

SALE OF LAND TO DEPARTMENT OF FORESTRY AUTHORIZED
Act of Apr. 21, 1915, P.L. 140, No. 68
AN ACT

Cl. 32

Directing the county commissioners of the several counties to offer for sale to the Department of Forestry tracts of land which they may have purchased at county treasurers' sales, for acceptance or refusal for forestry purposes, and to convey to the Commonwealth of Pennsylvania the tracts so offered to be sold, if accepted by the department.

Compiler's Note: Section 302(h) of Act 18 of 1995, which created the Department of Conservation and Natural Resources and renamed the Department of Environmental Resources as the Department of Environmental Protection, provided that the Department of Conservation and Natural Resources shall exercise the powers and duties conferred upon the Department of Forests and Waters by Act 68 of 1915.

Section 1. Be it enacted, &c., That when county commissioners shall have received from the county treasurer a conveyance of lands which shall have been advertised and sold for unpaid taxes, in accordance with the several acts of Assembly relating to the sale and conveyance of lands for taxes, the said commissioners are hereby directed, after the period for redemption of said lands shall have expired, to offer said lands to the Department of Forests and Waters and the Board of Game Commissioners, for acceptance or rejection by said department or commission, for forestry or game purposes, when required so to do by the Department of Forests and Waters or the Board of Game Commissioners. The county commissioners, in making such offer, shall describe the land by giving the name of its former owner, its location, warrantee name or number, and its adjoiners. They shall state the number of acres and perches in each tract so offered, and the amount of taxes, interest, and costs due thereon, which shall have been levied and become a lien and accrued to the time of making the offer. Every such offer shall be accompanied by a draft of the land, when required by the department or commission, to be prepared by the county surveyor. The cost of the preparation of such draft shall be paid by the county commissioners, and in no case shall exceed the ordinary and usual amount paid for the making of similar drafts in the course of county business. The cost of the draft may be added by the commissioners to the amount of costs accrued against the land which they shall offer the Department of Forests and Waters or the Board of Game Commissioners. Where adjoining tracts are so offered, they shall be included within one draft, and the cost of the draft shall be ratably apportioned among the several tracts in accordance with the area thereof.

(1 amended May 22, 1933, P.L.943, No.179)

Section 2. That upon receiving any such offer from the county commissioners, which offer shall be made upon blank forms to be prepared by the Department of Forests and Waters or the

Board of Game Commissioners and supplied to the commissioners, the department or commission shall make an examination and valuation of the land so offered to determine whether it is suitable for forestry or game land purposes. If found not suitable for forestry or game land purposes, the department or commission shall so notify the commissioners. If found to be suitable for the authorized purposes of either the department or the commission, the one desiring such land shall likewise notify the commissioners of its suitability, make a conditional acceptance, and proceed to examine the title. If such examination shall disclose that the title is marketable, and of such character as can be safely accepted, the department or commission shall prepare a deed, to be executed by the commissioners, conveying such land to the Commonwealth of Pennsylvania. The consideration shall include all taxes levied for a period not to exceed five years, which shall include the period for redemption, together with interest, and costs due to date of conveyance; but shall, in no case, exceed the limit of purchase price now or hereafter fixed by law for the purchase of land by the Department of Forests and Waters or the Board of Game Commissioners for authorized purposes.

(2 amended Apr. 1, 1937, P.L.199, No.50)

Section 3. That if the title examination shall disclose incumbrances upon the land, or other objections, which, in the judgment of the Department of Forests and Waters or the Board of Game Commissioners, whichever is contemplating the purchase of the land, will render the title unmarketable or undesirable for the State to own, the county commissioners shall then proceed to remove such objections to title, and cure such defects, so far as it may be possible to do so, or may be required by the practice of the Department of Forests and Waters or the Board of Game Commissioners in the purchase of lands. The purchase of said land shall not be further proceeded with until the title shall be rendered acceptable to the department or commission contemplating purchase. In case the county commissioners neglect or refuse to remove objections to title when required by the department or the commission, whichever is contemplating the purchase of the land, such agency may, after a reasonable time, not exceeding six months, notify the commissioners that it refuses to consider the further purchase of the land so offered. The time for removal of objections may be extended by the department or commission for cause shown.

(3 amended May 22, 1933, P.L.943, No.179)

Section 4. That all laws or parts of laws in conflict herewith are hereby repealed.