
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 209 Session of
1999

INTRODUCED BY DENT AND BOSCOLA, JANUARY 26, 1999

AS RE-REPORTED FROM COMMITTEE ON APPROPRIATIONS, HOUSE OF
REPRESENTATIVES, AS AMENDED, JUNE 16, 1999

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to convey to East Allen Township,
3 Northampton County, certain land situate in East Allen
4 Township, Northampton County.

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

7 Section 1. (a) Authorization.--The Department of General
8 Services, with the approval of the Governor, is hereby
9 authorized and directed on behalf of the Commonwealth of
10 Pennsylvania to grant and convey to East Allen Township the
11 tract of land described in subsection (b), as dedication of land
12 in lieu of payment of the full amount that could be assessed
13 against the Department of General Services as set forth in
14 Section 1007 of the East Allen Township Subdivision and Land
15 Development Ordinance.

16 (b) Description.--The property to be conveyed pursuant to
17 subsection (a) is the following tract of land situate in East

1 Allen Township, Northampton County, bounded and described as
2 follows:

3 BEGINNING at a point at the intersection of the center line of
4 Weaversville Road (SR 3017) and the center line of Colony Drive
5 (T-437) at the Southeast corner of the property herein
6 described, thence

7 (1.) South 54 degrees 38 minutes 40 seconds West along the
8 dividing line of the Parcel herein described and Parcel VI of
9 the Allentown State Farm for a distance of 870.00 feet to a
10 concrete monument;

11 (2.) North 33 degrees 47 minutes 40 seconds West along the
12 dividing line of the parcel herein described and Parcel VI of
13 the Allentown State Farm for a distance of 624.49 feet to a
14 concrete monument;

15 (3.) North 57 degrees 01 minutes 07 seconds East along the
16 dividing line of the parcel herein described and lands now or
17 formerly of Northampton County for a distance of 517.79 feet to
18 a concrete monument;

19 (4.) North 21 degrees 32 minutes 31 seconds East along the
20 dividing line of the parcel herein described and lands now or
21 formerly of Northampton County for a distance of 52.51 feet to a
22 concrete monument;

23 (5.) North 63 degrees 21 minutes 08 seconds EAST along the
24 dividing line of the parcel herein described and lands now or
25 formerly of Northampton County for a distance of 299.92 feet to
26 center line of Weaversville Road (SR 3017);

27 (6.) South 36 degrees 11 minutes 04 seconds East along the
28 center line of Weaversville Road (SR 3017) for a distance of
29 181.18 feet to a point;

30 (7.) South 33 degrees 49 minutes 30 seconds East along the

1 center line of Weaversville Road (SR 3017) for a distance of
2 277.49 feet to a point;

3 (8.) South 35 degrees 20 minutes 50 seconds EAST along the
4 center line of Weaversville Road (SR 3017) for a distance of
5 127.53 feet to a point; said being the point of beginning.

6 CONTAINING an area of 12.16 acres as per survey of Kurtanich
7 Engineers & Associates, Inc, Hermitage, PA dated May 5, 1997.
8 Revised April 28, 1998.

9 (c) Easements.--The conveyance shall be made under and
10 subject to all easements, and rights of others, including, but
11 not confined to, streets, roadways and rights of any telephone,
12 telegraph, cable, water, electric, sewer, gas or pipeline
13 companies, as well as under and subject to any interest, estates
14 or tenancies vested in third persons, whether or not appearing
15 of record, for any portion of land or improvements erected
16 thereon. For purposes of this act, the terms "easements" and
17 "rights of others" shall include any avigation easements and
18 aerial rights-of-way, whether or not appearing of record,
19 currently in existence and used by the Lehigh-Northampton
20 Airport Authority.

21 (d) Execution.--The deed of conveyance shall be approved as
22 provided by law and shall be executed by the Secretary of
23 General Services in the name of the Commonwealth of
24 Pennsylvania. Within two (2) years of this conveyance, East
25 Allen Township shall have the right of declaring in writing in
26 the form of notice sent to the Department of General Services,
27 Bureau of Real Estate, 505 North Office Building, Harrisburg, PA
28 17125, a reversion of the property to the Department of General
29 Services in the event that East Allen Township determines that
30 there are environmental problems, not originating during East

1 Allen Township ownership, for which it chooses not to undertake
2 abatement and/or remediation of those problems. In the event the
3 property reverts to Commonwealth of Pennsylvania within two
4 years of this conveyance:

5 1. East Allen Township shall assume financial responsibility
6 for any costs of restoring the Premises to the condition it was
7 in at the time of this transfer, if the Premises are damaged as
8 a result of East Allen Township's use thereof, ordinary wear and
9 tear excluded. Costs shall include, but not be limited to,
10 remediation of environmental contamination, if any, resulting
11 from East Allen Township's use thereof; and

12 2. The Department of General Services will not be
13 responsible for any fees that were nullified by the dedication
14 of land in lieu of payment as set forth in Section 1007 of East
15 Allen Township Subdivision and Land Development Ordinance; and

16 3. At the discretion of the Secretary of General Services,
17 the property shall be offered for sale through auction, sealed
18 bid or request for proposal, under terms of Act of April 9, 1929
19 (P.L.177, No.175), known as The Administrative Code of 1929, and
20 conditions in Section 2405-A of the Administrative Code of 1929
21 authorizing the conveyance of the herein noted property to East
22 Allen Township shall automatically cease and become null and
23 void.

24 (e) Purpose.--Notwithstanding the provisions set forth in
25 subsection (d), the deed of conveyance shall contain a clause
26 that the land conveyed shall be used only for purposes which are
27 compatible to the provisions under the Surplus Property
28 Disposition Plan No. 1 of 1995.

29 (f) Costs.--All other costs and fees, including, but not
30 limited to, appraisal fees, title insurance, and surveys,

1 incidental to this conveyance shall be borne by the Grantee.

2 Section 2. This act shall take effect immediately.