

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2088 Session of
1999

INTRODUCED BY FAIRCHILD, NOVEMBER 16, 1999

SENATOR LEMMOND, STATE GOVERNMENT, AS AMENDED, APRIL 11, 2000

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to grant a water line right-of-way
3 in Penn Township, Snyder County, Pennsylvania. ~~and~~ <—
4 ~~authorizing the Department of General Services, with the~~
5 ~~approval of the Governor, to grant and convey certain tracts~~
6 ~~of land situate in the City of Philadelphia, Pennsylvania.~~

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

9 ~~Section 1. Water line right of way in Penn Township, Snyder~~ <—
10 ~~County.~~

11 ~~(a) The Department of General Services with the approval~~

12 SECTION 1. THE DEPARTMENT OF GENERAL SERVICES WITH THE <—
13 APPROVAL of the Governor, is hereby authorized, on behalf of the
14 Commonwealth of Pennsylvania, to grant the following water line
15 right-of-way to the Penn Township Municipal Authority of
16 Selinsgrove, Pennsylvania, for a consideration of two no-cost
17 tap ins to the water line for the Commonwealth of Pennsylvania
18 and/or the successor holders of title for the property traversed
19 by the right-of-way. The water line right-of-way is bounded and

1 described as follows:

2 BEING a strip of ground of variable width, contiguous with
3 the eastern right-of-way of S.R. 1011 through lands of the
4 Commonwealth of Pennsylvania. More accurately described as
5 follows:

6 BEGINNING AT A POINT, said point being on the eastern right-
7 of-way S.R. 1011 at the intersection with the southern line of
8 lands of the Commonwealth of Pennsylvania;

9 THENCE, along the eastern right-of-way of S.R. 1011 (16.5
10 feet from centerline) by the seven (7) following courses and
11 distances,

12 1.) North 37 degrees 28 minutes 35 seconds West, 38.16 feet
13 to a point;

14 2.) Along a curve to the left with a radius of 1311.50 feet,
15 a central angle of 13 degrees 41 minutes 33 seconds, along the
16 arc of said curve for a distance of 313.42 feet, the long chord
17 of which bears North 44 degrees 17 minutes 21 seconds West for a
18 distance of 312.68 feet, to a point;

19 3.) North 51 degrees 08 minutes 08 seconds West, 1109.21
20 feet to a point;

21 4.) Along a curve to the right with a radius of 1014.59
22 feet, a central angle of 14 degrees 13 minutes 44 seconds, along
23 the arc of said curve for a distance of 251.96 feet, the long
24 chord of which bears North 44 degrees 01 minute 17 seconds West
25 for a distance of 251.32 feet, to a point;

26 5.) North 36 degrees 54 minutes 25 seconds West, 463.39 feet
27 to a point;

28 6.) North 35 degrees 30 minutes 30 seconds West, 135.17 feet
29 to a point;

30 7.) Along a curve to the right with a radius of 50.00 feet,

1 a central angle of 79 degrees 47 minutes 33 seconds, along the
2 arc of said curve for a distance of 69.63 feet, the long chord
3 of which bears North 03 degrees 55 minutes 15 seconds West for a
4 distance of 64.14 feet, to a point on the southern right-of-way
5 of S.R. 522;

6 THENCE, through lands of the Commonwealth of Pennsylvania the
7 nine (9) following courses and distances;

8 1.) Along a curve to the left with a radius of 185.00 feet,
9 a central angle of 30 degrees 34 minutes 36 seconds, along the
10 arc of said curve for a distance of 98.73 feet, the long chord
11 of which bears South 19 degrees 41 minutes 25 seconds East for a
12 distance of 97.56 feet, to a point;

13 2.) South 34 degrees 58 minutes 43 seconds East, 92.84 feet
14 to a point;

15 3.) South 37 degrees 34 minutes 32 seconds east, 461.11 feet
16 to a point;

17 4.) Along a curve to the left with a radius of 1138.04 feet,
18 a central angle of 12 degrees 27 minutes 04 seconds, along the
19 arc of said curve for a distance of 247.31 feet, the long chord
20 of which bears South 43 degrees 48 minutes 05 seconds East for a
21 distance of 246.82 feet to a point;

22 5.) South 51 degrees 12 minutes 20 seconds East, 525.38 feet
23 to a point;

24 6.) South 50 degrees 50 minutes 54 seconds East, 583.83 feet
25 to a point;

26 7.) Along a curve to the right with a radius of 939.82 feet,
27 a central angle of 19 degrees 21 minutes 30 seconds, along the
28 arc of said curve for a distance of 317.53 feet, the long chord
29 of which bears South 43 degrees 47 minutes 27 seconds East for a
30 distance of 316.03 feet, to a point;

1 8.) South 37 degrees 02 minutes 46 seconds East, 18.45 feet,
2 to a point;

3 9.) South 05 degrees 06 minutes 28 seconds East, 23.33 feet,
4 to the point of beginning.

5 CONTAINING 0.91 Acres (39,822 Sq. Ft.)

6 ~~(b)~~ SECTION 2. The right-of-way agreement shall have a <—
7 clause that requires the grantee to design and install the water
8 line in a manner that in no way hinders the use of the surface
9 of the right-of-way by the Commonwealth and/or successor holders
10 of title for the property for paved or unpaved parking lots
11 and/or paved or unpaved entrances to the property from S.R.
12 1011.

13 ~~(c)~~ SECTION 3. The right-of-way agreement shall be approved <—
14 as provided by law and shall be executed by the Secretary of
15 General Services in the name of the Commonwealth of
16 Pennsylvania.

17 ~~(d)~~ SECTION 4. Costs and fees incidental to this conveyance <—
18 shall be borne by the grantee.

19 ~~(e)~~ SECTION 5. This grant shall not be construed to relieve <—
20 the grantee from complying with the requirements of the act of
21 December 10, 1974 (P.L.852, No.287), referred to as the
22 Underground Utility Line Protection Law, nor to authorize any
23 impairment of preexisting property rights.

24 ~~Section 2. Conveyance of certain tracts in City of~~ <—
25 ~~Philadelphia.~~

26 ~~(a) The Department of General Services, with the approval of~~
27 ~~the Governor, is hereby authorized and directed on behalf of the~~
28 ~~Commonwealth of Pennsylvania to grant and convey the following~~
29 ~~tracts of land situate in the City of Philadelphia,~~
30 ~~Pennsylvania, more particularly bounded and described as~~

1 follows:

2 TRACT NO. 1

3 ~~Beginning at a point of intersection of the northeasterly~~
4 ~~side of Southampton Road (60 feet wide) and the northwesterly~~
5 ~~side of Roosevelt Boulevard (254 feet wide S.R. 0001); thence~~
6 ~~along the northeasterly side of Southampton Road North 42~~
7 ~~degrees 54 minutes 40 seconds West, a distance of 200.031 feet~~
8 ~~to a point; thence by a line being 200.00 feet northwest and~~
9 ~~parallel with Roosevelt Boulevard along lands of the~~
10 ~~Philadelphia State Hospital North 48 degrees 05 minutes 49~~
11 ~~seconds East a distance of 2370.634 feet to a point common to~~
12 ~~lands of the Philadelphia State Hospital and other lands of~~
13 ~~Benjamin Rush State Park; thence along other lands of Benjamin~~
14 ~~Rush State Park South 86 degrees 45 minutes 07 seconds East a~~
15 ~~distance of 282.100 feet to the northwesterly side of Roosevelt~~
16 ~~Boulevard; thence by the same South 48 degrees 05 minutes 49~~
17 ~~seconds West a distance of 2566.065 feet to a point at the~~
18 ~~intersection of the northeasterly side of Southampton Road with~~
19 ~~the northwesterly side of Roosevelt Boulevard place of~~
20 ~~beginning.~~

21 ~~Containing 11.3331 acres of land.~~

22 TRACT NO. 2

23 ~~Beginning at a point on the southeasterly side of Carter Road~~
24 ~~(46.5 feet wide), said corner being further defined as being~~
25 ~~North 41 degrees 04 minutes 22 seconds East a distance of~~
26 ~~1142.357 feet from the intersection of the Southeasterly side of~~
27 ~~Carter Road with the northeasterly side of Southampton Road;~~
28 ~~thence from said point of beginning along the Southeasterly side~~
29 ~~of said Carter Road North 41 degrees 04 minutes 22 seconds East,~~
30 ~~a distance of 261.028 feet to a point; thence by same North 46~~

~~1 degrees 06 minutes 32 seconds East, a distance of 929.351 feet
2 to a point on the southeasterly side of Carter Road and being a
3 corner of other lands of Benjamin Rush State Park; thence by
4 said other lands of Benjamin Rush State Park South 43 degrees 39
5 minutes 11 seconds East, a distance of 201.605 feet to a point
6 common to other lands of Benjamin Rush State Park and lands of
7 the Philadelphia State Hospital; thence by lands of said
8 Philadelphia State Hospital South 46 degrees 06 minutes 32
9 seconds West 919.647 feet to a point; thence by same South 41
10 degrees 04 minutes 22 seconds West, a distance of 277.530 feet
11 to a point; thence by same North 41 degrees 41 minutes 49
12 seconds West a distance of 201.603 feet to a point on the
13 southeasterly side of Carter Road, place of beginning.~~

~~14 Containing 5.5199 acres of land.~~

~~15 TRACT NO. 3~~

~~16 Beginning at a point on the Southeasterly side of an access
17 road between the West units and North units of the Philadelphia
18 State Hospital Complex being a common corner of lands of said
19 Philadelphia State Hospital and lands of Benjamin Rush State
20 Park, said point of beginning also being the following two (2)
21 courses and distances from the Northeast corner of Tract No. 1
22 previously described herein: (1) North 86 degrees 54 minutes 11
23 seconds West, a distance of 159.687 feet to a point and (2)
24 North 41 degrees 54 minutes 11 seconds West, a distance of
25 382.747 feet to place of beginning; thence by lands of the
26 Philadelphia State Hospital North 41 degrees 54 minutes 11
27 seconds West 141.421 feet to a point; thence by the same North
28 03 degrees 05 minutes 49 seconds East, a distance of 159.687
29 feet to a point; thence by the same North 48 degrees 05 minutes
30 49 seconds East, a distance of 141.421 feet to a point common to~~

~~lands of the Philadelphia State Hospital and other lands of Benjamin Rush State Park; thence by other lands of Benjamin Rush State Park South 03 degrees 05 minutes 49 seconds West, a distance of 359.687 feet to a point, the place of beginning.~~

~~Containing 0.5961 acre of land.~~

~~(b) The three tracts or parts thereof may be offered together or separately.~~

~~(c) Notwithstanding the provisions of Article XXIV A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, the Department of General Services shall, through sealed bids, auction or request for proposal, select the purchaser of the tracts and sell the property. Acceptance of an offer shall be subject to a minimum price requirement as established by the Department of General Services which shall be within a range of fair market value as established through independent appraisal. Proposals submitted in response to a request for proposal must demonstrate a value to the Commonwealth equivalent to the fair market value range as established by the Department of General Services through independent appraisal. In establishing the value equivalent, the Department of General Services shall consider the following factors: actual monetary consideration, creation of construction jobs, creation of permanent jobs, expansion of local tax base, economic growth, community development, highest and best use and public purpose.~~

~~(d) 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~~

1 ~~vested in third persons, appearing of record, for any portion of~~
2 ~~the land or improvements erected thereon.~~

3 ~~(e) The deed of conveyance shall be approved as provided by~~
4 ~~law and shall be executed by the Secretary of General Services~~
5 ~~in the name of the Commonwealth of Pennsylvania.~~

6 ~~(f) Prior to execution of a deed of conveyance the~~
7 ~~Department of General Services shall demolish all buildings~~
8 ~~located on the following tract of land situate in the Fifty~~
9 ~~eighth Ward of the City of Philadelphia, more particularly~~
10 ~~bounded and described as follows:~~

11 ~~BEGINNING at a point on the southwesterly side of Southampton~~
12 ~~road (sixty feet wide) the two following courses and distances~~
13 ~~from the northwesterly side of The Roosevelt boulevard (two~~
14 ~~hundred fifty four feet wide): (1) north forty two degrees~~
15 ~~fifty four minutes forty seconds west along the southwesterly~~
16 ~~side of said Southampton road the distance of eight hundred~~
17 ~~seventy three and three hundred thirty five feet to an angle~~
18 ~~point; and (2) north forty five degrees six minutes forty~~
19 ~~seconds west along the southwesterly side of said Southampton~~
20 ~~road the distance of two hundred six and one hundred sixty eight~~
21 ~~one thousandths feet to said beginning point; thence extending~~
22 ~~south forty eight degrees forty six minutes fifty seconds west~~
23 ~~the distance of nine hundred seventy one and sixty nine one~~
24 ~~thousandths feet to a point; thence extending north forty four~~
25 ~~degrees forty six minutes fifty four seconds west the distance~~
26 ~~of nine hundred fifty seven and four hundred seventy four one~~
27 ~~thousandths feet to a point; thence extending north forty three~~
28 ~~degrees nine minutes one second east the distance of nine~~
29 ~~hundred fifty nine and seven hundred sixty seven one thousandths~~
30 ~~feet to a point on the southwesterly side of said Southampton~~

1 ~~road; thence extending south fifty four degrees ten minutes~~
2 ~~eight seconds east along the southwesterly side of said~~
3 ~~Southampton road the distance of twenty five and four hundred~~
4 ~~one thousandths feet to an angle point; thence extending south~~
5 ~~forty five degrees six minutes forty seconds east along the~~
6 ~~southwesterly side of said Southampton road the distance of one~~
7 ~~thousand twenty seven and four hundred one one thousandths feet~~
8 ~~to a point, being the first mentioned point and place of~~
9 ~~beginning.~~

10 ~~CONTAINING in area nine hundred seventy thousand nine hundred~~
11 ~~thirty eight square feet or twenty two and two thousand eight~~
12 ~~hundred seventy four ten thousandths acres.~~

13 ~~(g) The cost and fees incurred by the Department of General~~
14 ~~Services for preparing the property for sale, including, but not~~
15 ~~limited to, environmental assessments, marketing services, title~~
16 ~~searches, advertising, appraisals, auctioneer fees and surveys,~~
17 ~~shall be deducted from the purchase price, and that amount shall~~
18 ~~be an executively authorized augmentation to the appropriation~~
19 ~~from which the costs and fees were paid by the department.~~

20 ~~(h) The tracts and parcels of land described in this act and~~
21 ~~the jurisdiction and control over the same herein authorized to~~
22 ~~be transferred shall be transferred free and clear of any~~
23 ~~limitations or rights of reversion more particularly set forth~~
24 ~~in section 1 of the act of September 29, 1938 (Sp.Sess., P.L.53,~~
25 ~~No.21), entitled "An act relating to institutions of counties,~~
26 ~~cities, wards, boroughs, townships, institution districts and~~
27 ~~other political subdivisions, for the care, maintenance, and~~
28 ~~treatment of mental patients; providing for the transfer to the~~
29 ~~Commonwealth for the care, maintenance and treatment of mental~~
30 ~~patients of such institutions, and all grounds, lands, buildings~~

~~and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws."~~

~~Section 3.— Effective date.~~

~~This act shall take effect immediately.~~

SECTION 6. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

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