DEGREES 18 MINUTES 06 SECONDS WEST 1,285.00 FEET TO A POINT AND
THE PLACE OF BEGINNING.

CONTAINING 19 ACRES, MORE OR LESS.]

BEGINNING AT A POINT ON THE ORIGINAL MILITARY RESERVATION
BOUNDARY LINE OF THE NEW CUMBERLAND ARMY DEPOT, BEING A CORNER

1 COMMON TO THE EXISTING RESERVATION, OWNED BY THE UNITED STATES,
2 AND LANDS OF THE SUBJECT OWNER; THENCE, ALONG SAID ORIGINAL
3 BOUNDARY, A LINE BETWEEN THE EXISTING RESERVATION AND LANDS OF
4 THE SUBJECT OWNER,

5 SOUTH 12 DEGREES 07 MINUTES 14 SECONDS WEST (BOUNDARY BEARING
6 SOUTH 13 DEGREES 06 MINUTES 00 SECONDS WEST) 1,091.76 FEET TO A
7 POINT IN THE NORTHERN RIGHT-OF-WAY LINE OF OLD DEPOT ROAD,
8 FORMERLY MARSH RUN ROAD; THENCE, LEAVING SAID ORIGINAL BOUNDARY
9 AND SAID RESERVATION, AND ALONG SAID ROAD RIGHT-OF-WAY, SEVERING
10 LANDS OF THE SUBJECT OWNER,

11 NORTH 69 DEGREES 52 MINUTES 16 SECONDS WEST 707.08 FEET TO A
12 POINT 125.00 FEET AT A RIGHT ANGLE FROM THE EXTENDED CENTERLINE
13 OF AN EXISTING TAXIWAY; THENCE, LEAVING SAID ROAD RIGHT-OF-WAY
14 AND WITH A LINE 125.00 FEET FROM AND PARALLEL TO SAID TAXIWAY
15 CENTERLINE, CONTINUING TO SEVER LANDS OF THE SUBJECT OWNER,

16 NORTH 14 DEGREES 12 MINUTES 43 SECONDS EAST 1,241.46 FEET TO
17 A POINT; THENCE, LEAVING SAID PARALLEL LINE AND CONTINUING TO
18 SEVER LANDS OF THE SUBJECT OWNER,

19 SOUTH 64 DEGREES 17 MINUTES 19 SECONDS EAST, CROSSING SAID
20 ORIGINAL BOUNDARY LINE AT 673.73 FEET, IN ALL 824.69 FEET TO A
21 POINT ON THE EXISTING BOUNDARY LINE, A LINE BETWEEN THE EXISTING
22 RESERVATION AND LANDS OF THE SUBJECT OWNER; THENCE, ALONG SAID
23 EXISTING BOUNDARY, A LINE BETWEEN SAID RESERVATION AND LANDS OF
24 THE SUBJECT OWNER,

25 SOUTH 82 DEGREES 03 MINUTES 20 SECONDS WEST (BOUNDARY BEARING
26 SOUTH 83 DEGREES 05 MINUTES 00 SECONDS WEST) 156.21 FEET TO THE
27 PLACE OF BEGINNING, CONTAINING 19.05 ACRES, MORE OR LESS, WHICH
28 INCLUDES ALL 2.17 ACRES OF TRACT NUMBER 16 AND ALL 1.31 ACRES OF
29 TRACT NUMBER 26 (FORMER TRACT NUMBERS 18 AND 20 COMBINED), BEING
30 LEASES TO THE UNITED STATES FOR AN AIRCRAFT TAXIWAY, AND 0.14 OF

1 AN ACRE PORTION OF TRACT NUMBER 21P, A PERMIT TO THE UNITED
2 STATES FOR A STORM SEWER LINE.

3 THE BEARINGS USED HEREIN ARE REFERENCED TO THE PENNSYLVANIA
4 STATE PLANE COORDINATE SYSTEM (SOUTH ZONE) NORTH AMERICAN DATUM,
5 FROM A SURVEY BY GANFLEC ARCHITECTS AND ENGINEERS, INC. IN JULY
6 1984.

7 IT IS THE INTENT OF THE FOREGOING DESCRIPTION TO INCLUDE A
8 PART OF THE SAME LANDS AS THAT DESCRIBED IN THE FOLLOWING DEEDS
9 TO THE COMMONWEALTH OF PENNSYLVANIA:

10 (1) FROM THE CAPITAL LANDING FIELD COMPANY, DATED
11 JANUARY 6, 1936, AND FILED FOR RECORD JANUARY 28, 1936, TRACT
12 NUMBER 2 IN YORK COUNTY DEED BOOK 26H, PAGE 624.

13 (2) FROM THE UNITED STATES, DATED SEPTEMBER 13, 1941,
14 AND FILED FOR RECORD, SAME DATE, IN YORK COUNTY DEED BOOK
15 28V, PAGE 680.

16 SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.