

CONVEYANCE - COMMONWEALTH PROPERTY IN YORK AND CHESTER COUNTIES

Act of Apr. 20, 1988, P.L. 366, No. 58

Cl. 85

AN ACT

Authorizing and directing the Department of General Services, with the approval of the Department of Transportation and the Governor, to sell and convey a tract of land situate in Fairview Township, York County, Pennsylvania; and authorizing and directing the Department of General Services, with the approval of the Governor, to release from certain reverter limitation a tract of land situate in Westtown Township, Chester County, in return for the imposition of similar reverter limitations on lands purchased by Westtown Township, Chester County, Pennsylvania.

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

Section 1. (a) Conveyance to Marine Corps League.--The Department of General Services, with the approval of the Department of Transportation and the Governor, is authorized and directed on behalf of the Commonwealth of Pennsylvania to sell and convey to the Patrick W. Milano Detachment, Marine Corps League, for a consideration of \$15,000, the following described tract of land situate in Fairview Township, York County, Pennsylvania, bounded and described as follows:

Beginning at a point, said point being the southeast corner of Ross Avenue and First Street, thence by the southern right-of-way line of Ross Avenue, south 75 degrees 58 minutes 00 seconds east a distance of 200.00 feet to a point at lands of Pennsylvania Department of Transportation, Airport. Thence by the same, generally following the toe of slope, the following three courses and distances:

(1) South 50 degrees 48 minutes 50 seconds west a distance of 95.45 feet to a point.

(2) South 36 degrees 17 minutes 51 seconds west a distance of 96.02 feet to a point.

(3) South 57 degrees 35 minutes 02 seconds west a distance of 91.77 feet to a point.

Thence by the same, north 58 degrees 14 minutes 21 seconds west a distance of 45.40 feet to a point on the eastern right-of-way line of First Street. Thence by the same, north 14 degrees 02 minutes 00 seconds east a distance of 218 feet to a point, the place of beginning.

Containing 28,862.495 square feet.

(b) Easements, etc.--The conveyance shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, sewer, gas or pipeline companies, 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 or improvements erected thereon.

(c) Approval.--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.

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

(e) Deposit in Motor License Fund.--All money received from the sale of the land shall be deposited in the Motor License Fund.

Section 2. (a) Release of reversion right.--The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to release the Commonwealth's right of reversion against Westtown Township as set forth in section 1(e)(2) of the act of December 21, 1984 (P.L.1227, No.233), entitled "An act authorizing the Department of General Services, with the approval of the Governor and the Department of Health, to convey two tracts of land located in Westtown Township, Chester County, Pennsylvania, to Gaudenzia, Inc., a not-for-profit corporation, and the Township of Westtown; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey to the Catholic Diocese of Altoona-Johnstown 0.810 acres and to Mrs. Edith Casper 0.885 acres of land situate in Noyes Township, Clinton County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey to the East Allen Township Volunteer Ambulance Corps a certain tract of land, with improvements, situate in East Allen Township, Northampton County, Pennsylvania; with the approval of the Governor, to join with Conewango Township in Warren County in the conveyance of a parcel of land, at a fair market value, to West Penn Oil Corporation, Inc.; authorizing and directing the Department of General Services, with the approval of the Governor, to convey a right-of-way to Jeffrey W. Shank and Roberta L. Shank, his wife, over certain lands in Mount Joy Township, Lancaster County, Pennsylvania; authorizing and directing the Department of General Services and the Department of Agriculture, with the approval of the Governor, to convey to Lifecare Associates, Inc., a tract of land and the buildings erected thereon in Penn Township, Snyder County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to convey to the City of Allentown a parcel of land situate in the City of Allentown, Lehigh County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey a tract of land to the Fraternal Order of Police, Lodge 5 of Philadelphia, situate in the city and county of Philadelphia, Pennsylvania; and authorizing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey to East Norriton Fire Company 2.2856 acres of land, more or less, situate in East Norriton Township, Montgomery County, Pennsylvania," in return for the imposition of similar reverter language on the tracts of land described in subsection (b). The land to be released from the reverter limitation consists of the following tracts of land situate in Westtown Township, Chester County, Pennsylvania, bounded and described as follows:

LANDS TO BE CONVEYED TO PHILADELPHIA SUBURBAN WATER COMPANY
WESTTOWN TOWNSHIP
CHESTER COUNTY
TRACT I

BEGINNING at a point on the dividing line between the lands of Westtown Township and Gaudenzia, Inc. (a Pennsylvania non-profit corporation), and also a common corner of Lots No. 1 and No. 2, as shown on a certain subdivision plan titled "Plan of Subdivision made for Westtown Township," as shown on Plan A-3306, as prepared by Donald J. Boucher, Registered Professional Land Surveyor, Willow Grove, PA, dated September 30, 1987, said point being the thirteen (13) following courses

and distances from the point formed by the intersection of the title line of East Pleasant Grove Road with the title line of Concord Road:

THENCE leaving the said intersection point of the said title lines and extending along the title line of said East Pleasant Grove Road:

1. South 67 degrees 45 minutes 00 seconds West, 540.40 feet to a point;

2. South 67 degrees 34 minutes 00 seconds West, 314.70 feet to a point;

3. South 53 degrees 49 minutes 00 seconds West, 190.11 feet to a point;

4. THENCE leaving the said title line of said East Pleasant Grove Road and crossing through the bed of the same North 36 degrees 11 minutes West, 25.00 feet to a point on the northerly side of the ultimate right-of-way line of said East Pleasant Grove Road, and the easterly side of a 25 foot wide roadway for ingress, egress and regress to said Gaudenzia, Inc.;

5. THENCE extending along the said ultimate right-of-way line and the said 25 foot wide roadway South 53 degrees 49 minutes 00 seconds West, 24.67 feet to a point in the bed of the said 25 foot wide roadway;

6. THENCE continuing along the said ultimate right-of-way line and the said 25 foot wide roadway South 46 degrees 54 minutes 00 seconds West, 0.40 feet to a point on the westerly side of the said 25 foot wide roadway;

7. THENCE leaving said ultimate right-of-way and along the westerly side of the said 25 foot wide roadway North 40 degrees 33 minutes 07 seconds West, 256.50 feet to a point;

8. THENCE continuing along the westerly side of the said 25 foot wide roadway North 21 degrees 50 minutes 05 seconds West, 239.80 feet to a point, a common corner between said Westtown Township and said Gaudenzia, Inc.;

THENCE along the dividing line between the lands of Westtown Township and Gaudenzia, Inc.:

9. North 23 degrees 18 minutes West, 105.00 feet to a point;

10. North 71 degrees 18 minutes 23 seconds West, 110.42 feet to a point;

11. South 86 degrees 03 minutes 50 seconds West, 396.85 feet to a point;

12. North 08 degrees 03 minutes 20 seconds West, 135.26 feet to a point;

13. North 57 degrees 48 minutes 02 seconds West, 186.56 feet to the said point and place of beginning;

THENCE extending from the said point of beginning along the dividing line of Lot No. 1 and Lot No. 2 as shown on said plan of subdivision the four (4) following courses and distances:

1. North 22 degrees 29 minutes 20 seconds West, 213.81 feet to a point;

2. North 67 degrees 30 minutes 40 seconds East, 256.00 feet to a point and the northeasterly corner of a 10 foot wide right-of-way as shown on said plan of subdivision;

3. THENCE along the easterly side of the said 10 foot wide right-of-way South 22 degrees 29 minutes 20 seconds East, 170.00 feet to a point, and a common corner between said Westtown Township and said Gaudenzia, Inc.;

4. THENCE leaving the said easterly side of the 10 foot wide right-of-way and crossing through the bed of same and along the dividing line of said Gaudenzia, Inc., and said Lot No. 2 as shown on said plan of subdivision South 57 degrees 48 minutes 02 seconds West, 259.72 feet to the first mentioned point and place of beginning;

BEING Lot No. 2 on said plan of subdivision made for Westtown Township.

CONTAINING: 1.13 acres.

PROPOSED 25 FOOT WIDE ACCESS RIGHT-OF-WAY
THROUGH THE LANDS OF WESTTOWN TOWNSHIP
WESTTOWN TOWNSHIP
CHESTER COUNTY
TRACT II

BEGINNING at a point on the northerly side of the ultimate right-of-way of East Pleasant Grove Road and the easterly side of a 25 foot wide roadway for ingress, egress and regress to Gaudenzia, Inc. (a Pennsylvania non-profit corporation), as shown on a certain subdivision plan title "Plan of Subdivision made for Westtown Township," as shown on Plan A-3306 as prepared by Donald J. Boucher, Registered Professional Land Surveyor, Willow Grove, PA, dated September 30, 1987, said point being the four (4) following courses and distances from the point formed by the intersection of the title line of East Pleasant Grove Road with the title line of Concord Road:

THENCE leaving the said intersection point of the said title lines and extending along the title line of said East Pleasant Grove Road:

1. South 67 degrees 45 minutes 00 seconds West, 540.40 feet to a point;
2. South 67 degrees 34 minutes 00 seconds West, 314.70 feet to a point;
3. South 53 degrees 49 minutes 00 seconds West, 190.11 feet to a point;

4. THENCE leaving the said title line of said East Pleasant Grove Road and crossing through the bed of the same North 36 degrees 11 minutes West, 25.00 feet to a point on the northerly side of the ultimate right-of-way line of said East Pleasant Grove Road, and the easterly side of a 25 foot wide roadway for ingress, egress and regress to said Gaudenzia, Inc., to the point and place of beginning;

THENCE extending from the said point and place of beginning along the said 25 foot wide roadway the seven (7) following courses and distances:

1. THENCE extending along the said ultimate right-of-way line and the said 25 foot wide roadway South 53 degrees 49 minutes 00 seconds West, 24.67 feet to a point in the bed of the said 25 foot wide roadway;
2. THENCE continuing along the said ultimate right-of-way line and the said 25 foot wide roadway South 46 degrees 54 minutes 00 seconds West, 0.40 feet to a point on the westerly side of the said 25 foot wide roadway;
3. THENCE leaving said ultimate right-of-way and along the westerly side of the said 25 foot wide roadway North 40 degrees 33 minutes 07 seconds West, 256.50 feet to a point;
4. THENCE continuing along the westerly side of the said 25 foot wide roadway North 21 degrees 50 minutes 05 seconds West, 239.80 feet to a point, a common corner between said Westtown Township and said Gaudenzia, Inc.;
5. THENCE along the dividing line of the lands of Westtown Township and Gaudenzia, Inc., and along the said 25 foot wide roadway North 66 degrees 42 minutes East, 25.01 feet to a point;
6. THENCE along the easterly side of the said 25 foot wide roadway South 21 degrees 50 minutes 05 seconds East, 236.32 feet to a point;
7. THENCE continuing along the easterly side of the said 25 foot wide roadway South 40 degrees 33 minutes 07 seconds

East, 254.24 feet to the first mentioned point and place of beginning;

BEING a 25 foot wide easement through the lands of Westtown Township.

CONTAINING: .2832 acres.

(b) Imposition of reversion right.--

(1) The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to accept the imposition of the following reversion limitation against Westtown Township.

(2) The lands as described in this subsection shall be used for open space, agricultural and recreational purposes by the Township of Westtown and if, at any time, the said Township of Westtown or its successor in function uses or authorizes or permits said property to be used or conveys said property for any purpose other than open space, agricultural or recreational purposes, the title thereto shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(3) The reversion right set forth in paragraph (2) shall be applied to the following tracts of land situate in Westtown Township, Chester County, Pennsylvania, bounded and described as follows:

TRACT I

ALL THAT CERTAIN lot or parcel of ground situate in Westtown Township, Chester County, Pennsylvania, being shown as Lot No. 3 on Plan of Wedgewood Park by Chester Valley Engineers, Inc., Consulting Engineers, Paoli, Pennsylvania, dated April 27, 1956, and being more fully described as follows:

BEGINNING at a point in the west line of Larchwood Road (50 feet wide), said point being along said west line north 16 degrees 01 minute 20 seconds west, 380.00 feet of a point marking the intersection of the west line of Larchwood Road with the north line of Oakbourne Road (40 feet wide); thence from said point of beginning and along the north line of Lot No. 2 south 73 degrees 58 minutes 40 seconds west, 166.69 feet to a point; thence north 14 degrees 07 minutes west, 180.10 feet to a point the southwest corner of Lot No. 4; thence along the south line of Lot No. 4 north 73 degrees 58 minutes 40 seconds east, 160.70 feet to a point in the west line of Larchwood Road; thence along the west line of Larchwood Road south 16 degrees 01 minute 20 seconds east, 180.00 feet to the point of beginning.

CONTAINING 29,465 square feet of land be the same more or less.

TRACT II

ALL THAT CERTAIN lot or parcel of ground situate in Westtown Township and West Goshen Township, Chester County, Pennsylvania, being shown as Lot No. 4 on Plan of Wedgewood Park by Chester Valley Engineers, Inc., Consulting Engineers, Paoli, Pennsylvania, dated April 27, 1956, and being more fully described as follows:

BEGINNING at a point in the west line of Larchwood Road (50 feet wide), said point being along said west line north 16 degrees 01 minute 20 seconds west, 560.00 feet of a point marking the intersection of the west line of Larchwood Road with the north line of Oakbourne Road (40 feet wide); thence from said point of beginning and along the north line of Lot No. 3 south 73 degrees 58 minutes 40 seconds west, 160.70 feet to a point; thence north 14 degrees 07 minutes west 131.09 feet; thence north 20 degrees 12 minutes 10 seconds west, 70.02 feet

to a point, the southwest corner of Lot No. 5 and in the center line of the 20 foot wide easement for drainage; thence along the south line of Lot No. 5 and the center line of said 20 foot easement north 86 degrees 06 minutes east, 169.66 feet to a point in the west line of Larchwood Road; thence along the west line of Larchwood Road the following two courses: (1) on a line curving to the left having a radius of 198.31 feet, an arc distance of 41.96 feet and a chord bearing south 09 degrees 57 minutes 40 seconds east, 41.88 feet to a point; (2) south 16 degrees 01 minute 20 seconds east, 123.58 feet to the point of beginning.

CONTAINING 29,130 square feet of land be the same more or less.

BEING the same premises which George D. Stiteler and Catharine B. Stiteler, his wife, conveyed by Deed dated October 28, 1987, and recorded in the Office for the Recording of Deeds in and for Chester County, Pennsylvania, granted and conveyed unto Westtown Township, in fee.

TRACT III

ALL THAT CERTAIN lot or parcel of ground situate in Westtown Township, Chester County, Pennsylvania, being shown as Lot No. 2 on Plan of Wedgewood Park by Chester Valley Engineers, Inc., Consulting Engineers, Paoli, Pennsylvania, dated April 27, 1956, and being more fully described as follows:

BEGINNING at a point in the west line of Larchwood Road (50 feet wide), said point being along said west line north 16 degrees 01 minute 20 seconds west 200.00 feet of a point marking the intersection of the west line of Larchwood Road with the west line of Oakbourne Road (40 feet wide); thence from said point of beginning and along the north line of Lot No. 1 south 73 degrees 58 minutes 40 seconds west, 172.68 feet to a point; thence north 14 degrees 07 minutes west, 180.10 feet to a point the southwest corner of Lot No. 3; thence along the south line of Lot No. 3 north 73 degrees 58 minutes 40 seconds east, 166.69 feet to a point in the west line of Larchwood Road south 16 degrees 01 minute 20 seconds east, 180.00 feet to the point of beginning.

CONTAINING 30,543 square feet of land be the same more or less.

BEING the same premises which Barbara L. Holcroft and Edmund L. Holcroft, her husband, conveyed by Deed dated October 28, 1987, and recorded in the Office for the Recording of Deeds in and for Chester County, Pennsylvania, granted and conveyed unto Westtown Township, in fee.

(c) Approval.--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.

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

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.

The Secretary of Public Welfare, referred to in this section, was redesignated as the Secretary of Human Services by Act 132 of 2014.

Compiler's Note: The Department of Environmental Resources, referred to in subsec. (a), 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 3. This act shall take effect immediately.