

CONVEYANCE - COMMONWEALTH PROPERTY IN FAYETTE AND SOMERSET COUNTIES

Act of Nov. 25, 1981, P.L. 419, No. 131

Cl. 85

AN ACT

Authorizing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey two tracts of land partly in Saltlick Township, Fayette County, Pennsylvania, and in Middlecreek Township, Somerset County, Pennsylvania, and a right-of-way in Middlecreek Township, Somerset County, Pennsylvania, in exchange for a tract of land in Donegal Township, Westmoreland County, Pennsylvania, and a right-of-way in Westmoreland, Somerset and Fayette Counties, Pennsylvania.

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

Section 1. (a) Pursuant to the requirements of subsection (b) of section 20, act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the "Project 70 Land Acquisition and Borrowing Act," the General Assembly authorizes the Department of General Services, with the approval of the Department of Environmental Resources and the Governor, to convey to Seven Springs Farm, Inc., a Pennsylvania corporation, two tracts of land situate in Saltlick Township, Fayette County, Pennsylvania, and partly in Middlecreek Township, Somerset County, Pennsylvania, and described hereinafter as Tract No. 1 and Tract No. 2 respectively, and a right-of-way 50 feet wide and approximately 2520 feet long over other lands of the Commonwealth in Middlecreek Township, Somerset County, Pennsylvania, to be used by grantee for ingress, egress and regress to other land of grantee in exchange for a tract of land situate in Donegal Township, Westmoreland County, Pennsylvania, and described hereinafter as Tract No. 3, and a right-of-way 50 feet wide and approximately 2.07 miles in length presently being used and to be used hereafter as a hiking trail over other lands of Seven Springs Farm, Inc. in Westmoreland, Somerset and Fayette Counties, Pennsylvania.

(b) The land to be conveyed by the Department of General Services shall be free of restrictions on use and alienation prescribed by section 20 of the "Project 70 Land Acquisition and Borrowing Act," upon substitution of the Project 70 land for land at least equal in value.

Compiler's Note: The Department of Environmental Resources, referred to in this section, was abolished by Act 18 of 1995. Its functions were transferred to the Department of Conservation and Natural Resources and the Department of Environmental Protection.

Section 2. The Project 70 land to be transferred by the Commonwealth of Pennsylvania to Seven Springs Farms, Inc. is described as follows:

TRACT NO. 1

Beginning at a copperweld pin corner common to lands of Seven Springs Farm, Inc. and lands of David McCahill being in Saltlick Township, Fayette County and Middlecreek Township, Somerset County; thence along lands of McCahill and lands of Seven Springs Farm, Inc. south 70 degrees 43 minutes 30 seconds east 869.86 feet to a copperweld pin corner; thence by lands of Seven Springs Farm, Inc. north 65 degrees 44 minutes 30 seconds east 960.91 feet to a copperweld pin corner on the west side of Township Road T-344; thence continuing along lands last mentioned and lands of the Louis Prenn lot north 51 degrees 51 minutes 00 seconds east 456.48 feet to a copperweld pin and stones corner common to lands last mentioned and lands of Seven Springs Farm, Inc.; thence by lands of Seven Springs Farm, Inc. south 13 degrees 10 minutes 30 seconds east 386.29 feet to a railroad spike in the southern side of Legislative Route 55049 being common to lands last mentioned and lands now or formerly of Paul Trimbur; thence along lands of Paul Trimbur the following fourteen (14) courses:

- (1) South 07 degrees 08 minutes 30 seconds west 380.15 feet to a copperweld pin and stones;
- (2) South 12 degrees 40 minutes 15 seconds east 341.50 feet to a copperweld pin and stones;
- (3) South 10 degrees 24 minutes 45 seconds west 241.50 feet to a copperweld pin and stones;
- (4) South 07 degrees 04 minutes 45 seconds west 241.50 feet to a copperweld pin and stones;
- (5) South 00 degrees 28 minutes 15 seconds east 254.00 feet to a copperweld pin and stones;
- (6) South 28 degrees 24 minutes 45 seconds west 177.00 feet to a copperweld pin and stones;
- (7) South 72 degrees 44 minutes 45 seconds west 210.00 feet to a copperweld pin and stones;
- (8) South 86 degrees 14 minutes 45 seconds west 409.00 feet to a copperweld pin and stones;
- (9) South 56 degrees 14 minutes 45 seconds west 206.00 feet to a copperweld pin and stones;
- (10) South 04 degrees 10 minutes 15 seconds east 199.00 feet to a copperweld pin and stones;
- (11) South 29 degrees 40 minutes 15 seconds east 240.00 feet to a copperweld pin and stones;
- (12) South 21 degrees 30 minutes 15 seconds east 266.00 feet to a copperweld pin and stones;
- (13) South 22 degrees 25 minutes 15 seconds east 205.00 feet to a copperweld pin and stones;
- (14) South 16 degrees 04 minutes 45 seconds west 248.00 feet to a copperweld pin and stones corner common to lands now formerly of Paul Trimbur and lands of Seven Springs Farm, Inc.; thence by lands of Seven Springs Farm, Inc. the following four (4) courses:
 - (1) North 86 degrees 21 minutes 30 seconds west 188.58 feet to a copperweld pin and stones;
 - (2) North 10 degrees 44 minutes 30 seconds east 238.76 feet to a copperweld pin and stones;
 - (3) North 66 degrees 09 minutes 15 seconds west 1743.26 feet to a copperweld pin;

(4) North 07 degrees 51 minutes 00 seconds east 2000.36 feet to a copperweld pin and stone corner common to lands last mentioned, place of beginning. Containing 109.87 acres of land.

Reserving, however, to the Commonwealth and its successors from Tract No. 1 a right-of-way 50 feet in width and approximately 3677 feet in length presently located for a hiking trail for public use and known as the Laurel Highlands Hiking Trail situate in Middlecreek Township, Somerset County, Pennsylvania.

Being all those two tracts of land conveyed to the Commonwealth of Pennsylvania by Declaration of Taking versus Clifford W. Saylor et ux., et al. and Declaration of Taking versus Clifford W. Saylor et ux. filed at Nos. 544 and 545 respectively to C. D. Term, 1969 in the Court of Common Pleas of Somerset County, and recorded in the Recorder of Deeds Office for said County in Deed Book Volume 670 at Pages 19 and 23 respectively.

TRACT NO. 2

Beginning at a copperweld pin and stones corner common to lands of Seven Springs Farm, Inc. and lands herein described being also in Saltlick Township, Fayette County and Middlecreek Township, Somerset County; thence north 02 degrees 28 minutes 30 seconds east 2069.78 feet to a copperweld pin corner common to lands last mentioned and also common to other lands of Laurel Ridge State Park of which this was a part; thence along line common to other lands of Laurel Ridge State Park and lands herein described south 81 degrees 09 minutes and 00 seconds east 301.85 feet to iron pin and stones corner; thence common to lands last mentioned south 02 degrees 28 minutes 30 seconds west 2033.17 feet to an iron pin and stones common to lands last mentioned and lands of Seven Springs Farm, Inc.; thence by lands of Seven Springs Farm, Inc. and lands herein described north 88 degrees 07 minutes 00 seconds west 300.00 feet to a copperweld pin and stones corner place of beginning. Containing 14.128 acres of land.

Being a portion of that same tract of land described as parcel number 16 of that Deed of Conveyance from the Western Pennsylvania Conservancy to the Commonwealth of Pennsylvania dated May 8, 1968 and recorded in the Recorder's Office for Somerset County in Deed Book Volume 660, Page 447 and in Fayette County in Deed Book Volume 1060, Page 574.

The grant of Tract Nos. 1 and 2 shall include all the Commonwealth's right, title and interest to the oil, gas, coal and mineral rights, and its right to all rentals and royalties therefrom.

Section 3. The land to be transferred by Seven Springs Farm, Inc. to the Commonwealth of Pennsylvania is described as follows:

Beginning at a point in the easterly edge of Fire Tower Road at a point common to land now or formerly of Anna Shaulis and lands herein described being in Donegal Township, Westmoreland County; thence by land formerly of Shaulis and along the centerline of Fire Tower Road the following four (4) courses:

(1) North 16 degrees 30 minutes east 343.20 feet to a point in center of the road;

(2) North 34 degrees 02 minutes east 67.80 feet to a point in centerline of road;

(3) North 50 degrees 43 minutes east 52.50 feet to a point in the center of the road;

(4) North 66 degrees 01 minute east 369.20 feet to a point in the centerline of the road common to lands last described; thence partially by lands now or formerly of Shaulis and partially by the Joan Corman lot north 55 degrees 55 minutes east 504.10 feet to a point in center of the aforesaid road and common to the Joan Corman lot, lands of the Commonwealth of Pennsylvania and lands herein described; thence partly by land of the Commonwealth of Pennsylvania and partly by the Ira Nedrow lot north 59 degrees 52 minutes east 370.00 feet to a point in the center of aforesaid road; thence continuing along the center of said road partly by lands of the Ira Nedrow lot and partly by lands of the Commonwealth of Pennsylvania, north 56 degrees 31 minutes east 871.00 feet to a point in center of said road; thence continuing along the centerline of said road by lands of the Commonwealth of Pennsylvania the following seven (7) courses:

(1) South 85 degrees 13 minutes east 158.40 feet to a point in center of said road;

(2) South 66 degrees 02 minutes east 151.50 feet to a point in center of said road;

(3) South 75 degrees 06 minutes east 251.50 feet to a point in the center of said road;

(4) North 74 degrees 30 minutes east 549.80 feet to a point in the center of said road;

(5) North 77 degrees 44 minutes east 237.20 feet to a point in the center of said road;

(6) North 89 degrees 50 minutes east 323.30 feet to a point in the center of said road;

(7) South 74 degrees 23 minutes east 204.20 feet to a stones corner on the south edge of Fire Tower Road, being common to lands last mentioned; thence leaving Fire Tower Road and continuing by lands of the Commonwealth of Pennsylvania, south 05 degrees 32 minutes west 781.89 feet to a stones corner; thence by the same, south 69 degrees 11 minutes east 765.25 feet to a copperweld pin corner common to lands last mentioned and lands of Charles P. Schaffer; thence by lands of Charles P. Schaffer south 10 degrees 00 minutes east 772.68 feet to a stones corner common to lands last mentioned and lands of Laurel Ridge State Park; thence by lands of Laurel Ridge State Park, south 09 degrees 53 minutes east 220.83 feet to a set iron pin and stones corner common to lands last mentioned; thence by other lands of Seven Springs Farm, Inc. the following three (3) courses:

(1) South 77 degrees 55 minutes west 1733.47 feet to a set iron pin and stone corner;

(2) North 67 degrees 47 minutes west 1791.75 feet to a set iron pin and stone corner;

(3) North 82 degrees 06 minutes west 1170.75 feet to a point on the easterly side of Fire Tower Road the place of beginning. Containing 154.523 acres of land.

Being a part of those same tracts of land conveyed to Seven

Springs Farm, Inc. by Helen K. Dupre, a widow, by her deed stated July 1, 1959 and recorded in the Recorder of Deeds Office for Westmoreland County, Pennsylvania in Deed Book Volume 1775, Page 248 and also being a part of that same tract of land conveyed by William C. Wallace and Mary E. Wallace, by their deed dated May 22, 1971 and recorded in the Recorder of Deeds Office for Westmoreland County in Deed Book Volume 2068, Page 77.

Section 4. Costs and fees relating to the title searches, preparation and recording of deeds, and settlement shall be borne by the respective grantees. No transfer tax under Article XI-C of the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971," shall be due on either conveyance or transaction.

Section 5. The title and Deed of Conveyance shall be approved as provided by law.

Section 6. This act shall take effect immediately.