

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 987 Session of  
2009

INTRODUCED BY STOUT, PIPPY AND KASUNIC, JUNE 26, 2009

REFERRED TO STATE GOVERNMENT, JUNE 26, 2009

AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to grant and convey to Washington  
3 County Authority, certain lands situate in Cecil Township,  
4 Washington County.

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

7 Section 1. Washington County.

8 (a) Authorization.--The Department of General Services, with  
9 the approval of the Governor, is authorized on behalf of the  
10 Commonwealth, to grant and convey to Washington County Authority  
11 three tracts of land situate in Cecil Township, Washington  
12 County, under terms and conditions to be established in an  
13 Agreement of Sale with the Department of General Services.

14 (b) Description.--The property to be conveyed pursuant to  
15 this section consists of three parcels of vacant land containing  
16 67.875 acres, being bounded and more particularly described as  
17 follows:

18 PARCEL No. 140-014-00-00-0029-00

19 ALL THAT CERTAIN PARCEL of land situate in Cecil Township,

1 Washington County, Commonwealth of Pennsylvania being South of  
2 the Southpointe Exit on Interstate 79 (SR 79) and beginning on  
3 the right-of-way along said interstate highway, being more  
4 particularly described as follows:  
5 BEGINNING at a point on the legal right-of-way of line of  
6 Interstate 79 and the lands herein described by the following  
7 courses and distances: Thence North  $51^{\circ}-35'-01''$  East a distance  
8 of 10.00' to a point common to the lands of now or formerly of  
9 the Commonwealth of Pennsylvania and the lands herein described:  
10 Thence North  $28^{\circ}-00'-30''$  West a distance of 1273.05' to an iron  
11 pin found common to the lands of said Commonwealth and the lands  
12 herein described: Thence North  $26^{\circ}-55'-56''$  West a distance of  
13 264.00' to an iron pin found common to the lands of said  
14 Commonwealth and the lands herein described: Thence South  
15  $62^{\circ}-49'-01''$  West a distance of 283.76' to an iron pin set common  
16 to the lands of said Commonwealth, a point on the legal right of  
17 way line of Interstate 79, and the lands herein described:  
18 Thence by a curve to the left having a radius of 2112.01' and  
19 arc length of 245.25' and a chord bearing and distance of South  
20  $35^{\circ}-05'-24''$  East for a distance of 245.11' to a point on the  
21 legal right-of-way line of Interstate 79 and the lands herein  
22 described: Thence South  $38^{\circ}-24'-59''$  East a distance of 1321.40'  
23 to a point, the place of BEGINNING.  
24 CONTAINING a total area of 5.342 acres.  
25 BEING designated as Tract 2, and described in accordance with a  
26 survey performed by Widmer Engineering, Inc., in September of  
27 2008, last revised January 20, 2009.  
28  
29 ALL THAT CERTAIN PARCEL of land situate in Cecil Township,  
30 Washington County, Commonwealth of Pennsylvania being South of

1 the Southpointe Exit on Interstate 79 (SR 79) and beginning on  
2 the right-of-way along said interstate highway more particularly  
3 described as follows:

4 BEGINNING at a point on the legal right-of-way line of  
5 Interstate 79 and common to the lands herein described by the  
6 following courses and distances: Thence North 28°-00'-30" West a  
7 distance of 1273.05' to an iron pin found common to the lands of  
8 now or formerly of the Commonwealth of Pennsylvania and the land  
9 herein described: Thence North 57°-19'-02" East a distance of  
10 547.80' to an iron pin found common to the lands of said  
11 Commonwealth, the Weaver Heritage Trust and the lands herein  
12 described: Thence South 39°-33'-03" East a distance of 1345.95'  
13 to an iron pin found common to the lands of the Weaver Heritage  
14 Trust, Maple Leaf Homes Inc., and the lands herein described:  
15 Thence South 44°-43'-57" East a distance of 1201.09' to a point  
16 common to the lands of said Maple Leaf Homes, and the lands  
17 herein described: Thence South 73°-16'-03" West a distance of  
18 1004.94' to a point on the legal right-of-way line of Interstate  
19 79 and common to lands of the said Commonwealth, and the lands  
20 herein described: Thence North 38°-24'-59" West a distance of  
21 970.80' to a point, the place of BEGINNING.

22 CONTAINING a total area of 41.483 acres.

23 BEING designated as Tract 3, and described in accordance with a  
24 survey performed by Widmer Engineering, Inc., in September of  
25 2008, last revised January 20, 2009.

26 PARCEL No. 140-014-00-00-0030-00

27 ALL THAT CERTAIN PARCEL of land situate in Cecil Township,  
28 Washington County, Commonwealth of Pennsylvania being South of  
29 the Southpointe Exit on Interstate 79 (SR79) and beginning on  
30 the right-of-way along said interstate highway more particularly

1 described as follows:  
2 BEGINNING at an iron pin set on the legal right-of-way line of  
3 Interstate 79 and common to the lands of the Commonwealth of  
4 Pennsylvania, and the lands herein described by the following  
5 courses and distances: Thence North  $73^{\circ}-16'-03''$  East to an iron  
6 pin set on line at station 9+89.94', for a distance of 1004.94'  
7 to a point common to the lands of said Commonwealth, Maple Leaf  
8 Homes, Inc., and the lands herein described: Thence South  
9  $35^{\circ}-06'-04''$  East a distance of 630.30' to an iron pin set common  
10 to the lands of said Maple Leaf Homes, and the lands herein  
11 described: Thence South  $40^{\circ}-36'-04''$  East a distance of 833.77'  
12 to an iron pin set common to the lands of said Maple Leaf Homes  
13 and the right-of-way of Morganza Road (S.R. 1009); Thence the  
14 following five (5) courses and distances along the legal right-  
15 of-way line of Morganza Road South  $53^{\circ}-17'-48''$  West a distance  
16 of 18.64' to a point: Thence South  $36^{\circ}-42'-12''$  East a distance  
17 of 20.00 feet to a point: Thence South  $53^{\circ}-17'-48''$  West a  
18 distance of 75.89 feet to a point: Thence by a curve to the left  
19 having a radius of 1298.24' an arc length of 152.79' and a chord  
20 bearing and distance of South  $49^{\circ}-55'-36''$  West for 152.70' to a  
21 point: Thence South  $46^{\circ}-33'-18''$  West a distance of 61.95' to a  
22 point in Chartiers Creek, and common to the lands of said  
23 William and Carolyn Byham, and the lands herein described:  
24 Thence North  $46^{\circ}-38'-09''$  West a distance of 228.02 feet to a  
25 point in Chartiers Creek and common to the lands of William and  
26 Carolyn Byham, and the lands herein described: Thence North  
27  $61^{\circ}-08'-09''$  West a distance of 528.00' to a point common to the  
28 lands of said Byham and the lands herein described: Thence North  
29  $72^{\circ}-23'-09''$  West a distance of 396.00' to a point in said creek  
30 and common to the lands of said Byham and the lands herein

1 described: Thence North 34°-53'-09" West a distance of 231.00'  
2 to a point common to lands of said Byham and the lands herein  
3 described: Thence North 82°-53'-09" West a distance of 132.00'  
4 to a point common to lands of said Byham, and the lands herein  
5 described: Thence South 69°-06'-51" West a distance of 45.83' to  
6 a point on the legal right-of-way line of Interstate 79, and  
7 common to lands of said Byham and the land herein described:  
8 Thence North 38°-24'-59" West a distance of 108.85' to a point  
9 common the the legal right of line of Interstate 79 and the  
10 lands herein described: Thence by the legal right-of-way line of  
11 Interstate 79 the following four (4) courses and distances South  
12 51°-35'-01" West a distance of 50.00' to a point; Thence North  
13 38°-24'-59" West a distance of 275.00' to a point: Thence North  
14 51°-35'-01" East a distance of 10.00' to a point; Thence North  
15 38°-24'-59" West a distance of 97.20' to a point, the place of  
16 beginning.

17 SUBJECT TO an area taken by the Pennsylvania Department of  
18 Transportation for a channel change of Chartiers Creek  
19 containing 2.299 acres.

20 CONTAINING a total area of 23.349 acres. (Total area includes  
21 area of channel change)

22 BEING designated as Tract 4, and described in accordance with a  
23 survey performed by Widmer Engineering, Inc., in September of  
24 2008, last revised January 20, 2009.

25 (c) Reservation.--To effectuate this section, the department  
26 is authorized, on behalf of the Commonwealth, to reserve or  
27 grant any easements on property known as the Department of  
28 Transportation's Washington County Maintenance Facility, as the  
29 Secretary of General Services determines are appropriate or  
30 desirable, including for access and utility service.

1 (d) Conditions.--

2 (1) The conveyance shall be made under and subject to  
3 all lawful and enforceable easements, servitudes and rights  
4 of others, including streets, roadways and rights of any  
5 telephone, telegraph, water, electric, gas or pipeline  
6 companies, and under and subject to any lawful and  
7 enforceable estates or tenancies vested in third persons  
8 appearing of record, for any portion of the land or  
9 improvements erected on the land.

10 (2) The conveyance shall be made under and subject to  
11 the condition, which must be contained in the deed of  
12 conveyance, that no portion of the property conveyed shall be  
13 used as a licensed facility, as defined in 4 Pa.C.S. § 1103  
14 (relating to definitions), or any other similar type of  
15 facility authorized under State law. The condition shall be a  
16 covenant running with the land and shall be binding upon the  
17 grantee, its successors and assigns. If the grantee, its  
18 successors or assigns permits any portion of the property  
19 authorized to be conveyed in this act to be used in violation  
20 of this subsection, the title shall immediately revert to and  
21 revert in the grantor.

22 (e) Deed.--The deed of conveyance must be by special  
23 warranty deed and must be executed by the secretary in the name  
24 of the Commonwealth.

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

27 (g) Expiration.--If an agreement of sale between the parties  
28 is not executed within 12 months of the effective date of this  
29 section, the authorization contained in this section shall  
30 expire.

1       Section 2.   This act shall take effect immediately.