

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL****No. 644** Session of  
2005

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INTRODUCED BY GORDNER, APRIL 28, 2005

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SENATOR LEMMOND, STATE GOVERNMENT, AS AMENDED, JUNE 21, 2005

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## AN ACT

1 Authorizing the Department of Transportation to convey to  
2 Montour County two tracts of land situate in the Borough of  
3 Danville, Montour County, Pennsylvania.

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

6 Section 1. Danville Borough, Montour County.

7 (a) Authorization and description.--The Department of  
8 Transportation, with the approval of the Governor, is hereby  
9 authorized on behalf of the Commonwealth of Pennsylvania to  
10 grant and convey to Montour County the following tracts of land  
11 situate in the Borough of Danville, Montour County,  
12 Pennsylvania, for consideration in the amount of \$5,500:

13 TRACT NO. 1

14 ALL THAT CERTAIN tract or piece of ground, located on the  
15 northern side of West Front Street, situate in the Borough of  
16 Danville, County of Montour and Commonwealth of Pennsylvania,  
17 being more fully bounded and described as follows, to wit:

18 BEGINNING at a point, said point located at the corner of the

1 northern right-of-way line of West Front Street and the western  
2 right-of-way line of Rooney Avenue (20 feet wide), thence along  
3 the right-of-way line of Front Street by a curve to the right,  
4 having a radius of 1871.19 feet, a distance of 104.66 feet to a  
5 point, thence along the same by a curve to the right, having a  
6 radius of 45.33 feet, a distance of 52.25 feet to a point, said  
7 point located on the right-of-way line for S.R. 6054, thence  
8 along the same line perpendicular (Bearing North 63 degrees, 50  
9 minutes, 32 seconds west) to SR 6054, a distance of 6.08 feet to  
10 a point on the right-of-way line for S.R. 6054 (49 feet wide),  
11 thence along the same North 26 degrees 9 minutes 28 seconds  
12 East, a distance of 95.80 feet to a point on the corner of S.R.  
13 6054 and Friendship Alley (20 feet wide), thence along the  
14 right-of-way line of Friendship Alley (20 feet wide), South 63  
15 degrees 13 minutes 58 seconds East, a distance of 51.87 feet to  
16 a point, a corner of Friendship Alley and the lands of Scott E.  
17 Jordan, thence along the lands of Scott E. Jordan, South 26  
18 degrees 54 minutes 14 seconds West, a distance of 49.79 feet,  
19 thence along the same South 63 degrees 6 minutes 26 seconds  
20 East, a distance of 99.28 feet to a point on the right-of-way  
21 line of Rooney Avenue, thence along the same South 27 degrees 14  
22 minutes 0 seconds West, a distance of 82.86 feet to the place of  
23 BEGINNING.

24 EXCEPTING AND RESERVING unto Scott E. Jordan a 25-foot access  
25 easement containing 2,480.43 square feet of land.

26 CONTAINING in area 13,881 square feet of land.

27 TRACT NO. 2

28 ALL THAT CERTAIN tract or piece of ground, located on the  
29 northern side of West Front Street, as shown on a plan, and  
30 recorded in Deed Book 197, Page 434, Montour County Records,

1 situate in the Borough of Danville, County of Montour and  
2 Commonwealth of Pennsylvania, being more fully bounded and  
3 described as follows, to wit:  
4 BEGINNING at a point, said point located at the corner of the  
5 eastern right-of-way line of Rooney Avenue (20 feet wide) and  
6 the northern right-of-way line of West Front Street, thence  
7 along the right-of-way line of Rooney Avenue, North 27 degrees,  
8 10 minutes, 7 seconds East, a distance of 49.20 feet to a point,  
9 a corner of Rooney Avenue, thence along same, South 65 degrees,  
10 46 minutes, 31 seconds East, a distance of 53.39 feet, thence  
11 along same, North 24 degrees, 13 minutes, 28 seconds East, a  
12 distance of 3.95 feet, thence along same, South 65 degrees, 41  
13 minutes, 16 seconds East, a distance of 99.93 feet, to a point,  
14 said point located on the western right-of-way line for Mill  
15 Street (60 feet wide), thence along the same South 25 degrees,  
16 50 minutes, 21 seconds West, a distance of 32.22 feet to a  
17 point, thence along the same by a curve to the right, having a  
18 radius of 50.33 feet, a distance of 34.06 feet to a point, said  
19 point located at the northern right-of-way line for Front  
20 Street, thence along same, South 67 degrees, 41 minutes, 47  
21 seconds West, a distance of 25.04 feet, thence along same, South  
22 63 degrees, 56 minutes, 30 seconds West, a distance of 39.21  
23 feet, thence along the same by a curve to the right, having a  
24 radius of 1871.19 feet, a distance of 68.16 feet to the place of  
25 BEGINNING.  
26 CONTAINING in area 8,218 square feet of land.

27 (b) Easements and interests.--The conveyance shall be made  
28 under and subject to all easements, servitudes and rights of  
29 others, including, but not confined to, streets, roadways and  
30 rights of any telephone, telegraph, water, electric, sewer, gas

1 or pipeline companies, as well as under and subject to any  
2 interest, estates or tenancies vested in third persons, whether  
3 or not appearing of record, for any portion of the land or  
4 improvements erected thereon.

5 ~~(c) Restriction. The deed of conveyance shall contain a~~ <—  
6 ~~clause that the property conveyed shall be used for governmental~~  
7 ~~or public purposes by Montour County, and if at any time Montour~~  
8 ~~County or its successor in function conveys the property or~~  
9 ~~permits the property to be used for any purpose other than those~~  
10 ~~specified in this section, the title to the property shall~~  
11 ~~immediately revert to and revest in the Commonwealth of~~  
12 ~~Pennsylvania.~~

13 (C) RESTRICTIONS.--THE CONVEYANCE SHALL BE UNDER AND SUBJECT <—  
14 TO THE FOLLOWING CONDITIONS, WHICH SHALL BE CONTAINED IN THE  
15 DEED OF CONVEYANCE:

16 (1) NO PORTION OF THE PROPERTY SHALL BE FURTHER CONVEYED  
17 EXCEPT TO ANOTHER PUBLIC AGENCY. FOR PURPOSES OF THIS  
18 PARAGRAPH, "PUBLIC AGENCY" SHALL MEAN AN AGENCY OF FEDERAL,  
19 STATE OR LOCAL GOVERNMENT OR A MUNICIPAL AUTHORITY.

20 (2) THE PROPERTY SHALL BE USED FOR NONPROPRIETARY  
21 GOVERNMENTAL OR PUBLIC PURPOSES ONLY.

22 (3) IF AT ANY TIME THE PROPERTY OR ANY PORTION OF THE  
23 PROPERTY IS CONVEYED IN VIOLATION OF THE PROVISIONS OF  
24 PARAGRAPH (1) OR USED IN VIOLATION OF THE PROVISIONS OF  
25 PARAGRAPH (2), THE TITLE TO THE PROPERTY SHALL IMMEDIATELY  
26 REVERT TO AND REVEST IN THE COMMONWEALTH OF PENNSYLVANIA.

27 (4) THESE CONDITIONS SHALL BE COVENANTS RUNNING WITH THE  
28 LAND AND SHALL BE BINDING UPON MONTOUR COUNTY, ITS SUCCESSORS  
29 AND ASSIGNS.

30 (d) Execution.--The deed of conveyance shall be approved as

1 provided by law and shall be executed by the Secretary of  
2 Transportation in the name of the Commonwealth of Pennsylvania.

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

5 Section 2. Effective date.

6 This act shall take effect immediately.