

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 829 Session of  
2023

INTRODUCED BY AUMENT, JUNE 19, 2023

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF  
REPRESENTATIVES, AS AMENDED, JUNE 29, 2023

## AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Pennsylvania Historical and Museum Commission  
3 and the Governor, to grant and convey certain easements  
4 through and across lands of the Commonwealth of Pennsylvania  
5 in the Township of Manheim, County of Lancaster, for purposes  
6 of a road realignment project and to accept from the Township  
7 of Manheim existing right-of-way to be abandoned as part of  
8 the road realignment project; ~~and~~ authorizing the Department <--  
9 of General Services, with the approval of the Department of  
10 Military and Veterans Affairs and the Governor, to grant and  
11 convey to Drexel University, permanent easement encumbering  
12 certain lands situate in the City and County of Philadelphia; <--  
13 AND REVOKING A USE RESTRICTION.

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

16 Section 1. Conveyance of easements at the Landis Valley Museum.

17 (a) Authorization.--The Department of General Services, with  
18 the approval of the Pennsylvania Historical and Museum  
19 Commission and the Governor, is hereby authorized on behalf of  
20 the Commonwealth of Pennsylvania to grant and convey the  
21 following easements, at the Landis Valley Museum, situate in the  
22 Township of Manheim, County of Lancaster, to the Township of  
23 Manheim for \$1, for purposes of a road realignment project.

(b) Property description.--The property to be conveyed under subsection (a) consists of the following easements, situate in the Township of Manheim, County of Lancaster, bounded and more particularly described as follows:

Right-of-Way Easement #1

BEGINNING at a point on line of lands now or formerly of David Costello, said point also being the eastern right of way line of East Delp Road (realigned), a 60 foot side public street, being located

N 17°37'11" W 57.37 feet from a rebar at the southwest corner of lands now or formerly of

The Commonwealth of Pennsylvania; extending thence along lands now or formerly of David Costello and crossing over East Delp Road (realigned) N 17°37'11" W for a distance of 88.61 feet to a point on the western right of way line of East Delp Road (realigned); extending thence along said last mentioned right of way line the following two (2) courses and distances, namely: (1) N 24°59'27" E for a distance of 39.89 feet to a point; (2) N 17°44'06" W for a distance of 55.93 feet to a point on the southern legal right of way line of Landis Valley Road (S.R. 1014), a 60 foot wide public street; extending thence along said last mentioned legal right of way line by a curve to the right having a radius of 644.05 feet for a distance of 129.86 feet, the chord of which is S 57°35'50" E for a distance of 129.64 feet to a point on the eastern right of way line of East Delp Road (realigned); extending thence along said last mentioned right of way line the following two (2) courses and distances, namely: (1) S 72°21'51" W for a distance of 41.61 feet to a point; (2) S 24°59'27" W for a distance of 101.29 feet to a point and the place of BEGINNING.

1       Containing 7,745 Square Feet

2                       Right-of-Way Easement #2

3       BEGINNING at a point on the eastern right of way line of  
4 Kissel Hill Road and on line of lands now or formerly of The  
5 Commonwealth of Pennsylvania, said point being located S  
6 88°37'57" E 104.20 feet from the northwest corner of lands now  
7 or formerly of The Commonwealth of Pennsylvania

8       (UPI NO. 390-11002-0-0000); extending thence along other  
9 lands now or formerly of

10       The Commonwealth of Pennsylvania S 88°37'57" E for a distance  
11 of 63.05 feet to a point on the eastern right of way line of  
12 Kissel Hill Road (realigned); extending thence along said last  
13 mentioned right of way line S 18°56'16" E for a distance of  
14 75.04 feet to a point on the northern legal right of way line of  
15 Landis Valley Road (S.R. 1014), a 60 foot wide public street;  
16 extending thence along said last mentioned legal right of way  
17 line by a curve to the left having a radius of 704.44 feet for a  
18 distance of 100.16 feet, the chord of which is N 55°53'31" W for  
19 a distance of 100.07 feet to a point on the eastern right of way  
20 line of Kissel Hill Road; extending thence along said last  
21 mentioned right of way line N 15°27'36" W for a distance of  
22 16.99 feet to a point and the place of BEGINNING.

23       Containing 2,651 Square Feet

24                       Right-of-Way Easement #3

25       BEGINNING at a point on the eastern right of way line of  
26 Kissel Hill Road and on line of lands now or formerly of The  
27 Commonwealth of Pennsylvania, said point being located S  
28 83°09'00 E 103.81 feet from the southwest corner of lands now or  
29 formerly of The Commonwealth of Pennsylvania

30       (UPI NO. 390-53494-0-0000); extending thence along said last

1 mentioned right of way line N 9°58'39" W for a distance of 12.51  
2 feet to a point on the western right of way line of Kissel Hill  
3 Road (realigned); extending thence along said last mentioned  
4 right of way line the following two (2) courses and distances,  
5 namely: (1) N 78°56'12" E for a distance of 8.67 feet to a  
6 point; (2) by a curve to the left having a radius of 145.00 feet  
7 for a distance of 121.95 feet, the chord of which is N 3°26'47"  
8 W for a distance of 118.38 feet to a point on the eastern right  
9 of way line of Kissel Hill Road; extending thence along said  
10 last mentioned right of way line the following two (2) courses  
11 and distances, namely: (1) by a curve to the left having a  
12 radius of 260.00 feet for a distance of 35.29 feet, the chord of  
13 which is N 6°02'34" W for a distance of 35.26 feet to a point;  
14 (2) N 9°55'51" W for a distance of 241.40 feet to a point on the  
15 eastern right of way line of Kissel Hill Road (realigned);  
16 extending thence along said last mentioned right of way line the  
17 following four (4) courses and distances, namely: (1) by a curve  
18 to the left having a radius of 470.00 feet for a distance of  
19 130.13 feet, the chord of which is S 17°51'45" E for a distance  
20 of 129.71 feet to a point; (2) S 25°47'39" E for a distance of  
21 141.70 feet to a point; (3) by a curve to the right having a  
22 radius of 205.00 feet for a distance of 165.72 feet, the chord  
23 of which is S 2°33'07" E for a distance of 161.25 feet to a  
24 point; (4) S 13°27'19" E for a distance of 0.40 feet to a point  
25 on line of other lands now or formerly of The Commonwealth of  
26 Pennsylvania; extending thence along said last mentioned lands  
27 N 83°09'00" W for a distance of 63.05 feet to a point and the  
28 place of BEGINNING.

29 Containing 15,339 Square Feet

30 Temporary Grading Easement #1

1 BEGINNING at a point on the eastern right of way line of  
2 Kissel Hill Road (realigned) and on line of lands now or  
3 formerly of The Commonwealth of Pennsylvania, said point being  
4 located

5 S 88°37'57" E 167.25 feet from the northwest corner of lands  
6 now or formerly of The Commonwealth of Pennsylvania (UPI NO.  
7 390-11002-0-0000); extending thence along other lands now or  
8 formerly of

9 The Commonwealth of Pennsylvania S 88°37'57" E for a distance  
10 of 15.19 feet to a point; extending thence through lands now or  
11 formerly of The Commonwealth of Pennsylvania

12 (UPI NO. 390-11002-0-0000) by a curve to the right having a  
13 radius of 220.00 feet for a distance of 24.06 feet, the chord of  
14 which is S 17°23'51" W for a distance of 24.04 feet to a point  
15 on the eastern right of way line of Kissel Hill Road  
16 (realigned); extending thence along said last mentioned right of  
17 way line

18 N 18°56'16" W for a distance of 24.64 feet to a point and the  
19 place of BEGINNING.

20 Containing 181 Square Feet

21 Temporary Grading Easement #2

22 BEGINNING at a point on line of lands now or formerly of  
23 David Costello, said point also being the western right of way  
24 line of East Delp Road (realigned), a 60 foot side public  
25 street, being located N 17°37'11" W 145.98 feet from a rebar at  
26 the southwest corner of lands now or formerly of

27 The Commonwealth of Pennsylvania; extending thence along  
28 lands now or formerly of David Costello

29 N 17°37'11" W for a distance of 51.70 feet to a point;  
30 extending thence through lands now or formerly of The

1 Commonwealth of Pennsylvania the following two (2) courses and  
2 distances, namely:

3 (1) N 24°59'27" E for a distance of 17.58 feet to a point;

4 (2) S 65°00'33" E for a distance of 20.46 feet to a point on the  
5 western right of way line of East Delp Road (realigned);

6 extending thence along said last mentioned right of way line the  
7 following two (2) courses and distances, namely: (1) S 17°44'06"  
8 E for a distance of 21.43 feet to a point; (2) S 24°59'27" W for  
9 a distance of 39.89 feet to a point and the place of BEGINNING.

10 Containing 1,167 Square Feet

11 Temporary Grading Easement #3

12 BEGINNING at a point on the eastern right of way line of  
13 Kissel Hill Road, said point being located the following two (2)  
14 courses and distances from the southwest corner of lands now or  
15 formerly of The Commonwealth of Pennsylvania (UPI NO. 390-53494-  
16 0-0000), namely: (1) S 83°09'00" E 103.81 feet to a point on the  
17 eastern right of way line of Kissel Hill Road; (2) N 9°58'39" W  
18 12.51 feet; extending thence along said last mentioned right of  
19 way line the following two (2) courses and distances, namely:

20 (1) N 9°58'39" W for a distance of 42.87 feet to a point; (2) by  
21 a curve to the left having a radius 260.00 feet for a distance  
22 of 78.40 feet, the chord of which is N 6°29'01" E for a distance  
23 of 78.11 feet to a point on the western right of way line of  
24 Kissel Hill Road (realigned); extending thence along said last  
25 mentioned right of way line the following two (2) courses and  
26 distances, namely: (1) by a curve to the right having a radius  
27 145.00 feet for a distance of 121.95 feet, the chord of which is  
28 S 3°26'47" E for a distance of 118.38 feet to a point; (2) S  
29 78°56'12" W for a distance of 8.67 feet to a point and the place  
30 of BEGINNING.

Containing 1,835 Square Feet

Temporary Grading Easement #4

BEGINNING at a point on the eastern right of way line of Kissel Hill Road (realigned), said point being located S 83°09'00" E 166.86 feet from the southwest corner of lands now or formerly of

The Commonwealth of Pennsylvania (UPI NO. 390-53494-0-0000); extending thence along said last mentioned right of way line the following four (4) courses and distances, namely: (1) N 13°27'19" W for a distance of 0.40 feet; (2) by a curve to the left having a radius of 205.00 feet for a distance of 165.72, the chord of which is N 2°33'07" W for a distance of 161.25 feet to a point; (3) N 25°47'39" W for a distance of 141.70 feet to a point; (4) by a curve to the right having a radius of 470.00 feet for a distance of 43.04 feet, the chord of which is N 23°10'14" W for a distance of 43.03 feet to a point; extending thence through lands now or formerly of The Commonwealth of Pennsylvania

(UPI NO. 390-53494-0-0000) the following four (4) courses and distances, namely: (1) N 69°27'11" E for a distance of 15.00 feet to a point; (2) by a curve to the left having a radius of 455.00 feet for a distance of 41.67 feet, the chord of which is S 23°10'14" E for a distance of 41.66 feet; (3) S 25°47'39" E for a distance of 141.71 feet to a point; (4) by a curve to the right having a radius of 220.00 feet for a distance of 174.58 feet, the chord of which is S 2°58'51" E for a distance of 170.03 feet to a point on line of other lands now or formerly of The Commonwealth of Pennsylvania; extending thence along said last mentioned lands N 83°09'00" W for a distance of 15.22 feet to a point and the place of BEGINNING.

Containing 5,316 Square Feet

Temporary Grading Easement #5

BEGINNING at a point on the eastern right of way line of Kissel Hill Road (realigned), said point being located the following two (2) courses and distances from the northwest corner of lands now or formerly of The Commonwealth of Pennsylvania (UPI NO. 390-11002-0-0000), namely:

(1) S 88°37'57" E 167.25 feet; (2) S 18°56'16" E 65.91 feet; extending thence through lands now or formerly of The

Commonwealth of Pennsylvania (UPI NO. 390-11002-0-0000) the following five (5) courses and distances, namely: (1) by a curve to the right having a radius of 709.22 feet for a distance of 58.00 feet, the chord of which is S 50°05'51" E for a distance of 57.98 feet to a point; (2) N 42°14'43" E for a distance of 10.00 feet to a point; (3) by a curve to the right having a radius of 719.22 feet for a distance of 98.12 feet, the chord of which is S 43°50'48" E for a distance of 98.04 feet to a point;

(4) S 39°56'09" E for a distance of 29.88 feet to a point; (5) S 50°03'51" W for a distance of 15.00 feet to a point on the northern legal right of way line of Landis Valley Road (S.R. 1014), a 60 foot wide public street; extending thence along said last mentioned legal right of way line the following two (2) courses and distances, namely: (1) N 39°56'09" W for a distance of 29.88 feet to a point; (2) by a curve to the left having a radius of 704.44 feet for a distance of 146.05 feet, the chord of which is N 45°52'46" W for a distance of 145.79 feet to a point on the eastern right of way line of Kissel Hill Road (realigned); extending thence along said last mentioned right of way line N 18°56'16" W for a distance of 9.13 feet to a point and the place of BEGINNING.



Containing 2,175 Square Feet

Stormwater Easement #1

BEGINNING at a rebar on the northern right of way line of East Delp Road (a 60 foot wide public street), said point being the southeast corner of lands now or formerly of David Costello; extending thence along said last mentioned lands N 17°37'11" W for a distance of 57.37 feet to a point on the eastern right of way line of East Delp Road (realigned), a 60 foot wide public street; extending thence along said last mentioned right of way line the following two (2) courses and distances, namely:

(1) N 24°59'27" E for a distance of 101.29 feet to a point;

(2) N 72°21'51" E for a distance of 41.61 feet to a point on the southern legal right of way line of Landis Valley Road (S.R.

1014), a 60 foot wide public street; extending thence along said last mentioned legal right of way line the following two (2)

courses and distances, namely: (1) by a curve to the right

having a radius of 644.05 feet for a distance of 133.61 feet,

the chord of which is S 45°52'42" E for a distance of 133.37

feet to a point; (2) S 39°56'09" E for a distance of 4.71 feet

to a point on the northern right of way line of East Delp Road;

extending thence along said last mentioned right of way line S

69°04'47" W for a distance of 175.41 feet to a point and the

place of BEGINNING.

Containing 16,047 Square Feet

Stormwater Easement #2

BEGINNING at a point on the northern right of way line of East Delp Road (a 60 foot wide public street), said point being located the following two (2) courses and distances from the

southwest corner of lands now or formerly of The Commonwealth of Pennsylvania, (1) S 12°54'50" E 60.10 feet;

(2) N 74°21'12" E 92.47 feet; extending thence along the southern right of way line of East Delp Road N 74°21'12" E for a distance of 61.75 feet to a point; extending thence through lands now or formerly of The Commonwealth of Pennsylvania the following three (3) courses and distances, namely:

(1) S 15°16'12" E for a distance of 25.26 feet to a point; (2) S 74°25'12" W for a distance of 61.75 feet to a point; (3) N 15°16'12" W for a distance of 25.19 feet to a point and the place of BEGINNING.

Containing 1,558 Square Feet

(c) Authorization for acceptance of former right-of-way.-- The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to accept the right-of-way described under subsection (d), to be abandoned by the Township of Manheim, at the Landis Valley Museum, situate in the Township of Manheim, County of Lancaster, to the Township of Manheim for \$1.

(d) Property description of former right-of-way.--The former right-of-way to be accepted pursuant to section 3 consists of the following, situate in the Township of Manheim, County of Lancaster, bounded and more particularly described as follows:

Former Right-of-Way

BEGINNING at a point on the northern right of way line of Kissel Hill Road, said point being located N 12°30'00" W 38.13 feet from the southwest corner of lands now or formerly of The Commonwealth of Pennsylvania (UPI No. 390-53494-0-0000); extending thence along said last mentioned right of way line N 64°58'26" E for a distance of 48.51 feet to a point on the

1 western right of way line of Kissel Hill Road; extending thence  
2 along said last mentioned right of way line the following two  
3 (2) courses and distances, namely: (1) by a curve to the left  
4 having a radius of 187.81 feet for a distance of 87.55 feet, the  
5 chord of which is N 2°35'45" E for a distance of 86.76 feet to a  
6 point;

7 (2) N 9°55'51" W for a distance of 241.40 feet to a point on  
8 the western right of way line of Kissel Hill Road (realigned);  
9 extending thence along said last mentioned right of way line the  
10 following two (2) courses and distances, namely: (1) by a curve  
11 to the left having a radius of 530.00 feet for a distance of  
12 146.74 feet, the chord of which is S 17°51'45" E for a distance  
13 of 146.27 feet to a point; (2) S 25°47'39" E for a distance of  
14 136.92 feet to a point on the eastern right of way line of  
15 Kissel Hill Road; extending thence along said last mentioned  
16 right of way line the following two (2) courses and distances,  
17 namely: (1) by a curve to the right having a radius of 260.00  
18 feet for a distance of 78.40 feet, the chord of which is S  
19 6°29'01" W for a distance of 78.11 feet to a point; (2) S  
20 9°58'39" E for a distance of 42.87 feet to a point at the  
21 intersection of the eastern right of way line of Kissel Hill  
22 Road and the northern right of way line of Kissel Hill Road  
23 (realigned); extending thence along the northern right of way  
24 line of Kissel Hill Road (realigned) S 78°56'12" W for a  
25 distance of 30.17 feet to a point on the northern right of way  
26 line of Landis Valley Road (S.R. 1014), a 60 foot wide public  
27 street; extending thence along said last mentioned right of way  
28 line by a curve to the left having a radius of 704.44 feet for a  
29 distance of 90.67 feet, the chord of which is N 61°34'13" W for  
30 a distance of 90.61 feet to a point and the place of BEGINNING.

Containing 13,911 Square Feet

(e) Easement agreement and deed of easement.--The documents to be executed by the Commonwealth of Pennsylvania pursuant to this section shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

Section 2. Conveyance in City and County of Philadelphia.

(a) Authorization.--The Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, is authorized on behalf of the Commonwealth of Pennsylvania to grant to Drexel University a permanent easement encumbering the following tract of land, being the southern half of Cuthbert Street (vacated), located between 32nd Street and 33rd Street in the City and County of Philadelphia, under terms and conditions to be established in an easement agreement, which agreement shall include Drexel University's provision to the Commonwealth of Pennsylvania, its successors and assigns, in perpetuity, of 35 parking spaces for the exclusive use of the Commonwealth of Pennsylvania, its successors and assigns, as fee title owner of the property known as 3205-51 Lancaster Avenue, Philadelphia, Pennsylvania.

(b) Property description.--The property to be encumbered by a permanent easement under subsection (a) consists of the following:

ALL THAT CERTAIN piece or parcel of land situate in the 24th Ward of the City of Philadelphia, County of Philadelphia, and Commonwealth of Pennsylvania, described according to a plan entitled "ALTA NSPS Land Title Survey" of property owned by land n/f Drexel University, prepared by Pennoni Associates, Inc., dated October 14, 2022, last revised June 5, 2023, Project GATDV21001, to wit:

1 BEGINNING at a point on the former centerline of the former  
2 Cuthbert Street (stricken from City Plan and vacated), said  
3 point being S 11 degrees 01 minutes 00 seconds W, a distance of  
4 20.00 feet, from the intersection of the easterly line of lands  
5 n/f OPA 88-5498280 and the former northerly line of the  
6 aforementioned Cuthbert Street; thence, from said point of  
7 beginning; (1) through the bed of aforementioned Cuthbert  
8 Street, S 11 degrees 01 minutes 00 seconds W, a distance of  
9 20.00', to a point in the northerly line of lands n/f of OPA 77-  
10 4520500, thence; (2) coincident with the same, N 78 degrees 59  
11 minutes 00 seconds W, a distance of 283.00', to a point in the  
12 westerly line of lands of the same; thence; (3) departing said  
13 line through the bed of aforementioned Cuthbert Street, N 11  
14 degrees 01 minutes 00 seconds E, a distance of 20.00', to a  
15 point on the former centerline of the aforementioned Cuthbert  
16 Street, thence; (4) coincident with the same, S 78 degrees 59  
17 minutes 00 seconds E, a distance of 283.00', to the place and  
18 point of beginning. Said above described tract or parcel of  
19 land containing with said bounds 5,660 square feet, or 0.12994  
20 acres of land (more or less).

21 BEING a portion of OPA Account Number 774520500, known as  
22 3205-51 Lancaster Avenue, Philadelphia, Pennsylvania.

23 (c) Conditions.--The conveyance shall be made under and  
24 subject to all lawful and enforceable easements, servitudes and  
25 rights of others, including, but not confined to, streets,  
26 roadways and rights of any telephone, telegraph, water,  
27 electric, gas or pipeline companies, as well as under and  
28 subject to any lawful and enforceable estates or tenancies  
29 vested in third persons appearing of record, for any portion of  
30 the land or improvements erected thereon.

1 (d) Deed of conveyance.--The conveyance shall be made by  
2 easement agreement to be executed by the Secretary of General  
3 Services in the name of the Commonwealth of Pennsylvania.

4 (e) Expiration.--In the event that the conveyance authorized  
5 under subsection (a) is not completed within two years after the  
6 effective date of this subsection, the authority to convey the  
7 easement as specified under subsection (a) shall expire.

8 (f) Proceeds.--The proceeds from the easement conveyance  
9 under this section shall be deposited into the General Fund.

10 SECTION 3. REVOCATION OF USE RESTRICTION ON CONVEYANCE IN THE <--  
11 BOROUGH OF WYOMING, LUZERNE COUNTY.

12 (A) REVOCATION.--THE SUCCESSORS AND ASSIGNS OF THE  
13 CONVEYANCE IN THE BOROUGH OF WYOMING, LUZERNE COUNTY, IN SECTION  
14 9 OF THE ACT OF JUNE 10, 2022 (P.L.108, NO.24), SHALL NOT BE  
15 REQUIRED TO UTILIZE THE PROPERTY SOLELY FOR THE OPERATION OF A  
16 MUNICIPAL/REGIONAL POLICE DEPARTMENT OR FOR ANY OTHER PURPOSE.

17 (B) (RESERVED).

18 SECTION 4. REPEALS.

19 REPEALS ARE AS FOLLOWS:

20 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER  
21 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE SECTION 3.

22 (2) SECTION 9(E) OF THE ACT OF JUNE 10, 2022 (P.L.108,  
23 NO.24), IS REPEALED.

24 Section ~~3~~ 5. Effective date. <--

25 This act shall take effect immediately.