

CONVEYANCE - YORK COUNTY

Act of Jul. 3, 1985, P.L. 139, No. 40

CL. 85

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.

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

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 the original military reservation boundary line of the New Cumberland Army Depot, being a corner common to the existing reservation, owned by the United States, and lands of the subject owner; thence, along said original boundary, a line between the existing reservation and lands of the subject owner, south 12 degrees 07 minutes 14 seconds west (boundary bearing south 13 degrees 06 minutes 00 seconds west) 1,091.76 feet to a point in the northern right-of-way line of Old Depot Road, formerly Marsh Run Road; thence, leaving said original boundary and said reservation, and along said road right-of-way, severing lands of the subject owner, north 69 degrees 52 minutes 16 seconds west 707.08 feet to a point 125.00 feet at a right angle from the extended center line of an existing taxiway; thence, leaving said road right-of-way and with a line 125.00 feet from and parallel to said taxiway center line, continuing to sever lands of the subject owner, north 14 degrees 12 minutes 43 seconds east 1,241.46 feet to a point; thence, leaving said parallel line and continuing to sever lands of the subject owner, south 64 degrees 17 minutes 19 seconds east, crossing said original boundary line at 673.73 feet, in all 824.69 feet to a point on the existing boundary line, a line between the existing reservation and lands of the subject owner; thence, along said existing boundary, a line between said reservation and lands of the subject owner, south 82 degrees 03 minutes 20 seconds west (boundary bearing south 83 degrees 05 minutes 00 seconds west) 156.21 feet to the place of beginning, containing 19.05 acres, more or less, which includes all 2.17 acres of Tract Number 16 and all 1.31 acres of Tract Number 26 (former Tract Numbers 18 and 20 combined), being leases to the United States for an aircraft taxiway, and 0.14 of an acre portion of Tract Number 21P, a permit to the United States for a storm sewer line.

The bearings used herein are referenced to the Pennsylvania State Plane Coordinate System (South Zone) North American Datum, from a survey by Ganflec Architects and Engineers, Inc. in July 1984.

It is the intent of the foregoing description to include a part of the same lands as that described in the following deeds to the Commonwealth of Pennsylvania:

(1) From the Capital Landing Field Company, dated January 6, 1936, and filed for record January 28, 1936, Tract Number 2 in York County Deed Book 26H, Page 624.

(2) From the United States, dated September 13, 1941, and filed for record, same date, in York County Deed Book 28V, Page 680.

(1 amended Dec. 6, 1985, P.L.322, No.84)

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

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

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

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

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.