

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 178

Session of
1983

INTRODUCED BY LIVENGOD, D. R. WRIGHT, STEWART, CLARK,
LESCOVITZ, VAN HORNE AND PETRARCA, FEBRUARY 7, 1983

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, OCTOBER 17, 1983

AN ACT

1 Authorizing and directing the Department of General Services and
2 the Department of Environmental Resources, with the approval
3 of the Governor, to convey to Armstrong County an island
4 situate in the Allegheny River near the Borough of
5 Kittanning.

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

8 Section 1. The Department of General Services and the
9 Department of Environmental Resources, with the approval of the
10 Governor, is hereby authorized and directed on behalf of the
11 Commonwealth of Pennsylvania, to grant and convey for a
12 consideration of ~~\$1~~ \$50, THE AMOUNT EQUAL TO 1/2 OF THE FAIR <—
13 MARKET VALUE, to Armstrong County an island situate in the
14 Allegheny River near the Borough of Kittanning, described as
15 follows:

16 Beginning at a point on the northeast corner of the island
17 located approximately 150.0 feet from the bank of the Allegheny
18 River at mile 45.5 approximately 500.0 feet south and downstream

1 of Lock No. 7; thence west a distance of approximately 82.5 feet
2 to a point; thence southwest a distance of approximately 577.5
3 feet; thence east a distance of approximately 165.0 feet; thence
4 northeast a distance of approximately 495.0 feet to the point
5 and place of beginning containing approximately 1.3 acres of
6 land.

7 The conveyance shall be made under and subject to all
8 easements, servitudes and rights of others, as well as under and
9 subject to any interest, estates or tenancies vested in third
10 persons, whether or not appearing of record, for any portion of
11 the land.

12 Section 2. The deed of conveyance shall contain clauses that
13 provide as follows:

14 (1) All rights and interests of the United States of
15 America and the Commonwealth of Pennsylvania in navigable
16 waters shall be retained and protected.

17 (2) The island shall at all times be maintained in its
18 natural state.

19 (3) The boundaries of the island if enlarged by
20 accretion shall only extend to the ~~low water mark of the~~ <—
21 ~~Allegheny River.~~ NORMAL POOL ELEVATION OF 769.0 FEET ABOVE <—
22 MEAN SEA LEVEL.

23 (4) The island shall be known as the Isle of White.

24 (5) The island shall be used only for recreational
25 purposes and if at any time Armstrong County or its successor
26 in function conveys the island or permits the property to be
27 used contrary to these restrictions, the title thereto shall
28 immediately revert to and revest in the Commonwealth of
29 Pennsylvania.

30 Section 3. The deed of conveyance shall be approved as

1 provided by law and shall be executed by the Secretary of
2 General Services in the name of the Commonwealth of
3 Pennsylvania.

4 Section 4. Costs and fees incidental to this conveyance
5 shall be borne by the grantee.

6 Section 5. This act shall take effect immediately.