

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1934 Session of
2015

INTRODUCED BY TRUITT, APRIL 5, 2016

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 5, 2016

AN ACT

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

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Conveyance authorization.

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

1 established in an easement agreement.

2 Section 2. Property description.

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

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

13 BEING a circular easement, having a diameter of 75.6 feet,
14 centered on the existing water tank, and extending radially in
15 all directions a distance of 37.8 feet, (10 feet from the drip
16 line of the existing tank), as shown on said plan, the radius
17 point of said circular easement being located the following five
18 (5) courses and distances from a remote point of beginning, a
19 point at the intersection of the southwesterly Right-of-Way line
20 of South Church Street (50' wide Right-of-Way) and the
21 southeasterly Right-of-Way of Sharpless Street (50' wide Right-
22 of-Way): 1) along said southeasterly Right-of-Way line of
23 Sharpless Street, South 58 05' 18" West, 1051.36 feet, to a
24 point on the northeasterly Right-of-Way line of New Street (60'
25 wide Right-of-Way); 2) along said Right-of-Way line of New
26 Street, South 29 40' 17" East, 306.41 feet, to a point, a corner
27 of a Proposed 20' wide Access Easement; 3) leaving said Right-
28 of-Way and continuing along said Easement the next two courses
29 and distances, North 57 01' 40" East, 151.76 feet, to a point;
30 4) South 62 06' 19" West, 300.83 feet, to a point; and 5) North

1 68 53' 40" East, 219.94 feet, to the center of the existing
2 water tank, and the radius point for the aforesaid easement.

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

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

8 Section 3. Execution by Secretary of General Services.

9 The bill of sale, easement agreement, and any other documents
10 necessary to effectuate the above described conveyance, shall be
11 executed by the Secretary of General Services in the name of the
12 Commonwealth of Pennsylvania.

13 Section 4. Costs and fees.

14 Costs and fees incidental to the conveyance authorized under
15 this act shall be borne by the grantee.

16 Section 5. Expiration.

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

21 Section 6. Effective date.

22 This act shall take effect immediately.