

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 538 Session of 2019

INTRODUCED BY REGAN AND J. WARD, APRIL 10, 2019

SENATOR FOLMER, STATE GOVERNMENT, AS AMENDED, MAY 7, 2019

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of Shippensburg University of Pennsylvania of the
3 State System of Higher Education and the Governor, to grant
4 and convey to the Cumberland Valley Rails to Trails Council a
5 permanent easement from lands of the Commonwealth of
6 Pennsylvania at Shippensburg University of Pennsylvania
7 situate in Shippensburg Township, Cumberland County, for the
8 purpose of establishing and maintaining a parking lot for the
9 benefit of the general public utilizing the Cumberland Valley
10 Rail Trail.

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Conveyance in Shippensburg Township, Cumberland
14 County.

15 (a) Authorization.--The Department of General Services, with
16 the approval of Shippensburg University of Pennsylvania of the
17 State System of Higher Education and the Governor, is authorized
18 on behalf of the Commonwealth of Pennsylvania to grant and
19 convey to the Cumberland Valley Rails to Trails Council a
20 permanent easement from lands of the Commonwealth of
21 Pennsylvania at Shippensburg University of Pennsylvania situate
22 in the Shippensburg Township, Cumberland County, for the purpose

1 of establishing and maintaining a parking lot for the benefit of
2 the general public utilizing the Cumberland Valley Rail Trail
3 for \$1 and under terms and conditions to be established in an
4 easement agreement.

5 (b) Property description.--The permanent ~~utility~~ easement to <--
6 be conveyed under subsection (a) consists of approximately 4,352
7 square feet of land, bounded and more particularly described as
8 follows:

9 ALL that certain piece, parcel or lot of land situate on the
10 north side of Fort Street within the lands now or formerly of
11 the Commonwealth of Pennsylvania, Department of General Services
12 (Shippensburg University) in Shippensburg Township, Cumberland
13 County, Pennsylvania and being more fully described as follows:

14 BEGINNING at a concrete monument on the northern right-of-way
15 line of Fort Street where it is intersected by the eastern
16 boundary line of lands of Cumberland Valley Rails to Trails
17 Council; thence along said boundary line N 06°35'32" E a
18 distance of 165.48 feet to a point; thence extending through
19 lands of the Commonwealth of Pennsylvania, Department of General
20 Services (Shippensburg University) S 88°41'17" E a distance of
21 23.03 feet to a point; thence continuing through same S
22 03°09'10" W a distance of 149.06 feet to a point on the northern
23 right-of-way line of Fort Street; thence along said right-of-way
24 line S 66°02'54" W a distance of 37.01 feet to a concrete
25 monument, the point of BEGINNING.

26 CONTAINING 4,352 square feet.

27 (c) Easement agreement.--The easement agreement and any
28 other documents necessary to effectuate the conveyance under
29 this section shall be executed by the Secretary of General
30 Services in the name of the Commonwealth of Pennsylvania.

1 (d) Restrictive covenants.--The easement agreement shall
2 contain a provision that the easement shall be utilized by the
3 grantee, its successors or assigns, solely for the purposes of
4 establishing and maintaining a parking lot for the benefit of
5 the general public utilizing the Cumberland Valley Rail Trail
6 and for no other purpose. Should the easement not be utilized
7 for the purposes specified in this section, the easement shall
8 automatically be extinguished.

9 (e) Costs and fees.--Costs and fees incidental to the
10 conveyance under this section shall be borne by the grantee.

11 (f) Expiration.--In the event that the parties have not
12 entered into an easement agreement within two years of the
13 effective date of this section, the authorization contained in
14 this section shall expire.

15 Section 2. Effective date.

16 This act shall take effect immediately.