

CONVEYANCE - COMMONWEALTH PROPERTY IN NORTHUMBERLAND COUNTY
Act of Jul. 20, 1979, P.L. 177, No. 58 **Cl. 85**
AN ACT

Authorizing and directing the Department of General Services to sell and convey certain tracts of land. (Title amended Dec. 20, 1984, P.L.1208, No.229)

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

Section 1. The Department of General Services, with the approval of the Department of Environmental Resources and the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania, to sell and convey to the County of Northumberland for the sum of \$1, the following tract of land situate in the Township of Mount Carmel, County of Northumberland and Commonwealth of Pennsylvania, bounded and described as follows:

All the surface or right of soil only of all that certain lot, piece or parcel of land situate, lying and being in the Township of Mount Carmel, County of Northumberland in the State of Pennsylvania, bounded and described as follows, to wit:

Beginning at a point located north 8 degrees, 35 minutes east a distance of 452 feet more or less from the southwest corner of lands of Helker Construction Company, said point being further described as north 4 degrees, 48 minutes east a distance of 600 feet more or less from the southeast corner of Mount Carmel Borough, located on the dividing line between Mount Carmel Borough and Mount Carmel Township; thence northward along said dividing line, also being the west line of Helker Construction Company north 7 degrees, 15 minutes west a distance of 1,155 feet to a point, said point being the northwest corner of lands now owned by Helker Construction Company; thence eastward along the north line of Helker Construction Company, north 61 degrees 56 minutes east a distance of 381 feet to a point; thence south 70 degrees and 54 minutes east a distance of 142 feet to a point; thence south 61 degrees 17 minutes east a distance of 368 feet to a point; thence north 89 degrees and 4 minutes east a distance of 93 feet to a point; thence south 10 degrees and 10 minutes west a distance of 154 feet to a point; thence south 13 degrees, 32 minutes east a distance of 150 feet to a point; thence north 87 degrees, 45 minutes east a distance of 82 feet to a point; thence north 72 degrees, 36 minutes east a distance of 155 feet to a point; thence north 84 degrees and 7 minutes east a distance of 301 feet to a point; thence south 72 degrees and 5 minutes east a distance of 165 feet to a point; thence north 82 degrees and 33 minutes east a distance of 419 feet to a point in the west line of lands now or formerly owned by Gertrude Ramage; thence southward along the west line of Gertrude Ramage lands south 11 degrees, 17 minutes east a distance of 57 feet to a point, said point being the southwest corner of lands now or formerly owned by Gertrude Ramage; thence eastward along the south line of Gertrude Ramage north 78 degrees, 43 minutes east a distance of 133 feet to a point; thence south 74 degrees and 48 minutes east a distance of 74 feet to a point; thence south 0 degrees and 44 minutes east a distance of 79 feet to a point; thence south 58 degrees, 54 minutes west a distance of 346 feet to a point; thence south 84 degrees and 18 minutes west a distance of 299 feet to a point; thence south 71 degrees and 24 minutes west a distance of 463 feet to a point; thence south 65 degrees, 9 minutes west

a distance of 629 feet to a point; thence south 72 degrees, 58 minutes west a distance of 481.74 feet to a point; said point being the place of beginning, containing 31.09 acres, being the same parcel of land conveyed to the Commonwealth of Pennsylvania by deed of Robert Kerris and Edward Helfrick trading as Helker Construction Company dated December 17, 1968 and recorded January 29, 1969 in Northumberland County Deed Book 478 at Page 56, and as corrected by deed of the same Grantor dated March 7, 1969 and recorded July 31, 1969 in Northumberland County Deed Book 481 at Page 479.

Excepting and reserving, however, unto the Commonwealth of Pennsylvania as trustee of natural resources and the Public Estate pursuant to Article I, section 27, of the Constitution of the Commonwealth of Pennsylvania, all the coal and other minerals in, under and upon the said described tract of land, the surface only of which is hereby conveyed.

Excepting and reserving, however, unto the Grantor, its successors and assigns, the full, free liberty and right at all times hereafter forever of ingress, egress and regress for any and all purposes related to the removal of coal.

The conveyance shall be made under and subject to all easements, servitudes and rights of others, including but not confined to streets, roadways, and rights of any telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates, or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

Excepting all right title and interest of Cecilia C. Mains and Myron Shihinsky as tenants in common, of the Borough of Mount Carmel, County of Northumberland and Commonwealth of Pennsylvania, by deed dated November 22, 1960 from Cecilia C. Tarlecky:

All that certain lot, piece or parcel of land situate, lying and being in the Richard Tunis Tract, Township of Mount Carmel, County of Northumberland, Commonwealth of Pennsylvania. Beginning at a point in the southern right-of-way line of Pennsylvania State Highway Route No. 161, said right-of-way line being measured 50 feet south of and parallel to the center line of said highway, said point being further described as being south 86 degrees 44 minutes east 597.93 feet from the intersection of the eastern line of the Borough of Mount Carmel and the said southern right-of-way line; thence along said southern right-of-way line, north 80 degrees 57 minutes east 150.00 feet to a point; thence through the Richard Tunis Tract by the following courses and distances: (1) south 11 degrees 00 minutes east 130.00 feet to a point, (2) south 80 degrees 57 minutes west 159.30 feet to a point, (3) north 6 degrees 54 minutes west 130.00 feet to the point of beginning, being a portion of the Richard Tunis Tract, surface only, in Mount Carmel Township, County of Northumberland, Commonwealth of Pennsylvania and containing 0.461 acres as shown on the map attached thereto and made a part hereof.

This conveyance is made subject to all easements and rights-of-way for pipelines and electric power lines through, over and across the premises hereby conveyed, together with the right of ingress, egress and regress by the Grantor, its successors and assigns, to and over the above described parcel of land for the purpose of maintaining or replacing the electric power transmission line now erected thereon, including the supports therefor, and the right of ingress, egress by the Mount Carmel Water Company, its successors and assigns, for the

purpose of maintaining or relaying the waterline now located upon said parcel.

Subject to all conditions, reservations and exceptions contained in any and all previous deeds.

Entered and recorded in the Office of the Recorder of Deeds in Northumberland County, Pennsylvania, November 28, 1960, Volume 405, Pages 309 to 310 inclusive, being the same premises which M. A. Hanna Company, an Ohio Corporation by deed dated April 18, 1960 and recorded in the Office for Recording of Deeds in and for the County of Northumberland in Deed Book 401, Page 139, granted and conveyed unto Cecilia C. Tarlecky, one of the parties of the first part hereto.

And excepting the right-of-way of Pennsylvania Department of Transportation, for Pennsylvania Route No. 161 crossing the area; and the right-of-way of the Pennsylvania Department of Transportation for Route No. 161 crossing the area as appears of record in the inter-departmental agreement, and accompanying plan sheets between the Department of Environmental Resources and the Department of Transportation, recorded in the Recorder of Deeds Office in and for the County of Northumberland on September 11, 1974 in M D 36, Page 350 &c.

This document does not sell, convey, transfer, include or insure, the title to the coal and right of support underneath the surface land described or referred to herein, and the owner or owners of such coal have the complete legal right to remove all of such coal, and in that connection damage may result to the surface of the land and any house, building or other structure on or in such land.

Compiler's Note: The Department of Environmental Resources, referred to in this section, was abolished by Act 18 of 1995. Its functions were transferred to the Department of Conservation and Natural Resources and the Department of Environmental Protection.

Section 2. The deed of conveyance shall contain a clause that the lands conveyed shall be used for public purposes by the County of Northumberland and if at any time the said County of Northumberland or its successor in function conveys said property or authorizes or permits said property to be used for any purpose other than public purposes, the title thereto shall immediately revert to and revert in the Commonwealth of Pennsylvania, but the conveyance or use of the property for relocation of citizens displaced by the Centralia mine fire, in the Borough of Centralia, Conyngham Township, Columbia County, shall not cause a reverter of title to the Commonwealth. Conveyances of any part of the property for purposes of relocating citizens displaced by the Centralia mine fire shall extinguish forever the Commonwealth's possibility of reverter for those portions of the property so conveyed.

(2 amended Dec. 20, 1984, P.L.1208, No.229)

Section 3. The Deed of Conveyance shall be approved by the Department of Justice and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

Section 3.1. The Department of General Services, with the approval of the Governor, is hereby authorized and directed, on behalf of the Commonwealth of Pennsylvania, to sell and convey to Temple University, of the Commonwealth System of Higher Education, for a consideration equal to the greater of the fair market value, as determined by an independent appraisal obtained by the Department of General Services, or of the cost of acquisition incurred by the Commonwealth, the following tract

of land situate in the 20th ward of the City of Philadelphia, Pennsylvania, bounded and described as follows:

Beginning at a point formed by the intersection of the northerly side of Montgomery Avenue (50 feet wide) and the easterly side of 12th Street (50 feet wide); thence extending from said beginning point, along the said easterly side of 12th Street, in a northerly direction, the distance of approximately 280 feet to an existing fence; thence extending along the said fence, in an easterly direction, the distance of 396 feet to a point on the westerly side of 11th Street (50 feet wide); thence extending along the westerly side of 11th Street, in a southerly direction, the distance of approximately 280 feet to the northerly side of Montgomery Avenue aforesaid; thence extending along the said northerly side of Montgomery Avenue, in a westerly direction, the distance of 396 feet to the easterly side of 11th Street and the first mentioned point and place of beginning.

The conveyance shall be made under and subject to all title restrictions of record at the time of the enactment of this act.

A purchase price equal to the greater of the fair market value or the cost of acquisition incurred by the Commonwealth shall be paid to the Commonwealth at time of settlement and shall be utilized to retire any outstanding bonds issued for the acquisition of this property.

The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania and as Executive Director of the General State Authority.

Costs and fees incidental to this conveyance shall be borne by the grantee.

(3.1 added Dec. 20, 1984, P.L.1208, No.229)

Section 4. This act shall take effect immediately.