

CONVEYANCE - COMMONWEALTH PROPERTY IN CECIL TOWNSHIP, WASHINGTON COUNTY

Act of Jun. 16, 2010, P.L. 213, No. 34

CL. 85

AN ACT

Authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Washington County Authority certain lands situate in Cecil Township, Washington County.

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

Section 1. Washington County.

(a) Authorization.--The Department of General Services, with the approval of the Governor, is authorized on behalf of the Commonwealth, to grant and convey to Washington County Authority three tracts of land situate in Cecil Township, Washington County, under terms and conditions to be established in an Agreement of Sale with the Department of General Services. The consideration received by the Department of General Services for the sale of the three tracts shall be no less than \$615,000.

(b) Description.--The property to be conveyed pursuant to this section consists of three parcels of vacant land containing 67.875 acres, being bounded and more particularly described as follows:

PARCEL No. 140-014-00-00-0029-00

ALL THAT CERTAIN PARCEL of land situate in Cecil Township, Washington County, Commonwealth of Pennsylvania being South of the Southpointe Exit on Interstate 79 (SR 79) and beginning on the right-of-way along said interstate highway, being more particularly described as follows:

BEGINNING at a point on the legal right-of-way of line of Interstate 79 and the lands herein described by the following courses and distances: Thence North 51 degrees-35'-01" East a distance of 10.00' to a point common to the lands of now or formerly of the Commonwealth of Pennsylvania and the lands herein described: Thence North 28 degrees-00'-30" West a distance of 1273.05' to an iron pin found common to the lands of said Commonwealth and the lands herein described: Thence North 26 degrees-55'-56" West a distance of 264.00' to an iron pin found common to the lands of said Commonwealth and the lands herein described: Thence South 62 degrees-49'-01" West a distance of 283.76' to an iron pin set common to the lands of said Commonwealth, a point on the legal right of way line of Interstate 79, and the lands herein described: Thence by a curve to the left having a radius of 2112.01' and arc length of 245.25' and a chord bearing and distance of South 35 degrees-05'-24" East for a distance of 245.11' to a point on the legal right-of-way line of Interstate 79 and the lands herein described: Thence South 38 degrees-24'-59" East a distance of 1321.40' to a point, the place of BEGINNING.

CONTAINING a total area of 5.342 acres.

BEING designated as Tract 2, and described in accordance with a

survey performed by Widmer Engineering, Inc., in September of 2008, last revised January 20, 2009.

PARCEL No. 140-014-00-00-0019-01

ALL THAT CERTAIN PARCEL of land situate in Cecil Township, Washington County, Commonwealth of Pennsylvania being South of the Southpointe Exit on Interstate 79 (SR 79) and beginning on the right-of-way along said interstate highway more particularly described as follows:

BEGINNING at a point on the legal right-of-way line of Interstate 79 and common to the lands herein described by the following courses and distances: Thence North 28 degrees-00'-30" West a distance of 1273.05' to an iron pin found common to the lands of now or formerly of the Commonwealth of Pennsylvania and the land herein described: Thence North 57 degrees-19'-02" East a distance of 547.80' to an iron pin found common to the lands of said Commonwealth, the Weaver Heritage Trust and the lands herein described: Thence South 39 degrees-33'-03" East a distance of 1345.95' to an iron pin found common to the lands of the Weaver Heritage Trust, Maple Leaf Homes Inc., and the lands herein described: Thence South 44 degrees-43'-57" East a distance of 1201.09' to a point common to the lands of said Maple Leaf Homes, and the lands herein described: Thence South 73 degrees-16'-03" West a distance of 1004.94' to a point on the legal right-of-way line of Interstate 79 and common to lands of the said Commonwealth, and the lands herein described: Thence North 38 degrees-24'-59" West a distance of 970.80' to a point, the place of BEGINNING.

CONTAINING a total area of 41.483 acres.

BEING designated as Tract 3, and described in accordance with a survey performed by Widmer Engineering, Inc., in September of 2008, last revised January 20, 2009.

PARCEL No. 140-014-00-00-0030-00

ALL THAT CERTAIN PARCEL of land situate in Cecil Township, Washington County, Commonwealth of Pennsylvania being South of the Southpointe Exit on Interstate 79 (SR79) and beginning on the right-of-way along said interstate highway more particularly described as follows:

BEGINNING at an iron pin set on the legal right-of-way line of Interstate 79 and common to the lands of the Commonwealth of Pennsylvania, and the lands herein described by the following courses and distances: Thence North 73 degrees-16'-03" East to an iron pin set on line at station 9+89.94', for a distance of 1004.94' to a point common to the lands of said Commonwealth, Maple Leaf Homes, Inc., and the lands herein described: Thence South 35 degrees-06'-04" East a distance of 630.30' to an iron pin set common to the lands of said Maple Leaf Homes, and the lands herein described: Thence South 40 degrees-36'-04" East a distance of 833.77' to an iron pin set common to the lands of said Maple Leaf Homes and the right-of-way of Morganza Road (S.R. 1009); Thence the following five (5) courses and distances along the legal right-of-way line of Morganza Road South 53 degrees-17'-48" West a distance of 18.64' to a point: Thence South 36 degrees-42'-12" East a distance of 20.00 feet to a point: Thence South 53 degrees-17'-48" West a distance of 75.89 feet to a point: Thence by a curve to the left having a radius

of 1298.24' an arc length of 152.79' and a chord bearing and distance of South 49 degrees-55'-36" West for 152.70' to a point: Thence South 46 degrees-33'-18" West a distance of 61.95' to a point in Chartiers Creek, and common to the lands of said William and Carolyn Byham, and the lands herein described: Thence North 46 degrees-38'-09" West a distance of 228.02 feet to a point in Chartiers Creek and common to the lands of William and Carolyn Byham, and the lands herein described: Thence North 61 degrees-08'-09" West a distance of 528.00' to a point common to the lands of said Byham and the lands herein described: Thence North 72 degrees-23'-09" West a distance of 396.00' to a point in said creek and common to the lands of said Byham and the lands herein described: Thence North 34 degrees-53'-09" West a distance of 231.00' to a point common to lands of said Byham and the lands herein described: Thence North 82 degrees-53'-09" West a distance of 132.00' to a point common to lands of said Byham, and the lands herein described: Thence South 69 degrees-06'-51" West a distance of 45.83' to a point on the legal right-of-way line of Interstate 79, and common to lands of said Byham and the land herein described: Thence North 38 degrees-24'-59" West a distance of 108.85' to a point common the the legal right of line of Interstate 79 and the lands herein described: Thence by the legal right-of-way line of Interstate 79 the following four (4) courses and distances South 51 degrees-35'-01" West a distance of 50.00' to a point; Thence North 38 degrees-24'-59" West a distance of 275.00' to a point: Thence North 51 degrees-35'-01" East a distance of 10.00' to a point; Thence North 38 degrees-24'-59" West a distance of 97.20' to a point, the place of beginning.

SUBJECT TO an area taken by the Pennsylvania Department of Transportation for a channel change of Chartiers Creek containing 2.299 acres.

CONTAINING a total area of 23.349 acres. (Total area includes area of channel change)

BEING designated as Tract 4, and described in accordance with a survey performed by Widmer Engineering, Inc., in September of 2008, last revised January 20, 2009.

(c) Reservation.--To effectuate this section, the Department of General Services is authorized, on behalf of the Commonwealth, to reserve or grant any easements on property known as the Department of Transportation's Washington County Maintenance Facility, as the Secretary of General Services determines are appropriate or desirable, including for access and utility service.

(d) Conditions.--

(1) The conveyance shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, and 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 on the land.

(2) The conveyance shall be made under and subject to the condition, which must 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. If 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) Deed.--The deed of conveyance must be by special warranty deed and must be executed by the Secretary of General Services in the name of the Commonwealth.

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

(g) Expiration.--If an agreement of sale between the parties is not executed within 12 months of the effective date of this section, the authorization contained in this section shall expire.

Section 2. This act shall take effect immediately.