
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2460 Session of
2024

INTRODUCED BY FLEMING, JUNE 28, 2024

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 28, 2024

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to release a portion of a use
3 restriction affecting certain real property situate in the
4 Township of Susquehanna, County of Dauphin, which the
5 Commonwealth of Pennsylvania previously conveyed to the
6 School District of the City of Harrisburg.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Release of portion of use restriction.

10 (a) Authorization.--The Department of General Services, with
11 the approval of the Governor, is hereby authorized on behalf of
12 the Commonwealth of Pennsylvania to release a portion of a use
13 restriction affecting certain real property that the
14 Commonwealth of Pennsylvania previously conveyed to the School
15 District of the City of Harrisburg pursuant to the authority
16 granted by the act of December 4, 1972 (P.L.1256, No.281), for
17 \$1.

18 (b) Property affected.--The use restriction referenced in
19 subsection (a) affects a tract of land situate in the Township
20 of Susquehanna, County of Dauphin, bounded and described as

1 follows:

2 (1) BEGINNING at a point on the northern edge of right-
3 of-way of Legislative Route No. 1 Spur A, (Herr Street By-
4 Pass) said point being located and referenced north 3 degrees
5 20 minutes east 30.00 feet from the center line of station
6 41+54.15 of Legislative Route No. 1 Spur A; thence along the
7 line of lands now or late of The General State Authority
8 north 75 degrees 33 minutes west 192.84 feet to a point;
9 thence along same north 14 degrees 41 minutes east 481.17
10 feet (erroneously designated as 537.64 feet in Act Number
11 281, approved December 4, 1972) to a point; thence north 31
12 degrees 36 minutes 57 seconds east 1586.73 feet to a point;
13 thence along line of lands of others south 85 degrees 57
14 minutes 25 seconds east 81.22 feet to a point; thence along
15 same south 73 degrees 32 minutes 23 seconds east 43.30 feet
16 to a point; thence along same south 78 degrees 47 minutes 23
17 seconds east 155.00 feet to a point; thence along same south
18 88 degrees 21 minutes 08 seconds east 289.62 feet to a
19 point; thence along same south 1 degree 13 minutes 20
20 seconds east 216.59 feet to a point on the southern right-of-
21 way line of Wayne Avenue; thence along the southern right-
22 of-way line of Wayne Avenue south 73 degrees 25 minutes 48
23 seconds east 777.57 feet to a point on line of lands of
24 others; thence along line of lands of others south 21
25 degrees 56 minutes 30 seconds west 520.07 feet to a point on
26 the line of lands of the Pennsylvania Department of
27 Transportation; thence along the line of lands of the
28 Pennsylvania Department of Transportation and across lands of
29 others south 69 degrees 50 minutes 55 seconds west 1648.06
30 feet to a point; thence south 14 degrees 41 minutes west

1 377.43 feet to a point on the northern edge of right-of-way
2 of Legislative Route No. 1 Spur A (Herr Street By-Pass);
3 thence along the northern right-of-way line of Legislative
4 Route No. 1 Spur A (Herr Street By-Pass) on a curve curving
5 to the left, having a radius of 985.35 feet, an arc distance
6 of 248.64 feet to a point the place of beginning;

7 (2) EXCEPTING AND RESERVING THEREFROM, HOWEVER, all that
8 certain parcel or tract of land, situate in the Township of
9 Susquehanna, County of Dauphin, Commonwealth of Pennsylvania,
10 bounded and described, as follows:

11 (i) BEGINNING at P.C. Station 40 + 27.85 back on
12 centerline of Herr Street Bypass known as Legislative
13 Route No. 1 Spur; thence thirty feet (30') northerly at
14 right angle to a point in the Northerly Legislative Route
15 No. 1 Spur Right-of-Way Line and continuing on a curve
16 along said r/w line to the right an arc distance of one
17 hundred thirty and twenty-five hundredths feet (130.25')
18 (chord length = 130.15'), said chord having a bearing of
19 North 89 degrees 29' East to P.O.C. Station 41 + 54.13
20 ahead and Point of BEGINNING: Thence along lands now or
21 formerly of the Commonwealth, Department of
22 Transportation the following courses, North seventy-five
23 degrees, thirty-three minutes and zero hundredths seconds
24 West (75 degrees 33' 00") a distance of one hundred
25 ninety-two and eighty-four hundredths feet (192.84') to a
26 point; Thence North fourteen degrees, forty-one minutes,
27 and zero hundredths seconds East (14 degrees 41' 00''') a
28 distance of four hundred eighty-one and seventeen
29 hundredths feet (481.17') (erroneously designated as
30 537.64 feet in Act Number 281, approved December 4,

1 1972), to a point; Thence along lands now or formerly of
2 the Commonwealth, Department of Public Welfare the
3 following courses South eighty-one degrees, forty minutes
4 and twenty seconds East (81 degrees 40' 20") a distance
5 of three hundred twenty five and zero hundredths feet
6 (325.00') to a point and South eight degrees nineteen
7 minutes, forty seconds West (8 degrees 19' 40") a
8 distance of five hundred and three-hundredths feet
9 (500.03') to a point in the Northerly Right-of Way Line
10 of Legislative Route No. 1 Spur; Thence along aforesaid
11 Right-of-Way Line on a curve to the left an arc distance
12 of one hundred eighty-six and eighty-one hundredths feet
13 (186.81') (chord length = 186.53' said chord having a
14 bearing North 81 degrees 17' 43" West) to the Point of
15 BEGINNING;

16 (ii) CONTAINING 3.98-acres, more or less; and

17 (iii) The area of land conveyed to GRANTEE after
18 deduction of the above exception and reservation of 3.98
19 acres is a net acreage of forty-two and two hundredths
20 acres (42.02 A.), more or less.

21 (c) Restriction.--The use restriction referenced in
22 subsection (a) is as follows:

23 "The net acreage of forty-two and two hundredths acres
24 (42.02A.) of land herein conveyed shall be used for public
25 school purposes by the School District of the City of
26 Harrisburg and if at any time the said School District of the
27 City of Harrisburg or its successor in function conveys said
28 property or authorizes or permits said property to be used
29 for any purpose other than public school purposes, the title
30 thereto shall immediately revert to and re-vest in the

1 Commonwealth of Pennsylvania."

2 (d) Portion of restriction to be released.--The portion of
3 the use restriction to be released is that portion that limits
4 the property to use by the School District of the City of
5 Harrisburg. The remainder of the use restriction, which limits
6 the property to use for public school purposes, and the
7 associated reversionary interest, shall remain in effect.

8 (e) Legal instruments.--Any legal instruments necessary to
9 release the portion of the use restriction as authorized by this
10 section shall be executed by the Secretary of General Services
11 in the name of the Commonwealth of Pennsylvania.

12 (f) Costs and fees.--Costs and fees incidental to the
13 release authorized by this section shall be borne by the
14 grantee.

15 (g) Proceeds.--Any proceeds received by the Department of
16 General Services for the release authorized by this section
17 shall be deposited into the General Fund.

18 Section 2. Effective date.

19 This act shall take effect immediately.