

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1201 Session of  
1997

INTRODUCED BY JUBELIRER, NOVEMBER 21, 1997

REFERRED TO STATE GOVERNMENT, NOVEMBER 21, 1997

AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to sell and convey to Smithfield  
3 Township certain land situate in the Township of Smithfield,  
4 Huntington County.

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

7 Section 1. Smithfield Township.

8 (a) Authorization.--The Department of General Services, with  
9 the approval of the Governor, is hereby authorized and directed  
10 on behalf of the Commonwealth of Pennsylvania to grant, sell and  
11 convey to Smithfield Township for fair consideration three  
12 tracts of land described in subsection (b).

13 (b) Property description.--The property to be conveyed  
14 pursuant to subsection (a) is comprised of the following tracts  
15 of land situate in Smithfield Township, Huntington County,  
16 bounded and described as follows:

17 Tract No.1

18 Beginning at the intersection of the southern right-of-way of

1 new Route 22 and the northwest right-of-way of Route 26; thence  
2 along the northwest right-of-way of Route 26, S 69 degrees 06  
3 minutes W 840 feet to a point; continuing along said right-of-  
4 way, S 57 degrees 27 minutes W 480 feet to a point on said  
5 right-of-way. Thence N 70 degrees W 1920 feet to a point; thence  
6 N 21 degrees E 1233 feet to a point in the southern right-of-way  
7 of old State Highway (Route 22); thence along said right-of-way  
8 S 79 degrees 39 minutes E 614 feet to a point intersecting the  
9 south right-of-way of existing new Route 22, thence along said  
10 right-of-way; S 59 degrees 23 minutes E 2335 feet to a point in  
11 the northwest right-of-way of Route 26, Said Point of Beginning.

12 Containing approximately 67.1 acres.

13 Tract No.2

14 Beginning at a point on the southeast right-of-way of Route  
15 26; said point being S 69 degrees 06 minutes W 950 feet from the  
16 southern right-of-way of Route 22; thence S 32 degrees 33  
17 minutes E 1033 feet to a point, thence S 57 degrees 27 minutes W  
18 1550 feet to a point, thence N 58 degrees 17 minutes W 1130 feet  
19 to a point in the southeast right-of-way of Route 26; thence  
20 along said right-of-way N 57 degrees 27 minutes E 2040 feet to  
21 Said Point of Beginning.

22 Containing approximately 42.6 acres.

23 Tract No.3

24 Beginning at a point of the southern right-of-way of new  
25 Route 22; said point being S 59 degrees 23 minutes E 450 feet  
26 from the southeast right-of-way of Route 26; thence along said  
27 right-of-way S 59 degrees 23 minutes E 700 feet to a point,  
28 thence S 30 degrees 37 minutes W 580 feet to a point, thence N  
29 38 degrees W 740 feet to a point, thence N 30 degrees 37 minutes  
30 E 370 feet to a point in the southern right-of-way of new Route

1 22, Said Point of Beginning.

2 Containing approximately 7.6 acres.

3 The descriptions of the three tracts above are approximate  
4 and the description in the deed of conveyance may be adjusted  
5 slightly to reflect the results of a survey which shall be  
6 performed.

7 (c) Rights-of-way.--The conveyance shall be made under and  
8 subject to all easements, servitudes and rights of others,  
9 including, but not confined to, streets, roadways and rights of  
10 any telephone, telegraph, water, electric, sewer, gas or  
11 pipeline companies, as well as under and subject to any  
12 interest, estates or tenancies vested in third persons, whether  
13 or not appearing of record, for any portion of the land or  
14 improvements erected thereon.

15 (d) Deposit of proceeds.--The proceeds of this sale shall be  
16 paid into the State Treasury and deposited in the General Fund.

17 (e) Approval and execution of deed.--The deed of conveyance  
18 shall be approved as provided by law and shall be executed by  
19 the Secretary of General Services in the name of the  
20 Commonwealth of Pennsylvania.

21 (f) Costs and fees.--Costs and fees incidental to the  
22 conveyance shall be borne by the grantee.

23 (g) Other conditions of sale.--The conveyance shall be  
24 conditioned on the grantee's meeting and insuring that the  
25 requirements of the Commonwealth are met as described in the  
26 purchase agreement which shall include, but shall not be limited  
27 to, the following:

28 (1) Appropriate buffer zones, as determined in the  
29 Commonwealth's sole discretion, shall be maintained between  
30 the Department of Corrections' facilities and all surrounding

1 areas.

2 (2) The grantee and its successors shall take the  
3 necessary steps to preserve the present water sources  
4 utilized by the Department of Corrections' facilities keeping  
5 in mind that development cannot take precedence over the  
6 utility needs of these facilities. To that end, grantee shall  
7 take the appropriate steps and insure that no contamination  
8 of these water resources shall occur and if, despite the  
9 grantee's efforts, the water sources become contaminated, the  
10 grantee shall take the necessary steps to decontaminate the  
11 water sources and shall be responsible for all incidental and  
12 consequential costs that the Commonwealth may incur as a  
13 result of the contamination.

14 Section 2. Effective date.

15 This act shall take effect immediately.