
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1602 Session of
2005

INTRODUCED BY DeWEESE, MAY 27, 2005

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 22, 2005

AN ACT

1 Authorizing and directing the Department of General Services,
2 with the approval of the Governor, to grant and convey to
3 Basalt Trap Rock Company, a Maryland for-profit corporation,
4 or their assigns, certain lands, situate in Morgan and
5 Franklin Townships, Greene County, Pennsylvania.

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

8 Section 1. Conveyance in Morgan and Franklin Townships, Greene
9 County, Pennsylvania.

10 (a) Authorization.--The Department of General Services, with
11 the approval of the Governor, is authorized and directed on
12 behalf of the Commonwealth of Pennsylvania to grant and convey
13 to Basalt Trap Rock Company, or their assigns, all that certain
14 land and improvements thereon, known as the Waynesburg State
15 Correctional Institution, described in subsection (b) for
16 \$990,000.

17 (b) Description.--The property to be conveyed pursuant to
18 subsection (a) consists of approximately 117 acres described as

1 follows:

2 Beginning at a White Oak corner to lands of Warren Jacobs and
3 Stephen Crayne Estate, thence by lands of Stephen Crayne Estate
4 and Joseph Harding, north 54 degrees 36 minutes east 2212.77
5 feet to a point; thence by lands of Joseph Harding north 54
6 degrees 36 minutes east 529.32 feet to a point; thence by lands
7 of Ed Burnfield, north 10 degrees 6 minutes west 86.55 feet to a
8 point, thence by lands of W. H. R. Hoge Estate, north 74 degrees
9 7 minutes 30 seconds east 232.75 feet to a point, thence by the
10 same, north 56 degrees 55 minutes 30 seconds east 921.33 feet to
11 a point; thence by lands of John B. Harry, south 8 degrees 39
12 minutes east 131.82 feet to a point, thence by same, north 64
13 degrees 30 minutes east 898.6 to a White Oak; thence by same
14 south 43 degrees 15 minutes east 1445.4 feet to a point; thence
15 by lands of Ben Jacobs, south 22 degrees 45 minutes east 561
16 feet to a point, thence along Ten Mile Creek, north 87 degrees
17 24 minutes west 1389.79 feet to a point, thence by same south 6
18 degrees 30 minutes west 346.5 feet to a point, thence by lands
19 of Noah Sproat, north 81 degrees 15 minutes west 874.5 feet to a
20 point, thence by same north 64 degrees 13 minutes west 582.5
21 feet to a point, thence by same south 84 degrees 37 minutes west
22 63.35 feet to a point, thence by same south 46 degrees 13
23 minutes west 19.15 feet to a point, thence by same south 46
24 degrees 13 minutes west 2272.67 feet to a point, thence by lands
25 of Warren Jacobs, north 53 degrees 55 minutes west 921.2 feet to
26 a White Oak, the place of Beginning.

27 Containing: 117.0577 acres, more or less, according to a
28 survey made June, 1960, by Fred L. Miller, Registered Surveyor.

29 Being the same lands conveyed to the Commonwealth of
30 Pennsylvania by deed of the General State Authority, dated June

1 16, 1989, and recorded in Greene County Deed Book 74, page 895.

2 (c) Easements.--The conveyance shall be made under and
3 subject to all lawful and enforceable easements, servitudes and
4 rights of others, including streets; roadways; and rights of any
5 telephone, telegraph, water, electric, gas or pipeline
6 companies. The conveyance shall be subject to any lawful and
7 enforceable estates or tenancies vested in third persons
8 appearing of record, for any portion of the land or improvements
9 erected on the land.

10 (D) LAND USE RESTRICTION.--THE CONVEYANCE SHALL BE UNDER AND <—
11 SUBJECT TO THE CONDITION, WHICH SHALL BE CONTAINED IN THE DEED,
12 THAT NO PORTION OF THE PROPERTY BEING CONVEYED SHALL BE USED AS
13 A "LICENSED FACILITY" AS DEFINED IN 4 PA.C.S. § 1103 (RELATING
14 TO DEFINITIONS) OR FOR ANY OTHER SIMILAR TYPE OF FACILITY
15 AUTHORIZED UNDER STATE LAW. THE CONDITION SHALL BE A COVENANT
16 RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE GRANTEE, ITS
17 SUCCESSORS AND ASSIGNS. IF ANY GRANTEE, ITS SUCCESSORS OR
18 ASSIGNS, PERMIT THE PROPERTY AUTHORIZED TO BE CONVEYED IN THIS
19 SECTION, OR ANY PORTION OF THE PROPERTY, TO BE USED IN VIOLATION
20 OF THIS SUBSECTION, THE TITLE SHALL IMMEDIATELY REVERT TO AND
21 REVEST IN THE GRANTOR.

22 ~~(d)~~ (E) Execution.--The deed of conveyance shall be by <—
23 special warranty deed and shall be executed by the Secretary of
24 General Services in the name of the Commonwealth.

25 ~~(e)~~ (F) Costs and fees.--Costs and fees incidental to this <—
26 conveyance shall be borne by the grantee.

27 ~~(f)~~ (G) Nonconveyance.--In the event that this conveyance is <—
28 not executed within six months of the effective date of this
29 act, the property may be disposed of in accordance with section
30 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as

- 1 The Administrative Code of 1929.
- 2 Section 2. Effective date.
- 3 This act shall take effect immediately.