

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL****No. 1576** Session of  
2002

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INTRODUCED BY CORMAN, OCTOBER 28, 2002

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SENATOR LEMMOND, STATE GOVERNMENT, AS AMENDED, NOVEMBER 13, 2002

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## AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to grant and convey to Centre  
3 County, certain lands in Benner Township, Centre County.

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

6 Section 1. Conveyance in Benner Township, Centre County.

7 (a) Authorization.--The Department of General Services, with  
8 the approval of the Governor, is hereby authorized on behalf of  
9 the Commonwealth of Pennsylvania to grant and convey to Centre  
10 County certain lands described in subsection (b) under terms and  
11 conditions to be established in an agreement of sale to be  
12 entered into with the Department of General Services.

13 (b) Description.--The property to be conveyed pursuant to  
14 subsection (a) consists of two parcels totaling approximately  
15 43.84 acres in Benner Township, Centre County, Pennsylvania,  
16 bounded and described as follows:

17 PARCEL 1

1 ALL THAT CERTAIN parcel of land situated in Benner Township,  
2 Centre County Pennsylvania shown as LOT 1 on a plan prepared by  
3 Sweetland Engineering and Associates, Inc. entitled "4 Lot  
4 Subdivision Of Lands Of The Commonwealth Of Pennsylvania For The  
5 Centre County Correctional Facility," drawing number E-2065  
6 dated 06/07/01, revised 02/12/02, being part of lands now or  
7 formerly the Commonwealth of Pennsylvania (SCI-Rockview), Record  
8 Book 533, Page 121, described as follows:

9 BEGINNING at a 3/4 inch re-bar, in the northeast corner of  
10 Lot 1;

11 THENCE along the western side of the lands now or formerly  
12 Gerald E. Rodgers, Ronnie L. Rodgers, And Bonnie L.  
13 Moenschbacher, Record Book 753 Page 884, Farm No.1, Tract No.1,  
14 south 47 degrees 10 minutes 10 seconds East, 681.15 feet to a  
15 3/4 inch re-bar, a point of curvature.

16 THENCE along the northern side of the 50 foot right-of-way of  
17 Rishel Hill Road (T-532) the following (6) courses;

18 1. not tangent to the previous course, by the arc of a curve  
19 to the left, having a radius of 2025.00 feet, a central angle  
20 of 12 degrees 18 minutes 16 seconds, a chord bearing and  
21 distance of south 37 degrees 35 minutes 13 seconds west,  
22 434.04 feet, and an arc length of 434.87 feet to a 3/4 inch  
23 re-bar, a point of tangency; THENCE;

24 2. South 31 degrees 26 minutes 05 seconds West, 16.59 feet,  
25 to a 3/4 inch re-bar, a widening point of the 50 foot right-  
26 of-way; THENCE;

27 3. South 42 degrees 44 minutes 41 seconds West, 50.99 feet  
28 to a 3/4 inch re-bar, a starting point of the 70 foot right-  
29 of-way of Rishel Hill Road; THENCE;

30 4. South 31 degrees 26 minutes 05 seconds West, 140.94 feet

1 to a 3/4 inch re-bar, a point of curvature; THENCE;  
2 5. tangent to previous course, by the arc of a curve right,  
3 having a radius of 485.87 feet, a central angle of 75 degrees  
4 16 minutes 17 seconds, a chord bearing and distance of South  
5 69 degrees 04 minutes 14 seconds West, 593.38 feet, and an  
6 arc length of 638.30 feet, to a 3/4 inch re-bar, a point of  
7 tangency; THENCE;  
8 6. North 73 degrees 17 minutes 38 seconds West, 488.67 feet,  
9 to a 3/4 inch re-bar, a point of curvature;  
10 THENCE along the eastern side of a variable width right-of-  
11 way of the Benner Pike (SR 0150) the following (3) courses;  
12 1. not tangent to the previous course, by the arc of a curve  
13 to the left, having a radius of 6945.55 feet, a central angle  
14 of 0 degrees 51 minutes 33 seconds, a chord bearing and  
15 distance of North 07 degrees 14 minutes 33 seconds West,  
16 104.15 feet, and an arc length of 104.15 feet, to a 3/4 inch  
17 re-bar, a point of tangency; THENCE;  
18 2. North 06 degrees 30 minutes 36 seconds West, 405.09 feet,  
19 to a 3/4 inch re-bar, a point of curvature; THENCE;  
20 3. tangent to the previous course, by the arc of a curve to  
21 the left, having a radius of 6965.55 feet, a central angle of  
22 02 degrees 35 minutes 51 seconds, a chord bearing and  
23 distance of North 12 degrees 18 minutes 15 seconds West,  
24 315.74 feet, and an arc length of 315.77 feet, to a 3/4 inch  
25 re-bar;  
26 THENCE along the southern side of Lot 2 of the "4 Lot  
27 Subdivision Of The Lands Of The Commonwealth Of Pennsylvania For  
28 The Centre County Correctional Facility";  
29 1. not tangent to the previous course North 77 degrees 05  
30 minutes 54 seconds East, 1057.29 feet; to a 3/4 inch rebar to

1 the point of BEGINNING.

2 CONTAINING 29.17 acres of land more or less.

3 UNDER AND SUBJECT, to a 60 foot wide access easement along  
4 the eastern portion of the property, as shown on the above  
5 mentioned plan.

6 COMMENCING at a 3/4 inch re-bar at the northeast corner of  
7 lot 1, a reference point;

8 THENCE along the southern side of Lot 2 of the above  
9 mentioned plan South 77 degrees 05 minutes 54 seconds West,  
10 60.50 feet, to a point of BEGINNING;

11 THENCE along the interior of Lot 1 South 47 degrees 10  
12 minutes 10 seconds East, 715.04 feet, to a point; a point of  
13 curvature;

14 THENCE along the northern side of the 50.00 foot wide right-  
15 of-way of Rishel Hill Road; not tangent to the previous course;  
16 by the arc of a curve to the left, having a radius of 2025.00  
17 feet, a central angle of 01 degree 41 minutes 53 seconds, a  
18 chord bearing and distance of South 41 degrees 28 minutes 31  
19 seconds West, 60.02 feet, and an arc length of 60.02 feet, to a  
20 point;

21 THENCE along the interior of Lot 1, not tangent to previous  
22 course North 47 degrees 10 minutes 10 seconds West, 756.34 feet,  
23 to a point;

24 THENCE along the southern side of Lot 2 of above mentioned  
25 plan North 77 degrees 05 minutes 54 seconds East, 72.60 feet, to  
26 a point, point of BEGINNING.

27 PARCEL 2

28 ALL THAT CERTAIN parcel of land situated in Benner Township,  
29 Centre County Pennsylvania shown as LOT 3 on a plan prepared by  
30 Sweetland Engineering and Associates, Inc. entitled "4 Lot

1 Subdivision Of Lands Of The Commonwealth Of Pennsylvania For The  
2 Centre County Correctional Facility," drawing number E-2065  
3 dated 06/07/01, revised 02/12/02, being part of lands now or  
4 formerly the Commonwealth of Pennsylvania (SCI-Rockview), Record  
5 Book 533, Page 121, described as follows:

6 BEGINNING at a 3/4 inch re-bar, in the northeast corner of  
7 Lot 3;

8 THENCE along the western side of a variable width right-of-  
9 way of the Benner Pike (SR 0150) the following (3) courses;

10 1. South 15 degrees 07 minutes 54 seconds East, 400.76 feet,  
11 to a 3/4 inch re-bar, a point of curvature, THENCE;

12 2. tangent to the previous course, by the arc of a curve to  
13 the right, having a radius of 6815.55 feet, a central angle  
14 of 07 degrees 19 minutes 34 seconds, a chord bearing and  
15 distance of South 11 degrees 28 minutes 07 seconds East,  
16 870.88 feet, and an arc length of 871.47 feet, to a 3/4 inch  
17 re-bar, THENCE;

18 3. not tangent to the previous coarse, South 32 degrees 39  
19 minutes 16 seconds West, 78.44 feet, to a 3/4 inch re-bar;

20 THENCE along the northern side of the 33 foot right-of-way of  
21 Paradise Road (SR 3004) the following (3) courses;

22 1. North 73 degrees 17 minutes 38 seconds West, 296.22 feet,  
23 to a 3/4 inch re-bar, a point of curvature, THENCE;

24 2. tangent to the previous course, by the arc of a curve to  
25 the right, having a radius of 583.50 feet, a central angle of  
26 53 degrees 49 minutes 24 seconds, a chord bearing and  
27 distance of North 46 degrees 22 minutes 56 seconds West,  
28 528.20 feet, and an arc length of 548.14 feet, to a 3/4 inch  
29 re-bar, a point of tangency, THENCE;

30 3. North 19 degrees 28 minutes 14 seconds West, 343.99 feet,

1 to a 3/4 inch re-bar;

2 THENCE along the southern side of lands now or formerly  
3 Robert E. Campolongo, Record Book 1050 page 994, and also along  
4 the southern boundary of a 20 foot wide permanent sanitary sewer  
5 right-of-way, Record Book 1240 Page 529, North 34 degrees 09  
6 minutes 55 seconds East, 334.57 feet to an existing iron pipe  
7 found,

8 THENCE along the southern side of lands now or formerly  
9 Spring-Benner-Walker-Joint Authority, Deed Book 427 Page 540,  
10 and also along the southern side of lands now or formerly Harry  
11 K. Sickler, Jr., Record Book 947 Page 879, North 54 degrees 25  
12 minutes 12 seconds East, 439.49 feet to a 3/4 inch re-bar, the  
13 point of BEGINNING.

14 CONTAINING 14.67 acres of land more or less.

15 UNDER AND SUBJECT, to a required drainage easement per SR  
16 6026 section C03 plans, at the south east corner of the  
17 property, as shown on the above mentioned plan.

18 UNDER AND SUBJECT, to an 8.5 foot wide reserved right-of-way  
19 for future dedication, along Paradise Road and parallel with the  
20 boundary of Lot 3, as shown on above mentioned plan.

21 (c) Easements.--The conveyance shall be made under and  
22 subject to all lawful and enforceable easements, servitudes and  
23 rights of others, including, but not confined to streets,  
24 roadways and rights of any telephone, telegraph, water,  
25 electric, gas or pipeline companies, as well as under and  
26 subject to any lawful and enforceable estates or tenancies  
27 vested in third persons appearing of record, for any portion of  
28 the land or improvements erected thereon.

29 (d) Restrictive covenants.--The deed of conveyance shall  
30 contain the following restrictive covenants:

1 (1) UNDER AND SUBJECT to a condition that the Grantee, shall  
2 utilize Parcel 1 as an adult correctional facility and for no  
3 other purpose. If the Grantee utilizes Parcel 1 for any other  
4 purpose, or attempts to convey said parcel, it shall immediately  
5 revert to and revest in the Grantor.

6 (2) UNDER AND SUBJECT to a condition that the Grantee, its  
7 successors or assigns, shall utilize Parcel 2 as a ~~fire~~ FIRE- <—  
8 EMERGENCY SERVICES training facility and for no other purpose.  
9 If Parcel 2 is utilized by the Grantee, its successors or  
10 assigns for any other purpose, it shall immediately revert to  
11 and revest in the Grantor.

12 (e) Deed.--The deed of conveyance shall be by Special  
13 Warranty Deed and shall be executed by the Secretary of General  
14 Services in the name of the Commonwealth of Pennsylvania.

15 (f) Costs.--Costs and fees incidental to this conveyance  
16 shall be borne by the Grantee.

17 (g) Alternative disposition.--In the event that terms of an  
18 agreement of sale cannot be reached between the parties within  
19 12 months of the effective date of this act, the property may be  
20 disposed of in accordance with section 2406-A of the act of  
21 April 9, 1929 (P.L.177, No.175), known as The Administrative  
22 Code of 1929. If the property is disposed of pursuant to this  
23 subsection, the deed of conveyance shall not contain the  
24 restrictive covenants required in subsection (d).

25 Section 2. Effective date.

26 This act shall take effect immediately.