

EASEMENT - BACK CHANNEL IN OHIO RIVER FOR DOCK FACILITIES

Act of Jul. 1, 1978, P.L. 740, No. 137

Cl. 85

AN ACT

Authorizing the Department of General Services with the approval of the Secretary of Environmental Resources, in the name of the Commonwealth of Pennsylvania to grant an easement to Dravo Corporation, a Pennsylvania corporation, a 9.5 acre tract of land within the bed of the Back Channel of the Ohio River situate in Neville Township, Allegheny County, Pennsylvania, adjacent to and having a common boundary with lands presently owned by the same corporation immediately adjacent to and to the north thereof and granting a license in the riverbed of the Ohio River to the municipal authority of the Borough of West View, Allegheny County, Pennsylvania.

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

Section 1. The Department of General Services, with the approval of the Secretary of Environmental Resources, acting on behalf of the Commonwealth of Pennsylvania, is hereby authorized to grant an easement, for the consideration of \$1 to Dravo Corporation, a Pennsylvania corporation, with executive offices in the city of Pittsburgh, Allegheny County, Pennsylvania, its successors and assigns, a 9.5 acre tract of land, more or less, within the bed of the Back Channel of the Ohio River in Neville Township for the purpose of constructing dock facilities at approximately mile 7.5. The 9.5 acre tract, more or less, is described as follows:

All that certain tract of land situate in Neville Township, County of Allegheny, and Commonwealth of Pennsylvania, being portions of Lot Nos. 17, 18, 19, 20 and 21 in the Ohio River Back Channel Plan of Lots, laid out by R. A. Phillips, which plan of lots is recorded in the Recorder's Office of Allegheny County, Pennsylvania, in Plan Book Special, Page 6, said portions of said lots being more particularly bounded and described as follows, to-wit:

Beginning at a point in the Back Channel of the Ohio River at the dividing line between Lot Nos. 21 and 22 in said plan and at the intersection of said dividing line with the southerly line of said Ohio River Back Channel Plan of Lots; thence along said dividing line between Lot Nos. 21 and 22 north 14 degrees 9 minutes 20 seconds east a distance of 320 feet, more or less, to a point on the southerly shore of Neville Island, at the normal Dashields pool elevation 692; thence south 80 degrees 0 minutes 0 seconds east up said shoreline, a distance of 1450 feet, more or less, to the line of property now or formerly of Pittsburgh DeMoines Steel Company; thence south 23 degrees 50 minutes 10 seconds west, a distance of 440 feet, more or less, to a point in the Back Channel of the Ohio River being the southerly line of said Ohio River Back Channel Plan of Lots; thence along same north 76 degrees 26 minutes 50 seconds west down the Ohio River

Back Channel, a distance of 1076.85 feet, to a point; thence north 72 degrees 45 minutes 30 seconds east along the southerly line of said Ohio River Back Channel Plan of Lots a distance of 295 feet, more or less, to the place of beginning; containing 9.5 acres, more or less.

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

Section 2. The agreement of easement shall be executed by the Department of General Services in the name of the Commonwealth of Pennsylvania after approval by the Department of Justice with the concurrence of the Secretary of Environmental Resources.

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

Section 3. Costs and fees related to the preparation and recordation of the easement shall be borne by Dravo Corporation.

Section 4. The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth to grant and convey to the municipal authority of the Borough of West View, Allegheny County, Pennsylvania a license revocable at will in the riverbed of the Ohio River as follows:

Between Neville Island in Neville Township and Davis Island in Stowe Township, approximately five miles down stream from the confluence of the Monongahela and Allegheny Rivers in the Back Channel of the Ohio River.

Being more fully described in Department of Environmental Resources dams and encroachments division application No.0277792.

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 5. The license 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 6. This act shall take effect immediately.