

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2929 Session of
1998

INTRODUCED BY HUTCHINSON AND HALUSKA, NOVEMBER 10, 1998

REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 10, 1998

AN ACT

1 Authorizing and directing the Department of General Services,
2 with the approval of the Governor and the Pennsylvania
3 Historical and Museum Commission, to acquire certain tracts
4 of land situated in Cornplanter Township, Venango County, and
5 to convey a tract of land in Cresson Township, Cambria
6 County, to the Cresson Area Historical Association.

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

9 Section 1. The Department of General Services, with the
10 approval of the Pennsylvania Historical and Museum Commission,
11 is hereby authorized and directed on behalf of the Commonwealth,
12 to acquire by gift Tract Nos. 1 and 2 and to convey for \$1 Tract
13 No. 3:

14 TRACT 1

15 (Pithole Well No. 2)

16 The oil and gas rights to that certain piece of land situate
17 in Cornplanter Township, Venango County, acquired by gift on
18 February 18, 1998, by The Colonel, Inc., from Olympia Oil
19 Service, Inc. Being the same tract and oil and gas rights to the
20 tract conveyed to the Pennsylvania Historical and Museum

1 Commission, under Act No. 325, approved the 8th day of August,
2 1963, bounded and described as follows:

3 On the north by the land of Auburn Fitts, formerly Morey
4 Farm, and land of Robert Crawford, formerly Webster Farm and now
5 owned by a Pittsburgh oil company; on the east by land of Bryan
6 Ivers, formerly Thomas Holmden; on the south by land M.S.
7 Carnahan, formerly Mrs. J.W. McIntyre, formerly Rooker Farm; and
8 on the west by the land of the Holmden heirs, containing ninety-
9 five acres, more or less.

10 Formerly part of the Holmden Farm and located on the site of
11 Pithole City, Venango County, Pennsylvania; presently bounded on
12 the north by lands of Richard B. Roberts, et al.; on the east
13 and south by lands of Ray Conway and James D. Berry; and on west
14 by lands of Ray Conway and James D. Berry, being previously
15 described in Venango County assessment maps as containing
16 eighty-five acres, the exact acreage being undetermined. It is
17 the intention of the parties hereto that this is a sale in gross
18 and not by the acre.

19 Being or intended to be the same land a one-half interest in
20 which was acquired by Eva L. Smith, by deed of Mary Twitchell
21 Dale, dated October 31, 1918, and recorded in Venango County
22 Deed Book 369, page 13, and the other one-half interest by deed
23 of Frank E. Twitchell, et ux., dated May 10, 1916, and recorded
24 in the records of Venango County Deed Book 345, page 507. The
25 said Eva L. Smith died testate on September 27, 1937, leaving a
26 Last Will and Testament filed of record in Venango County in
27 Will Book 32, page 164, by which she devised the above property
28 to her two sons, Leland C. Smith and Miles K. Smith, grantees
29 herein, as will more fully at large appear in the records of
30 Venango County, Pennsylvania, deed to James B. Stevenson, dated

1 October 18, 1957, and recorded in Deed Book 619, page 418.

2 TRACT 2

3 (McClintock Well No. 1)

4 All that certain piece or parcel of land situate in the
5 Township of Cornplanter, in the County of Venango and
6 Commonwealth of Pennsylvania, acquired by The Colonel, Inc.,
7 from Quaker State Corporation, by deed dated May 26, 1998, and
8 bounded and described as follows:

9 Beginning at a point in the center line of the township road
10 leading from Rouseville to Rynd Farm where said road intersects
11 the northwest boundary of the right-of-way of the Pennsylvania
12 Railroad; thence along the center line of said road in a
13 northerly direction to the southwest corner of land conveyed by
14 Quaker State to Rogers; thence easterly along the southern
15 border of said Rogers land to the low water mark on the west
16 bank of Oil Creek; thence southerly along said west bank of Oil
17 Creek to a point where said west bank intersects with the
18 northwesterly line of the Pennsylvania Railroad right-of-way;
19 thence southerly along said railroad right-of-way to a point at
20 the place of beginning.

21 Containing approximately 5.5 acres more or less.

22 Being or intended to be a part of the same premises conveyed
23 to Quaker State Oil Refining Corporation by Brundred Oil
24 Corporation by deed dated September 1, 1952, and recorded in the
25 Recorder's Office of Venango County Deed Book 561, Page 165.

26 TRACT 3

27 (Admiral Peary Park)

28 All that certain piece or parcel of land, situate, lying and
29 being in Cresson Township, Cambria County, Pennsylvania, bounded
30 and described as follows:

1 Beginning at a point where the center of State Highway Route
2 22 (known as the William Penn Highway) intersects with the
3 western boundary line of the property of Mary Thaw Thompson
4 dividing the said property of Mary Thaw Thompson from that of
5 the property of Mount Aloysius Academy; thence North by said
6 Western boundary and dividing line 2 degrees 11 minutes East a
7 distance of 795.5 feet to a point in the center line of State
8 Highway Route No. 45 leading from Cresson to Loretto; thence
9 along the said center line of said State Highway Route No. 45
10 South 21 degrees 58 minutes East a distance of 643.3 feet to a
11 point in the center line of said Highway Route No. 45; thence
12 along the center line of said State Highway Route No. 45 by an 8
13 degree curve to the left a distance of 325 feet to a point in
14 the center line of said State Highway Route No. 45; thence south
15 25 degrees 31 minutes West a distance of 86.5 feet to a point in
16 the center line of State Highway Route No. 22 thence north 73
17 degrees and no minutes West 258.3 feet to a point in the center
18 line of said State Highway Route 22; and thence by the center
19 line of State Highway Route No. 22 North 65 degrees 24 minutes
20 West 181.1 feet to the place of beginning.

21 Containing 4.12 acres, more or less.

22 The deed of conveyance shall contain a clause that the
23 property conveyed "shall never be used for any purpose other
24 than for a park" by the Cresson Area Historical Association, and
25 if at any time the Cresson Area Historical Association or its
26 successor in function sells or transfers the property or permits
27 the property to be used for any purpose other than those
28 specified in this section, the title to the property shall
29 immediately revert to and revest in the Commonwealth.

30 Section 2. The acquisitions and conveyance shall be made

1 under and subject to all easements, servitudes and rights of
2 others, including, but not confined to, streets, roadways, and
3 rights of any telephone, telegraph, water, electric, sewer, gas
4 or pipeline companies, as well as under and subject to any
5 interest, estates, or tenancies vested in third persons, whether
6 or not appearing of record, for any portion of the land or
7 improvements erected thereon.

8 Section 3. The deeds of acquisition and conveyance shall be
9 approved as provided by law and shall be executed by the
10 Secretary of General Services in the name of the Commonwealth.

11 Section 4. Costs and fees incidental to these acquisitions
12 and conveyance shall be borne by the Grantee.

13 Section 5. This act shall take effect immediately.