

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 792 Session of 2009

INTRODUCED BY GOODMAN, SEIP, BRENNAN, GROVE, HALUSKA, HESS,
KORTZ, KOTIK, KULA, MAHONEY, MILLARD, PHILLIPS, SCAVELLO,
SIPTROTH, STABACK, STEVENSON AND VULAKOVICH, MARCH 9, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 9, 2009

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor and the Department of Corrections,
3 to grant and convey to Schuylkill County certain lands
4 situate in Ryan Township, Schuylkill County.

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

7 Section 1. Conveyance in Ryan Township, Schuylkill County.

8 (a) Authorization.--The Department of General Services, with
9 the approval of the Governor and the Department of Corrections,
10 is hereby authorized on behalf of the Commonwealth of
11 Pennsylvania to grant and convey to Schuylkill County
12 approximately 4.748-acres of vacant land together with a 50 foot
13 wide ingress and egress easement as described in subsection (b)
14 for \$48,000.00 and under terms and conditions to be established
15 in an Agreement of Sale with the Department of General Services.

16 (b) Description.--The property to be conveyed, pursuant to
17 this section consists of approximately 4.748 acres of land
18 thereon more particularly described as follows:

1 BEGINNING at a point, an iron pin at the intersection of the
2 south right-of-way line of Prison Road, a proposed 50' wide
3 right-of-way, and the east right-of-way line of PP&L Company;
4 said point being located, S 51-37-36E - 72.13' and S 51-37-36
5 E-108.47' from a disk at the intersection of the south right-of-
6 way line of Interstate 81 and the east right-of-way line of PP&L
7 Company; thence from the place of beginning along the above-
8 mentioned proposed south right-of-way line of Prison Road for
9 the following:

10 1. Along a curve to the right having:

11 Angle, 01-50-20

12 Radius, 675.00'

13 Tangent, 10.83'

14 Length, 21.66'

15 Chord, S 78-58-10 E-21.66' to a point,

16 2. S 78-03-00 E-92.05' to a point,

17 3. Along a curve to the left, having:

18 Angle, 17-35-59

19 Radius, 765.00'

20 Tangent, 118.43'

21 Length, 234.99'

22 Chord, S 86-51-00 E-234.07' to a point,

23 4. N 84-21-00 E - 309.52' to an iron pin,

24 at a common corner with the proposed south right-of-way line of
25 Prison Road; thence continuing through said Commonwealth of
26 Pennsylvania Department of General Services property, S 17-17-00
27 E-710.82' to an iron pin on the said east right-of-way line of
28 PP&L Company; thence continuing through the same and along PP&L
29 Company east right-of-way line, N 51-37-36 W - 1102.35' to the
30 place of beginning.

DESCRIBED PARCEL being shown as Parcel 1 on the Lot Plan for the County of Schuylkill Pre-Release Facility Subdivision prepared by WJP Engineers.

DESCRIBED PARCEL being a portion of property of the Commonwealth of Pennsylvania Department of General Services as shown on deed dated October 13, 1983, as recorded in Schuylkill County Deed Book 1336, Page 128, and identified in County Tax Assessment records as UPI No. 26-06-15.

CONTAINING 4.748-acres or 206,832 square feet.

TOGETHER with an ingress and egress easement along and across a proposed 50' right-of-way as proposed for the existing Prison Access Road, crossing Commonwealth of Pennsylvania Department of General Services property, bounded and described as follows:

BEGINNING at a point, at the intersection of the proposed north right-of-way line of Prison Road and the east right-of-way line of an unnamed access road, said point being located, S 41-59-39 E-75.81' from a disk located at the northwest corner of Commonwealth of Pennsylvania Department of General Services property; thence from the place of beginning through Commonwealth of Pennsylvania Department of General Services property for the following:

1. N 49-09-56 E - 106.99' to a point,
2. Along a curve to the right, having:
 - Angle, 35-11-04
 - Radius, 300.00'
 - Tangent, 95.12'
 - Length, 184.22'
 - Chord, N 66-45-28 E-181.34' to a point.

on the south right-of-way line of Interstate 81; thence partly along the south right-of-way line of Interstate 81 and partly

through Commonwealth of Pennsylvania Department of General Services property, N 84-21-00 E-781.21' to a survey disk; thence continuing through Commonwealth of Pennsylvania Department of General Services property for the following:

1. Along a curve to the right, having:

Angle, 17-35-59

Radius, 725.00'

Tangent, 112.23'

Length, 222.70'

Chord, S 86-51-00 E-221.83' to a point,

2. S 78-03-00 E-92.05' to a point,

3. Along a curve to the left, having:

Angle, 17-35-59

Radius, 715.00'

Tangent, 110.69'

Length, 219.63'

Chord, S 86-51-00 E-218.77' to a point,

4. N 84-21-00 E-299.23' to a point,

5. S 17-17-00 E-51.05' to an iron pin,

at a common corner with the proposed northeast corner of Parcel 1 of the County of Schuylkill Pre-Release Facility Subdivision; thence partly along said Parcel 1 and continuing through Commonwealth of Pennsylvania Department of General Services property for the following:

1. S 84-21-00 W - 309.52' to a point,

2. Along a curve to the right, having:

Angle, 17-35-59

Radius, 765.00'

Tangent, 118.43'

Length, 234.99'

1 Chord, N 86-51-00 W-234.07' to a point,
2 3. N 78-03-00 W-92.05' to a point,
3 4. Along a curve to the left, having:
4 Angle, 17-35-59
5 Radius, 675.00'
6 Tangent, 104.49'
7 Length, 207.34'
8 Chord, N 86-51-00 W-206.53 to a point,
9 5. S 84-21-00 W-781.21' to a point,
10 6. Along a curve to the left, having:
11 Angle, 35-11-04
12 Radius, 250.00'
13 Tangent, 79.27'
14 Length, 153.52'
15 Chord, S 66-45-28 W-151.12' to a point,
16 7. S 49-09-56 W-105.97' to a point,
17 On the above-mentioned east right-of-way line of an unnamed
18 access road; thence along said right-of-way line, N 41-59-39 W -
19 50.01' to the place of beginning.

20 DESCRIBED PARCEL being a portion of property of the
21 Commonwealth of Pennsylvania Department of General Services by
22 deed dated October 13, 1983, recorded in Schuylkill County Deed
23 Book 1336, Page 128, and identified in County Tax Assessment
24 records in UPI No. 26-06-0014, 26-06-0015 and 26-06-0007.

25 CONTAINING 2.176-acres or 94,766 square feet.

26 (c) Easements.--The conveyance shall be made under and
27 subject to all lawful and enforceable easements, servitudes and
28 rights of others, including but not confined to streets,
29 roadways and rights of any telephone, telegraph, water,
30 electric, gas or pipeline companies, as well as under and

1 subject to any lawful and enforceable estates or tenancies
2 vested in third persons appearing of record, for any portion of
3 the land or improvements erected thereon.

4 (d) Restriction.--The conveyance authorized under this
5 section shall be made under and subject to the condition, which
6 shall be contained in the deed of conveyance, that no portion of
7 the property conveyed shall be used as a licensed facility, as
8 defined in 4 Pa.C.S. § 1103 (relating to definitions), or any
9 other similar type of facility authorized under State law. The
10 condition shall be a covenant running with the land and shall be
11 binding upon the Grantee, its successors and assigns. Should the
12 Grantee, its successors or assigns, permit any portion of the
13 property authorized to be conveyed in this section to be used in
14 violation of this subsection, the title shall immediately revert
15 to and revest in the Grantor.

16 (e) Deed of conveyance.--The deed of conveyance shall be
17 executed by the Secretary of General Services in the name of the
18 Commonwealth of Pennsylvania.

19 (f) Costs and fees.--Costs and fees incidental to this
20 conveyance shall be borne by the Grantee.

21 (g) Expiration of authorization.--In the event that an
22 agreement of sale between the parties is not executed within two
23 years of the effective date of this section, the authorization
24 contained in this section shall expire.

25 Section 2. Effective date.

26 This act shall take effect immediately.