

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE BILL

## No. 2368

Session of  
1984

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INTRODUCED BY FLICK, PITTS, E. Z. TAYLOR, VROON, HERSHEY AND  
MORRIS, JUNE 27, 1984

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AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
OCTOBER 3, 1984

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## AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor and the Department of Health, to  
3 convey two tracts of land located in Westtown Township,  
4 Chester County, Pennsylvania, to Gaudenzia, Inc., a not-for-  
5 profit corporation, and the Township of Westtown.

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

8 Section 1. Conveyance to Gaudenzia, Inc.

9 The Department of General Services is authorized, with the  
10 approval of the Governor and the Department of Health, to convey  
11 to Gaudenzia, Inc., a not-for-profit Pennsylvania corporation,  
12 upon demonstration of equivalent or greater return to the  
13 Commonwealth within five years due to the ongoing program for  
14 care of and service to addicted persons as prescribed in section  
15 2405-A(3) of the act of April 9, 1929 (P.L.177, No.175), known  
16 as The Administrative Code of 1929, a tract of land with the  
17 buildings and improvements thereon, situate in Westtown  
18 Township, Chester County, Pennsylvania, hereinafter described,

1 together with the following easements and subject to the  
2 following conditions and restrictions:

3 Beginning at a point in the title line in the bed of Concord  
4 Road, which point is a corner in the property line of J. C.  
5 Smith Memorial Home; thence along the south property line of  
6 said memorial home, crossing a monument at the edge of Concord  
7 Road, south 66 degrees 42 minutes west 1060.47 feet to a  
8 railroad spike; thence along same north 22 degrees 29 minutes 20  
9 seconds west 60.00 feet to another railroad spike; thence along  
10 tract about to be conveyed to Westtown Township, the following 8  
11 courses and distances:

12 (1) South 57 degrees 48 minutes 02 seconds west 446.28  
13 feet to an iron pin.

14 (2) South 08 degrees 03 minutes 20 seconds east 135.26  
15 feet to an iron pin.

16 (3) North 86 degrees 03 minutes 50 seconds east 396.85  
17 feet to an iron pin.

18 (4) South 71 degrees 18 minutes 23 seconds east 110.42  
19 feet to a railroad spike.

20 (5) South 23 degrees 18 minutes east 105.00 feet to an  
21 iron pin.

22 (6) North 66 degrees 42 minutes east 425.00 feet to an  
23 iron pin.

24 (7) North 04 degrees 49 minutes 14 seconds west 216.15  
25 feet to an iron pin.

26 (8) North 66 degrees 42 minutes east (crossing an iron  
27 pin at the edge of Concord Road) 605.11 feet to a point in  
28 the title line in the bed of Concord Road; thence in and  
29 along said road north 27 degrees 44 minutes west 245.74 feet  
30 to the point and place of beginning.

1       Containing 10.83 acres more or less.

2       Together with the right, liberty and privilege of ingress,  
3 egress and regress as and for a roadway 25 feet wide over an  
4 existing road to and from East ~~Pleasant~~ PLEASANT Grove Road, the <—  
5 westerly line of which is described from the iron pin at the end  
6 of the 5th and beginning of the 6th course and distance above  
7 defined as following: south 21 degrees 50 minutes 05 seconds  
8 east 239.80 feet to a bend in the road; thence south 40 degrees  
9 33 minutes 07 seconds east 256.50 feet to the north right-of-way  
10 line of East ~~Pleasant~~ PLEASANT Grove Road; subject to the <—  
11 obligation of maintenance and repair. Said right, liberty and  
12 privilege shall exist only until such time as public sewage  
13 services are available to service the above property to be  
14 conveyed to Gaudenzia, Inc.

15       Also together with such easements for and access rights to  
16 all existing water, sewer and drainage pipes servicing, as well  
17 as for and to any replacement pipes necessary to serve,  
18 including installation and connection thereof to public lines,  
19 the above property and facilities about to be conveyed to  
20 Gaudenzia, Inc. Upon conveyance to Gaudenzia, Inc., the owner of  
21 the remaining 38.26 acres will permit Gaudenzia, Inc. to  
22 continue using the existing water tower for a maximum of six  
23 months after the date of conveyance to Gaudenzia, Inc.

24       Also together with an easement and access right to and from  
25 the existing sewage treatment plant located south of the above  
26 described tract and west of the 25 foot roadway, subject to the  
27 obligation of maintenance and repair, said easement and access  
28 rights to exist only until such time as public sewage services  
29 are available to service the above property to be conveyed to  
30 Gaudenzia, Inc.

1 Section 2. Conveyance to Township of Westtown.

2 The Department of General Services is further authorized,  
3 with the approval of the Governor and the Department of Health,  
4 to convey to the Township of Westtown, Chester County, for a sum  
5 of \$181,750, which consideration is equal to one-half the fair  
6 market value of the land, a tract of land with the improvements  
7 thereon situate in Westtown Township, Chester County,  
8 Pennsylvania, hereinafter described, subject to the following  
9 easements and restrictions:

10 Beginning at the point of intersection of the title line in  
11 the bed of East ~~Pleasant~~ PLEASANT Grove Road and the title line <—  
12 in the bed of Concord Road; thence extending along the title  
13 line in the bed of East ~~Pleasant~~ PLEASANT Grove Road, the 6 <—  
14 following courses and distances:

15 (1) South 67 degrees 45 minutes west 540.40 feet to a  
16 point.

17 (2) South 67 degrees 34 minutes west 314.70 feet to a  
18 point.

19 (3) South 53 degrees 49 minutes west 213.27 feet to a  
20 point in the bed of a 25-foot-wide easement.

21 (4) Continuing along the title line in the bed of East  
22 ~~Pleasant~~ PLEASANT Grove Road south 46 degrees 54 minutes west <—  
23 419.46 feet to a point.

24 (5) South 58 degrees 22 minutes west 281.90 feet to a  
25 point.

26 (6) South 55 degrees 21 minutes west 203.90 feet to an  
27 existing spike a corner of land of Westtown Woods  
28 Development; thence extending along same and lands of  
29 Margaret S. Goodwin, north 08 degrees 03 minutes 20 seconds  
30 west 2710.45 feet to an existing monument; thence extending

1 along land of Margaret S. Goodwin north 31 degrees 19 minutes  
2 east 144.69 feet to a point a corner of lands of J. C. Smith  
3 Memorial Home; thence extending along same and partly through  
4 the bed of a private drive and partly through a 15-foot-wide  
5 easement south 22 degrees 29 minutes 20 seconds east 1466.20  
6 feet;

7 thence along the property about to be conveyed to Gaudenzia,  
8 Inc., the following 8 courses and distances:

9 (1) South 57 degrees 48 minutes 02 seconds west 446.28  
10 feet.

11 (2) South 08 degrees 03 minutes 20 seconds east 135.26  
12 feet.

13 (3) North 86 degrees 03 minutes 50 seconds east 396.85  
14 feet.

15 (4) South 71 degrees 18 minutes 23 seconds east, 110.42  
16 feet.

17 (5) South 23 degrees 18 minutes east 105.00 feet.

18 (6) North 66 degrees 42 minutes east 425.00 feet.

19 (7) North 04 degrees 49 minutes 14 seconds west 216.15  
20 feet.

21 (8) North 66 degrees 42 minutes east 605.11 feet to a  
22 point in the title line in the bed of Concord Road;

23 thence in and along same the following 2 courses and distances:

24 (1) South 27 degrees 44 minutes east 321.67 feet to a  
25 monument.

26 (2) South 27 degrees 02 minutes 30 seconds east 351.97  
27 feet to the point and place of beginning.

28 Containing 38.26 acres more or less.

29 Under and subject to an easement for ingress and egress over  
30 an existing road to and from East Pleasant Grove Road for the

1 benefit of Gaudenzia, Inc., and its successors in title, until  
2 such time as public sewage services are available to service the  
3 property about to be conveyed to Guadenzia, Inc. The western  
4 line of said easement of a width of 25 feet for access to East  
5 ~~Pleasant~~ PLEASANT Grove Road is described as follows: <—

6 Beginning at an interior point which is measured from the  
7 centerline of Concord Road the following 3 courses and  
8 distances: south 66 degrees 42 minutes west 605.11 feet, south  
9 04 degrees 49 minutes 14 seconds east 216.15 feet and south 66  
10 degrees 42 minutes west 425.00 feet to the point of beginning;  
11 thence south 21 degrees 50 minutes 05 seconds east 239.80 feet;  
12 thence south 40 degrees 33 minutes 07 seconds east 256.50 feet  
13 to the north right-of-way line of East ~~Pleasant~~ PLEASANT Grove <—  
14 Road.

15 Also subject to an easement and access right to and from the  
16 existing sewage treatment plant until public sewage services are  
17 available to service the property about to be conveyed to  
18 Gaudenzia, Inc.

19 Subject to easements for and access rights to all existing  
20 and future water, sewer and drainage pipes servicing the  
21 property and facilities about to be conveyed to Gaudenzia, Inc.,  
22 the conveyance of the 38.26 acres, hereinabove described, is  
23 conditioned upon the right of Gaudenzia, Inc. to continue using  
24 the existing water tower for a maximum of 6 months after the  
25 date of conveyance to Gaudenzia, Inc.

26 Subject to the restriction, that the hereinabove described  
27 property shall not be used for laying out lots or tracts for  
28 development and subject to the covenant and condition that no  
29 part of the above described 38.26 acres shall be used for  
30 building or constructing residences by or under the Township of

1 Westtown, its successors or assigns, which covenant shall run  
2 with the land and bind any party in title whether or not  
3 subdivided.

4 Section 3. Title source.

5 Tracts 1 and 2 described in sections 1 and 2 are the same  
6 premises which the General State Authority, by deed, dated  
7 January, 1984 and intended to be recorded, granted and conveyed  
8 to the Commonwealth of Pennsylvania in fee, for the use of the  
9 Department of Health.

10 SECTION 4. UTILIZATION OF PROCEEDS. <—

11 THE PROCEEDS OF THE SALE DESCRIBED IN SECTION 2 SHALL BE PAID  
12 INTO THE STATE TREASURY AND DEPOSITED IN THE CAPITAL FACILITIES  
13 REDEMPTION FUND.

14 Section 4 5. Utilization and reversion. <—

15 (a) Tract 1.--The conveyance in section 1 shall be subject  
16 to the condition that Gaudenzia, Inc. and its successors in  
17 title shall not use the described property for any other purpose  
18 except for public health and social services rendered to the  
19 Commonwealth and to its citizens, and shall not transfer or  
20 convey the above property for any other purpose; in the event  
21 Gaudenzia, Inc. or a successor in title uses the premises for  
22 any other purpose than for public health and social services, or  
23 shall transfer or convey the premises for any other purpose, the  
24 above property shall immediately revert to the Commonwealth.

25 (b) Tract 2.--The deed of conveyance for the lands as  
26 described in section 2 shall also contain a clause that the  
27 lands conveyed shall be used for open space, agricultural and  
28 recreational purposes by the Township of Westtown and if at any  
29 time, the said Township of Westtown or its successor in function  
30 uses or authorizes or permits said property to be used or

1 conveys said property for any purpose other than open space,  
2 agricultural or recreational purposes, the title thereto shall  
3 immediately revert to and revest in the Commonwealth of  
4 Pennsylvania.

5 Section ~~5~~ 6. Costs and fees. <—

6 Costs and fees relating to the title searches and preparation  
7 and recording of deeds and settlement shall be borne by the  
8 respective grantees.

9 Section ~~6~~ 7. Execution of deeds. <—

10 The execution and acknowledgments and the deeds of conveyance  
11 shall be signed and approved as provided by law.

12 Section ~~7~~ 8. Effective date. <—

13 This act shall take effect immediately.