

CONVEYANCE - COMMONWEALTH PROPERTY TO ARMSTRONG COUNTY

Act of May 9, 1984, P.L. 232, No. 50

Cl. 85

AN ACT

Authorizing and directing the Department of General Services and the Department of Environmental Resources, with the approval of the Governor, to convey to Armstrong County an island situate in the Allegheny River near the Borough of Kittanning.

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

Section 1. The Department of General Services and the Department of Environmental Resources, with the approval of the Governor, are hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey, for a consideration of \$50, the amount equal to one-half of the fair market value, to Armstrong County an island situate in the Allegheny River near the Borough of Kittanning, described as follows:

Beginning at a point on the northeast corner of the island located approximately 150.0 feet from the bank of the Allegheny River at mile 45.5 approximately 500.0 feet south and downstream of Lock No. 7; thence west a distance of approximately 82.5 feet to a point; thence southwest a distance of approximately 577.5 feet; thence east a distance of approximately 165.0 feet; thence northeast a distance of approximately 495.0 feet to the point and place of beginning containing approximately 1.3 acres of land.

The conveyance shall be made under and subject to all easements, servitudes and rights of others, 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.

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 clauses that provide as follows:

(1) All rights and interests of the United States of America and the Commonwealth of Pennsylvania in navigable waters shall be retained and protected.

(2) The island shall at all times be maintained in its natural state.

(3) The boundaries of the island if enlarged by accretion shall only extend to the normal pool elevation of 769.0 feet above mean sea level.

(4) The island shall be known as the Isle of White.

(5) The island shall be used only for recreational

purposes and, if at any time Armstrong County or its successor in function conveys the island or permits the property to be used contrary to these restrictions, the title thereto shall immediately revert to and re-vest in the Commonwealth of Pennsylvania.

Section 3. 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.

Section 4. Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 5. This act shall take effect immediately.