

CONVEYANCE - COMMONWEALTH PROPERTY IN WEST BRADFORD TOWNSHIP,
CHESTER COUNTY AND TO WAYNESBURG UNIVERSITY IN WAYNESBURG
BOROUGH, GREENE COUNTY

Act of Jul. 2, 2010, P.L. 254, No. 43

Cl. 85

AN ACT

Authorizing the Department of General Services, with the approval of the Department of Public Welfare and the Governor, to grant and convey to West Bradford Township certain lands situate in West Bradford Township, Chester County; and authorizing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, to grant and convey to Waynesburg University certain lands situate in the Borough of Waynesburg, Greene County.

Compiler's Note: The Department of Public Welfare, referred to in this act, was redesignated as the Department of Human Services by Act 132 of 2014.

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

Section 1. Conveyance to West Bradford Township, Chester County.

(a) Authorization.--The Department of General Services, with the approval of the Department of Public Welfare and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to West Bradford Township certain lands, known as Embreeville Center, situate in West Bradford and Newlin Townships, Chester County, for \$2,000,000.00 and under terms and conditions to be established in an agreement of sale with the Department of General Services.

(b) Property description.--The property to be conveyed pursuant to subsection (a) consists of approximately 225.115 acres and all improvements thereon bounded and more particularly described as follows:

ALL THAT CERTAIN tract of land with the buildings and improvements thereon erected partly situated in the Township of West Bradford and partly within the Township of Newlin, County of Chester, Commonwealth of Pennsylvania as shown on an ALTA/ACSM survey for Embreeville Center prepared by Stantec Consulting Services, and dated September 30, 2008 (the "Stantec Survey"), last revised on Oct. 7, 2008, the bounds of which being described as follows to wit:

BEGINNING at a point in the centerline in the bed of Telegraph Road (SR0162) (originally 33 feet wide right-of-way) which point being the southwesterly corner of parcel number 50-8-09.3, Lot 1 as shown on final plan for a 3 lot subdivision for Commonwealth of Pennsylvania prepared by Lake, Roeder, Hillard & Beers dated April 30, 2001, Chester County Plat No. 16063, (lands now or late West Bradford Township); THENCE from said Beginning Point and along title line and centerline in the bed of said Telegraph Road (aka Embreeville Road) the following six (6) courses and distances:

- 1) South 70°43'53" West, 414.88 feet to a point;
- 2) South 72°10'25" West, 352.39 feet to a point;
- 3) South 83°39'22" West, 205.68 feet to a point at or near the municipal boundary line dividing the Township of West Bradford, Chester County from the Township of Newlin, Chester County; THENCE crossing said line,

4) North 85°16'42" West, 150.23 feet to a point;
5) North 80°56'32" West, 412.72 feet to a point of curve;
6) along the arc of a circle curving to the left in a westwardly direction having a radius of 1,000.00 feet, an arc distance of 332.44 feet to a point; (chord bears South 89°32'03" West, 330.91 feet); THENCE leaving same and along lines of a certain sewage treatment plant area, the following three (3) courses and distances:

1) South 11°15'43" East, 648.13 feet to a point;
2) South 78°31'24" West, 299.50 feet to a point;
3) North 11°15' 41" West, 645.59 feet to a point in the aforementioned title line and centerline in the bed of Embreeville Road;

THENCE along same the following four (4) courses and distances:

1) South 77°54'34" West, 205.91 feet to a point of curve;
2) along the arc of a circle curving to the left in a southwestwardly direction having a radius of 1,400.00 feet, an arc distance of 199.73 feet to a point of reverse curve; (chord bears South 73°49'21" West, 199.56 feet);

3) along the arc of a circle curving to the right in a southwestwardly direction having a radius of 1,100.00 feet, an arc distance of 192.24 feet to a point of reverse curve; (chord bears South 74°44'31" West, 192.00 feet);

4) along the arc of a circle curving to the left in a southwestwardly direction having a radius of 270.00 feet, an arc distance of 139.65 feet to a point; (chord bears South 64°55'22" West, 138.10 feet); THENCE leaving said title line and centerline and along the easterly line of lands and other lands now or late Newlin Township the following four (4) courses and distances:

1) North 50°37'59" West, 224.02 feet to a point;
2) North 23°27'59" West, 200.00 feet to a point;
3) North 71°52'59" West, 183.20 feet to a point;
4) North 83°24'59" West, 638.47 feet to a concrete monument;

THENCE along the easterly line of a certain lot 3 per final plan for a 3 lot subdivision for Commonwealth of Pennsylvania prepared by Lake, Roeder, Hillard & Beers dated April 3, 2001, Chester County Plat No. 16063, (lands now or late West Bradford Township); North 08°09'10" West, 2,914.11 feet re-crossing the aforementioned municipal boundary dividing the Township of Newlin from the Township of West Bradford to a point in the southerly right-of-way line of Strasburg Road (SR3062) (60 feet wide right-of-way); THENCE along said right-of-way line of said Strasburg Road the following two (2) courses and distances:

1) South 63°58'30" East, 130.55 feet to a point of curve;
2) along the arc of a circle curving to the left in a southwestwardly direction having a radius of 1,940.08 feet, an arc distance of 252.51 feet to a point of intersection with the westerly line of lands PSW Co. (Deed Book 4980 page 1763) (chord bears South 67°48'14" West, 252.33 feet); THENCE leaving said southerly right-of-way line and along lines of land now or late PSW Co. the following five courses and distances.

1) South 18°30'04" West, 198.80 feet to a point;
2) South 66°11'30" East, 271.34 feet to a point;
3) North 17°45'53" East, 68.38 feet to a point;
4) South 81°07'24" East, 213.73 feet to a point;
5) North 16°30'11" East, 132.88 feet to a point in the aforementioned southerly right-of-way line for Strasburg Road (SR 3062) (variable width right-of-way); THENCE along said southerly variable width right-of-way the following sixteen (16) courses and distances:

1) South 83°02'27" East, 21.46 feet to a point;

2) South 86°44'58" East, 52.01 feet to a point;
3) North 89°32'52" East, 52.03 feet to a point;
4) North 85°50'41" East, 52.06 feet to a point;
5) North 83°14'14" East, 52.03 feet to a point;
6) North 80°37'31" East, 51.99 feet to a point;
7) North 76°54'59" East, 52.08 feet to a point;
8) North 77°34'43" East, 51.63 feet to a point;
9) North 77°10'04" East, 51.38 feet to a point;
10) North 77°53'16" East, 51.12 feet to a point;
11) North 76°22'58" East, 51.04 feet to a point;
12) North 77°07'36" East, 50.91 feet to a point;
13) North 71°18'37" East, 41.07 feet to a point;
14) North 76°17'30" East, 536.71 feet to a point;
15) along the arc of a circle curving to the right in a northeastwardly direction having a radius of 2,834.93 feet, an arc distance of 413.90 feet to a point of tangency (chord bears North 80°28'27" East, 413.54 feet);

16) North 84°39'25" East, 228.25 feet to a point of intersection with the westerly line of lands now or late SPCA as shown on Final Minor Subdivision Plan prepared for Chester County SPCA prepared by Register Associates, Inc. (Chester County Plan No. 16616), THENCE along the westerly line of lands now or late SPCA South 09°23'14" East, 1,490.84 feet to a point; THENCE along the southerly line of said lands North 44°32'32" East, 1048.92 feet to the westerly line of Tattersall Golf Community; THENCE along said westerly line South 28°11'11" East, 863.22 feet to a point which point being the northwesterly corner of Lot 1 as shown in final plan for a 3 lot subdivision for Commonwealth of Pennsylvania prepared by Lake, Roeder, Hillard & Beers dated April 30, 2001, (Chester County Plat No. 16063); THENCE South 14°36'29" East, 701.96 feet to a point; THENCE still along said westerly line South 11°11'36" East, 748.09 feet to the first mentioned point and place of Beginning.

Containing 235.675 acres more or less.

LESS AND EXCEPTING all that certain tract, piece or parcel of land situate in the Township of West Bradford, County of Chester, Commonwealth of Pennsylvania, shown on the aforementioned Stantec Survey as the "PennDOT Lease Area Boundary" (hereinafter, the "PennDOT Exception") containing approximately 459,993 square feet or 10.5600 acres (the Deed of Conveyance described in subsection (h), shall exclude the PennDOT Exception by legal description, or by such other reasonable method).

(c) Conditions.--The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, cable, water, electric, sewer, gas or pipeline companies, as well as under and subject to any lawful and enforceable interest, estates or tenancies vested in third persons, appearing of record, for any portion of the land or improvements erected thereon; provided, however, that the Department of General Services, as agent for the Department of Public Welfare, will retain building and systems maintenance obligations imposed on the lessor under an existing lease with Pennsylvania Clinical Schools, Inc., as tenant (which lease pertains to part of the land to be conveyed hereby), until such lease is terminated or expires.

(d) Restricted use.--Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or

any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title to the property shall immediately revert to and re-vest in the grantor.

(e) Open space covenant.--The deed of conveyance shall contain the following covenant (the "Open Space Covenant") applicable to the two portions of the property to be conveyed hereby that are described hereinafter and labeled "Open Space 1 Area" and "Open Space 2 Area":

UNDER AND SUBJECT to the condition that the portions of the land herein conveyed and described hereinafter as 'Open Space 1 Area' and 'Open Space 2 Area' shall be used for open space uses and, if at any time the grantee or its successors and assigns in title to the Open Space 1 Area or Open Space 2 Area authorizes or permits said property to be used for any purpose other than open space uses and such improper use continues for more than sixty (60) days after written notice to the grantee, its successors and assigns, then title to the Open Space 1 Area or Open Space 2 Area that is used for such improper purpose shall immediately thereupon revert to and re-vest in the Commonwealth of Pennsylvania. For purposes hereof, 'open space uses' shall mean uses as defined in section 2 of the act of January 19, 1968 (1967 P.L.992, No.442), entitled 'An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses,' and shall include passive recreation purposes (by way of example, but not of limitation, walking and hiking) and reasonable improvements in connection with such uses (by way of example, but not of limitation, footbridges, boardwalk paths, trails, access and fire roads). In addition, the use of the parcels for purposes of above and below ground utility transmission shall not be deemed a violation of the aforesaid restriction.

The Open Space Covenant shall apply only to the areas bounded and described as follows:

Open Space 1 Area

ALL THAT CERTAIN tract of land situated in the Townships of West Bradford and Newlin, County of Chester, Commonwealth of Pennsylvania as shown on the Stantec Survey as "Open Space 1 Area", the bounds of which being described as follows to wit:

BEGINNING at an Iron pin found, said point being on the southwesterly corner of parcel 50-008-0009.02E, lot 3 as shown in the Final Plan for a 3 Lot Subdivision for Commonwealth of Pennsylvania prepared by Lake, Roeder, Hillard & Beers dated April 30, 2001, Chester County Plat No. 16063, (lands now or late West Bradford Township); THENCE from said Beginning Point North 08°09'10" West, a distance of 1111.35 feet, crossing the Newlin/Bradford Township line; thence North 62°36'08" East, a distance of 690.16 feet; thence North 76°10'48" East, a distance of 120.64 feet; thence North 02°19'47" East, a distance of 299.89 feet; thence North 74°22'55" East, a distance of 359.85 feet; thence South 54°55'17" East, a distance of 354.19 feet; thence South 07°52'43" West, a distance of 249.10 feet; thence South 33°39'26" West, a distance of 326.51 feet; thence South 16°13'43" West, a distance of 195.88 feet; thence South 24°22'18" East, a distance of 112.30 feet; thence South 19°17'30" West, a distance of 437.23 feet; thence South

09°29'13" West, a distance of 223.26 feet; thence re-crossing the Newlin/Bradford Township line South 10°41'23" East, a distance of 239.15 feet; thence South 29°09'45" East, a distance of 213.45 feet; thence South 22°36'57" East, a distance of 234.15 feet to a point on the Northerly Right of Way Line of Telegraph Road (33'Wide); thence South 50°18'34" West 8.21 feet along said right of way line; thence North 50°37'59" West, a distance of 207.25 feet; thence North 23°27'59" West, a distance of 200.00 feet; thence North 71°52'59" West, a distance of 183.20 feet; thence North 83°24'59" West, a distance of 638.47 feet to the POINT OF BEGINNING.

Containing 1,684,811 square feet or 38.667 acres, more or less.

Open Space 2 Area

ALL THAT CERTAIN tract of land situated in the Township of West Bradford, County of Chester, Commonwealth of Pennsylvania as shown on the Stantec Survey as "Open Space 2 Area", the bounds of which being described as follows to wit:

BEGINNING at a point, said point being an iron pin found at the Southwest corner of number 50-008-0009.04 as shown in that Plan Prepared For Chester County S.P.C.A, prepared by Register Associates, Inc. dated 3-12-02, Chester County Plat No. 16616, and running thence South 84°03'53" West, a distance of 532.02 feet; said point being 25 feet easterly from the centerline of the existing access road, and the following five (5) calls being parallel to, and 25 feet from said centerline: thence (1) North 21°11'12" East, a distance of 216.81 feet to a point of curve to the left having a radius of 400.00 feet; thence (2) northerly along the arc a distance of 475.00 feet; (chord bears North 12°49'57" West, a distance of 447.58 feet); thence (3) North 46°51'06" West, a distance of 177.17 feet to a point of curve to the right having a radius of 200.00 feet; thence (4) northwesterly along the arc a distance of 118.46 feet; (chord bears North 29°52'59" West, a distance of 116.74 feet); thence (5) North 12°54'53" West, a distance of 52.17 feet; thence North 71°52'49" East, a distance of 606.56 feet to the Westerly line of Lands Now of Formerly Chester County S.P.C.A., aforesaid; thence South 09°23'14" East, a distance of 1059.60 feet along said Westerly line to the POINT OF BEGINNING.

Containing 463,463 square feet or 10.640 acres, more or less.

(f) Public recreation area covenant.--The deed of conveyance shall contain the following covenant ("Public Recreation Area Covenant") applicable to the three portions of the property to be conveyed hereby that are described hereinafter and labeled "Recreation Parcel 1 Area," "Recreation Parcel 2 Area," and "Recreation Parcel 3 Area":

UNDER AND SUBJECT to the condition that the portions of the land herein conveyed and described hereinafter as 'Recreation Parcel 1 Area,' 'Recreation Parcel 2 Area,' and 'Recreation Parcel 3 Area' shall be used for public recreational purposes and, if at any time the grantee or its successors and assigns in title to the Recreation Parcel 1 Area, the Recreation Parcel 2 Area or the Recreation Parcel 3 Area authorizes and permits said property to be used for any purpose other than public recreational purposes and such improper use continues for more than sixty (60) days after written notice to the grantee, its successors and assigns, then title to the 'Recreation Parcel 1 Area,' 'Recreation Parcel 2 Area,' or 'Recreation Parcel 3 Area' that is used for such improper purpose shall immediately thereupon revert to and revest in the Commonwealth of Pennsylvania. For purposes hereof, 'public recreational purposes' shall

mean 'open space uses' as defined in section 2 of the act of January 19, 1968 (1967 P.L.992, No.442), entitled 'An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses,' and, in addition, shall include active and passive recreational activities and improvements in connection with such activities (by way of example, but not of limitation, jogging tracks, soccer fields, baseball diamonds, access and fire roads, parking lots, picnic groves, stormwater runoff facilities). The use of the parcels for purposes of above and below ground utility transmission shall not be deemed a violation of the aforesaid restriction. In addition, drives and roads necessary or useful in providing pedestrian and/or vehicular access to other portions of the property subject to this restriction or to neighboring properties shall not be deemed a violation of the aforesaid restriction.

The Public Recreation Area Covenant shall apply only to the areas bounded and described as follows:

Recreation Parcel 1 Area

ALL THAT CERTAIN tract of land situated in the Township of West Bradford, County of Chester, Commonwealth of Pennsylvania as shown on a Boundary Survey for Embreeville Center prepared by Stantec Consulting Services Inc., the bounds of which being described as follows to wit:

BEGINNING at a point in the northerly right-of-way line of Telegraph Road (SR0162) (33 feet wide right-of-way) said point being on the Westerly line of parcel number 50-8-09.3, Lot 1 as shown in Final Plan for a 3 Lot Subdivision for Commonwealth of Pennsylvania prepared by Lake, Roeder, Hillard & Beers dated April 30, 2001, Chester County Plat No. 16063, (lands now or late West Bradford Township); THENCE from said Beginning Point and along said right of way line of said Telegraph Road (aka Embreeville Road) the following five (5) courses and distances: thence (1) South 70°43'53" West, a distance of 417.01 feet; thence (2) South 72°10'25" West, a distance of 350.52 feet; thence (3) South 83°39'22" West, a distance of 202.42 feet; thence (4) North 85°16'42" West, a distance of 148.63 feet; thence (5) North 80°52'41" West, a distance of 42.17 feet; to a point on the Easterly line of the "PennDOT Exception" and the following four (4) calls being on said easterly line; thence (1) North 03°02'23" West, a distance of 387.11 feet; thence (2) North 45°56'43" East, a distance of 161.07 feet; thence (3) North 88°41'01" East, a distance of 211.29 feet; thence (4) North 01°18'59" West, a distance of 74.97 feet; thence leaving said lease line North 54°37'52" East, a distance of 614.35 feet; thence North 79°24'36" East, a distance of 173.55 feet to a point on the grantors Easterly property line; thence South 11°11'36" East, a distance of 731.42 feet to the POINT OF BEGINNING.

Containing 693,086 square feet or 15.911 acres, more or less.

Recreation Parcel 2 Area

ALL THAT CERTAIN tract of land situated in the Townships of West Bradford and Newlin, County of Chester, Commonwealth of Pennsylvania as shown on a Boundary Survey for Embreeville Center prepared by Stantec Consulting Services Inc., the bounds of which being described as follows to wit:

BEGINNING at a point in the northerly right-of-way line of Telegraph Road (SR0162) (33 feet wide right-of-way) said point being on the interior line extended of the "PennDOT Exception" and thence from said Beginning Point and along said right of

way fine of said Telegraph Road (aka Embreeville Road) the following two (2) courses and distances: thence (1) North $80^{\circ}56'32''$ West, a distance of 294.08 feet crossing the township line of West Bradford and Newlin to a point of curve to the left having a radius of 1016.50 feet thence (2) westerly along the arc a distance of 23.56 feet; (chord bears North $81^{\circ}36'22''$ West, a distance of 23.56 feet); to a point along said lease line extended and the following three (3) calls being along said lease line; thence (1) North $05^{\circ}40'00''$ West, a distance of 213.39 feet; thence (2) North $88^{\circ}50'24''$ East, a distance of 333.34 feet; thence (3) South $00^{\circ}19'23''$ East, a distance of 268.84 feet to the POINT OF BEGINNING.

Containing 77,546 square feet or 1.780 acres, more or less.

Recreation Parcel 3 Area

ALL THAT CERTAIN tract of land situated in the Townships of West Bradford and Newlin, County of Chester, Commonwealth of Pennsylvania as shown on a Boundary Survey for Embreeville Center prepared by Stantec Consulting Services Inc., the bounds of which being described as follows to wit:

BEGINNING at a point in the northerly right-of-way line of Telegraph Road (SR0162) (33 feet wide right-of-way) said point being on the westerly line extended of the "PennDOT Exception" and thence from said Beginning Point and along said right of way line of said Telegraph Road (aka Embreeville Road) the following five (5) courses and distances: along the arc of a 1016.50 foot radius curve to the left, thence (1) westerly along the arc, of said curve 82.76 feet; (chord bears South $82^{\circ}19'36''$ West a distance of 82.74 feet); thence (2) South $77^{\circ}59'07''$ West, a distance of 505.74 feet to the point on the arc of a 1416.50 foot radius curve to the left; thence (3) westerly along the arc of said curve a distance of 202.08 feet; (chord bears South $73^{\circ}49'21''$ West a distance of 201.91 feet); to a point of a reverse curve to the right having a radius of 1083.50 feet; thence (4) westerly along the arc, a distance of 189.36 feet (chord bears South $74^{\circ}44'31''$ West a distance of 189.12 feet to a point of reverse curve to the left having a radius of 286.50 feet thence (5) southwesterly along the arc, a distance of 143.10 feet (chord bears South $65^{\circ}26'23''$ West a distance of 141.62 feet; thence leaving said right of way North $22^{\circ}36'57''$ West, a distance of 234.15 feet; thence North $29^{\circ}09'45''$ West, a distance of 213.45 feet; thence North $10^{\circ}41'23''$ West, a distance of 239.15 feet; thence North $09^{\circ}29'13''$ East, a distance of 223.26 feet; thence North $81^{\circ}02'01''$ East, a distance of 916.33 feet to a point east of the paved access road; thence parallel to, and 25 feet distant from, the center of the access road the following three (3) calls: to the point of curve of a 275 foot radius curve to the right, thence (1) southeasterly along the arc, a distance of 260.52 feet (chord bears South $28^{\circ}45'36''$ East a distance of 250.89 feet) to the point of curve of a 125 foot radius curve to the left, thence (2) southeasterly along the arc a distance of 196.35 (chord bears South $46^{\circ}37'14''$ East a distance of 176.78 feet); thence (3) North $88^{\circ}22'46''$ East, a distance of 85.00 feet to a point on the aforementioned westerly lease line; thence South $06^{\circ}37'15''$ East, a distance of 382.95 feet along said line extended to the POINT OF BEGINNING.

Containing 904,485 square feet or 20.764 acres, more or less.

(g) Intent.--It is the intention of this section, among other things, that a portion of the property to be conveyed hereby (the "Ground Lease Area") be leased by West Bradford Township to Pennsylvania Clinical Schools, Inc., its successors or designees upon terms and conditions acceptable to the

Department of Public Welfare and the parties to such lease. Accordingly, the agreement of sale between the Department of General Services and West Bradford Township shall contain a provision that will survive settlement for one year requiring West Bradford Township to negotiate in good faith for a lease of the Ground Lease Area to Pennsylvania Clinical Schools, Inc., or its successors or designee upon terms and conditions acceptable to the Department of Public Welfare, West Bradford Township and Pennsylvania Clinical Schools, Inc. The Ground Lease Area shall be substantially in accordance with the following legal description:

Pennsylvania Clinical Schools

ALL THAT CERTAIN tract of land situated in the Townships of West Bradford and Newlin, County of Chester, Commonwealth of Pennsylvania as shown on a Boundary Survey for Embreeville Center prepared by Stantec Consulting Services Inc., the bounds of which being described as follows to wit:

BEGINNING AT POINT, said point being the Northwest corner of lands now or formerly Philadelphia Suburban Water company, said point also being on the Southerly line of Strasburg Road (SR 3062, variable width) an iron pin found; and the following five (5) calls being along said lands:

- 1) thence South $18^{\circ}30'04''$ West, a distance of 199.80 feet to an iron pin;
- 2) thence South $66^{\circ}11'30''$ East, a distance of 271.34 feet;
- 3) thence North $17^{\circ}45'53''$ East, a distance of 68.38 feet;
- 4) thence South $81^{\circ}07'24''$ East, a distance of 213.73 feet;
- 5) thence North $16^{\circ}30'11''$ East, a distance of 132.88 feet,

said point also being on said Southerly line of Strasburg Road and the following four (4) calls on aforementioned Southerly line:

- 1) thence South $83^{\circ}02'27''$ East, a distance of 21.46 feet to a point;
- 2) thence South $86^{\circ}44'58''$ East, a distance of 52.01 feet to a point;
- 3) thence North $89^{\circ}32'52''$ East, a distance of 52.03 feet to a point;
- 4) thence North $85^{\circ}50'41''$ East, a distance of 41.67 feet to a point;

thence leaving said Southerly line South $01^{\circ}59'21''$ East, a distance of 125.84 feet;

thence South $73^{\circ}15'08''$ West, a distance of 190.18 feet to a point;

thence South $06^{\circ}49'21''$ East, a distance of 120.01 feet to a point;

thence South $42^{\circ}30'27''$ West, a distance of 201.78 feet to a point;

thence South $09^{\circ}25'50''$ West, a distance of 231.75 feet to a point;

thence South $14^{\circ}40'42''$ East, a distance of 561.45 feet to a point online with Open Space 1 as shown on said plan:

thence South $62^{\circ}36'08''$ West, along said line, a distance of 587.05 feet, more or less to a point on the line of lands now or formerly West Bradford Township;

thence along said line North $08^{\circ}09'10''$ West, a distance of 1,802.76 feet to the aforementioned Southerly line of Strasburg Road, and the following two (2) calls being on said Southerly line:

- 1) thence South $63^{\circ}58'30''$ East, a distance of 130.56 feet;
- 2) thence easterly, a distance of 252.51 feet along a non tangent curve to the left of which the radius point lies North

25°55'29" East a radius of 1,940 feet, and having a central angle of 07°27'26" to the POINT OF BEGINNING.

Containing 838,893 square feet or 19.258 acres, more or less.

(h) Deed.--The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(i) Costs and fees.--Costs and fees incidental to the conveyance authorized by this section shall be borne by the grantees.

(j) Relocation of programs.--In order to effectuate this section, the Department of General Services and the Department of Public Welfare are hereby authorized to relocate any remaining programs, as of the effective date of this section, at Embreeville Center to any other Commonwealth-owned and -operated State mental health or State mental retardation facility without the necessity to comply with any local land use controls, including, but not limited to, zoning, subdivision and land development ordinances.

(k) Alternative disposition.--In the event that an agreement of sale between the Department of General Services and West Bradford Township is not executed within 18 months of the effective date of this section, the property may be disposed of in accordance with Article 2405-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Compiler's Note: The Department of Public Welfare, referred to in this section, was redesignated as the Department of Human Services by Act 132 of 2014.

Section 2. Conveyance to Waynesburg University.

(a) Authorization.--The Department of General Services, with the approval of the Governor and the Department of Military and Veterans Affairs, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Waynesburg University the tract of land, together with any buildings, structures or improvements thereon, situate in the Borough of Waynesburg, Greene County, described in subsection (b) for \$170,000 and under terms and conditions to be established in an agreement of sale.

(b) Description.--The property to be conveyed pursuant to subsection (a) consists of approximately 0.22 acres of land and an armory building, bounded and more particularly described as follows:

ALL THAT CERTAIN tract of land situate in the Borough of Waynesburg, Greene County more particularly bounded and described as follows:

BEGINNING at the northwesterly corner of Washington Street and Strawberry Alley; thence along the Westerly line of Washington Street, North 1 degree 0 minutes East 80 feet to line of land now or late of J.W. Ray, et al; thence Westwardly at right angles to Washington Street, along said Ray line and line of lands now or late of T.R. Huffman and M.R. Travis, 120 feet to line of land now or late of T.R. Huffman; thence Southwardly along said Huffman line, parallel with Washington Street, 80 feet to the Northerly line of Strawberry Alley; thence Eastwardly along the Northerly line of Strawberry Alley, 120 feet to Washington Street, at the place of BEGINNING.

BEING Tax Parcel No. 2604-120.

BEING the same premises conveyed from J.B. Pollock and Alice T. Pollock, his wife, C.H. Bowlby and Eva K. Bowlby, his wife and T. Riley Huffman and Bertha H. Huffman to the Commonwealth

of Pennsylvania, by deed dated October 11, 1913 and recorded October 14, 1913, in the Recorder of Deeds Office for Greene County, Pennsylvania in Deed Book 231, Page 547.

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

(d) Restricted use.--Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns permit any portion of the property authorized to be conveyed in this act to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Special warranty deed.--The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

(g) Proceeds.--The proceeds from the sale shall be deposited in the State Treasury Armory Fund.

(h) Time limitation.--In the event that an agreement of sale between the parties is not executed within one year of the effective date of this section, the property may be disposed of in accordance with section 2405-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 3. Effective date.

This act shall take effect immediately.