

STATE FOREST LANDS, SALES OR EXCHANGE
Act of May 5, 1921, P.L. 418, No. 194
AN ACT

Cl. 32

Authorizing the State Forest Commission to exchange or sell certain portions of the State forest land, and providing for the procedure.

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 State Forest Commission by Act 194 of 1921.

Section 1. Be it enacted, &c., That whenever the State Forest Commission shall determine and declare, by a resolution adopted unanimously at a meeting when a majority of its members are present and voting and approved by the Governor, that it will be to the advantage of the State forest interests, said State Forest Commission may, by such resolution so approved, authorize either of the following actions to be taken:

(a) That, after such public hearing as the State Forest Commission may prescribe, any State forest land, together with the buildings, improvements, and appurtenances thereof, may be exchanged for privately owned land of equal or greater value and at least equally adapted to State forest purposes.

(b) That, after the advertisement provided for in section five hereof, any State forest land, together with the buildings, improvements and appurtenances thereof, declared by said resolution to be more valuable for other use than for State forest purposes and not needed for use in the administration and protection of the State forests, may be sold to the party or parties offering the highest price therefor.

Section 2. Upon the adoption of any such resolution, the Attorney General shall prepare the necessary deed or deeds to consummate the exchange or sale provided for and authorized in section one hereof, and the Governor of the Commonwealth is hereby authorized to execute such deed or deeds for and on behalf of the Commonwealth of Pennsylvania, and affix thereto the seal of the Commonwealth, all to the intent and effect that the title of the State forest land, together with its buildings, improvements, and appurtenances thus exchanged or sold, may be vested in the party or parties entitled thereto pursuant to the resolution of the State Forest Commission, but in case of sale no deed shall be delivered until the purchase price shall have been paid in full.

Section 3. Before the exchange of lands pursuant to section one hereof, the Attorney General shall examine and approve the title of the privately owned lands to be received in exchange, and the deed or deeds from the Commonwealth of Pennsylvania shall be delivered only when a sufficient deed or deeds to the Commonwealth of Pennsylvania for the land to be received by the

State shall have been approved by the Attorney General, and delivered; and, immediately upon the execution, acknowledgment, approval, and delivery of the deeds to the Commonwealth of Pennsylvania, the lands thus granted shall become and be a part of the State forests, subject to all the laws and rules governing the State forest lands.

Section 4. All receipts from the sale of any State forest land shall be deposited in the treasury, and said receipts shall be, and are hereby, appropriated and made available until expended for use, separately or in conjunction with any other appropriations, for the acquisition of land for State forest purposes.

Section 5. Before the sale of any State forest land under the power granted by this act, the State Forest Commission shall advertise such proposed sale, at least once each week for three successive weeks, in at least two newspapers published within the State, one of which shall be published in the city or town nearest the land to be sold.