

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 696 Session of 2003

INTRODUCED BY KELLER, ADOLPH, LEDERER, RAYMOND, DONATUCCI, TIGUE, RIEGER, COSTA, OLIVER, DIVEN, McGEEHAN, YUDICHAK, YOUNGBLOOD, CAWLEY, JOSEPHS, MELIO, JAMES, MICOZZIE, CRUZ, CIVERA, WATERS, WASHINGTON, TANGRETTI, HORSEY, MYERS, RUFFING, BARRAR, McILHINNEY, ROEBUCK, READSHAW, GERGELY, WOJNAROSKI, WALKO, KOTIK, PISTELLA, PETRARCA, SAINATO, TRUE, ROBERTS, GANNON, BUNT, FICHTER, DeLUCA, ALLEN, SOLOBAY, STEIL, YEWIC, FLICK, BISHOP, CORRIGAN, TRAVAGLIO AND LAUGHLIN, MARCH 6, 2003

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 6, 2003

AN ACT

1 Authorizing and directing the Department of General Services,  
2 with the approval of the Governor, to grant and convey to the  
3 Philadelphia Regional Port Authority certain lands situate in  
4 the 39th Ward of the City of Philadelphia.

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

7 Section 1. Land in the City of Philadelphia.

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 and  
11 convey to the Philadelphia Regional Port Authority, for \$1,  
12 certain lands situate in the 39th Ward of the City of  
13 Philadelphia described in subsection (b).

14 (b) Description.--The property to be conveyed pursuant to  
15 subsection (a) consists of 47.204 acres more particularly

1 described as follows:

2 ALL THAT CERTAIN tract, piece or parcel of land situate in  
3 the 39th Ward of the City of Philadelphia, Commonwealth of  
4 Pennsylvania, as shown on a plan prepared by VanDemark & Lynch,  
5 Inc., Surveyors, Planners, and Engineers, of Wilmington,  
6 Delaware, dated March 13, 2000 and described as follows to wit:

7 BEGINNING at point on the Bulkhead Line of the Delaware  
8 River, as established by the Secretary of War, September 10,  
9 1940, a common corner for lands now or formerly of Consolidated  
10 Rail Corporation, and Parcel 9, the said point being measured  
11 the nine (9) following described courses and distances from the  
12 intersection of the easterly side of Broad Street (at 300 feet  
13 wide) with the southwesterly side of Pattison Avenue (at 120  
14 feet wide):

15 (1) Southwesterly along the easterly side of Broad Street,  
16 2,527.57 feet to a point;

17 (2) Southeasterly at right angles to said Broad Street,  
18 37.00 feet to a drill hole set, a corner for the  
19 said lands now or formerly of Consolidated Rail  
20 Corporation; (courses 3 through 8 along the  
21 southerly side of lands now or formerly of  
22 Consolidated Rail Corporation)

23 (3) South 75 degrees 30 minutes 00 seconds East, 3.00  
24 feet to a drill hole set;

25 (4) South 76 degrees 31 minutes 21 seconds East, 229.54  
26 feet to an iron pin set;

27 (5) South 68 degrees 33 minutes 21 seconds East, 284.65  
28 feet to an iron pin set;

29 (6) South 63 degrees 50 minutes 26 seconds East, 341.02  
30 feet to an iron pin set;

1 (7) Southeasterly by a curve to the left having a  
2 radius of 2,287.44 feet, and an arc length  
3 of 730.03 feet to an iron pin set, said point  
4 being distant by a chord of South 72 degrees  
5 59 minutes 00 seconds East, 726.93 feet from  
6 last described point;

7 (8) South 82 degrees 07 minutes 34 seconds East, 1,741.91  
8 feet to a point; and

9 (9) South 76 degrees 03 minutes 40 seconds East, 6,143.91  
10 feet to the said point of Beginning;

11 THENCE from the said point of Beginning, extending from the  
12 said Bulkhead Line of the Delaware River, South 76 degrees 03  
13 minutes 40 seconds East, 690.69 feet to a point on the Pierhead  
14 Line of the Delaware River as established by the Secretary of  
15 War, September 10, 1940;

16 THENCE, along the said Pierhead Line of the Delaware River,  
17 the four (4) following described courses and distances:

18 (1) South 32 degrees 13 minutes 41 seconds West,  
19 2,200.66 feet to a point;

20 (2) South 49 degrees 25 minutes 45 seconds West,  
21 837.54 feet to a point;

22 (3) South 57 degrees 56 minutes 20 seconds West,  
23 914.92 feet to a point; and

24 (4) North 34 degrees 19 minutes 56 seconds West,  
25 1,090.88 feet to a point on the aforesaid  
26 Bulkhead Line, a corner for Parcel 9;

27 THENCE, along the said Bulkhead Line of the Delaware River,  
28 being the dividing line between Parcel 9 and Parcel 9A, the two  
29 following described courses and distances:

30 (1) North 58 degrees 07 minutes 17 seconds East,

1           1,737.34 feet to a point; and  
2   (2)       North 40 degrees 23 minutes 05 seconds East,  
3           1,627.95 feet to the point and place of  
4       Beginning;

5       CONTAINING within said metes and bounds, 47.204 acres of land  
6   being the same, more or less.

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

15       (d) Purchase agreement conditions.--The conveyance shall be  
16   made under and subject to a condition that the lands conveyed  
17   herein shall be used for maritime purposes by the grantee, or  
18   its successor in interest. Should be grantee, or its successor  
19   in interest, allow the lands conveyed to be used for any other  
20   purpose or attempt to convey the premises, the title shall  
21   immediately revert to and revest in the grantor. The term  
22   "maritime purposes" shall mean activities directly related to  
23   the handling of cargo or passengers for import or export through  
24   the Port of Philadelphia.

25       (e) Deed.--The deed of conveyance shall contain a clause  
26   that if the Philadelphia Regional Port Authority or its  
27   successor in interest cease to exist, the lands conveyed herein  
28   shall immediately revert to and revest in the grantor, unless a  
29   successor authority has been formed to continue the  
30   Commonwealth's governance of regional port activities along the

1 Delaware River.

2 (f) Costs and fees.--Costs and fees incidental to this  
3 conveyance shall be borne by the grantee.

4 Section 2. Effective date.

5 This act shall take effect immediately.