

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1412 Session of  
1984

INTRODUCED BY O'CONNELL AND RHOADES, JUNE 4, 1984

AS REPORTED FROM COMMITTEE ON TRANSPORTATION, HOUSE OF  
REPRESENTATIVES, AS AMENDED, SEPTEMBER 25, 1984

AN ACT

1 Amending the act of June 22, 1931 (P.L.594, No.203), entitled  
2 "An act establishing certain township roads as State  
3 highways; authorizing their construction, maintenance, and  
4 improvement under certain conditions and restrictions;  
5 limiting the obligation of the Commonwealth in the  
6 construction of certain structures located on such highways;  
7 conferring certain powers upon the Department of Highways and  
8 local authorities, persons, associations and corporations for  
9 sharing the cost of the maintenance and construction of such  
10 highways; and making an appropriation to carry out the  
11 provisions of said act," DELETING STATE HIGHWAY ROUTE 02003 <—  
12 IN ALLEGHENY COUNTY FROM THE STATE HIGHWAY SYSTEM AND  
13 AUTHORIZING ITS CONVEYANCE; AND deleting a portion of State  
14 Route 45012 in Monroe County from the State highway system  
15 and conveying it to the Federal Government.

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

18 Section 1. The act of June 22, 1931 (P.L.594, No.203),  
19 referred to as the Township State Highway Law, is amended to  
20 read:

21 [ROUTE 02003. BEGINNING AT A POINT ON ROUTE 538 NEAR THE <—  
22 VILLAGE OF CLINTON; THENCE IN A SOUTHWESTERLY DIRECTION TO A  
23 POINT NEAR VIRSOIX; THENCE TO A POINT ON THE WASHINGTON COUNTY

1 LINE NEAR THE MCBRIDE FARM, IN ALLEGHENY COUNTY, A DISTANCE OF  
2 ABOUT 3.8 MILES.]

3 Route 45012. Beginning at a point on State Highway Route 461  
4 east, Smithfield Township, at Shawnee; thence northeasterly  
5 through Smithfield [and Middle Smithfield Townships] Township  
6 for a distance of 7,650 feet to a point in Smithfield Township;  
7 thence beginning again at a point in Middle Smithfield Township;  
8 thence northwesterly through Middle Smithfield Township for a  
9 distance of 3,434 feet to a point, where it intersects State  
10 Highway Route 167 at Shoemaker, in Monroe County, a distance of  
11 about [7.75] 2.10 miles.

12 SECTION 2. (A) THE DEPARTMENT OF TRANSPORTATION IS HEREBY <—  
13 AUTHORIZED TO CONVEY TO IMPERIAL LAND COMPANY ALL OF THE  
14 COMMONWEALTH'S RIGHT, TITLE AND INTEREST IN THAT PORTION OF  
15 STATE ROUTE 02003 WHICH IS DELETED FROM THE STATE HIGHWAY SYSTEM  
16 PURSUANT TO THIS ACT.

17 (B) THE DEED OF CONVEYANCE SHALL BE APPROVED AS PROVIDED BY  
18 LAW AND SHALL BE EXECUTED BY THE SECRETARY OF TRANSPORTATION IN  
19 THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

20 (C) THE GRANTEE SHALL ALLOW UTILITY FACILITIES LOCATED  
21 WITHIN THE RIGHT-OF-WAY TO REMAIN IN THEIR PRESENT LOCATION  
22 UNLESS THEIR REMOVAL IS REQUIRED BY THE GRANTEE, IN WHICH CASE  
23 THE GRANTEE SHALL PAY FOR THEIR REMOVAL AND REINSTALLATION,  
24 INCLUDING THE COST OF NEW RIGHT-OF-WAY FOR THE UTILITIES.

25 (D) THE GRANTEE SHALL PROVIDE REASONABLE ACCESS FROM STATION  
26 112 + 86 TO STATION 191 + 96 VIA THE TRANSFERRED HIGHWAY FOR ALL  
27 OWNERS OF PROPERTY ABUTTING THE HIGHWAY, THEIR HEIRS AND  
28 ASSIGNS.

29 (E) THE GRANTEE SHALL INDEMNIFY AND HOLD THE COMMONWEALTH  
30 HARMLESS FROM ANY AND ALL ACTIONS WHICH MAY BE BROUGHT AGAINST

1 IT AS A RESULT OF THE TRANSFER OF JURISDICTION OF THE HIGHWAY.

2 Section ~~2-~~ 3. (A) For the consideration of \$1, the <—  
3 Department of General Services is hereby authorized, with the  
4 approval of the Governor and the Department of Transportation,  
5 to convey to the United States of America, title to that portion  
6 of State Route 45012 which is deleted from the State highway  
7 system pursuant to ~~section 1~~ THIS ACT and which lies within the <—  
8 boundaries of the Delaware Water Gap National Recreation Area.

9 The conveyance shall be made together with all and singular, the  
10 improvements, ways, waters, water courses, rights, liberties,  
11 privileges, hereditaments and appurtenances whatsoever thereunto  
12 belonging, or in anywise appertaining, and the reversions and  
13 remainders, rents, issues and profits thereof; and all the  
14 estate, right, title, interest, property claim and demand  
15 whatsoever, but exclusive of all existing rights-of-way for  
16 water lines, sewerage lines and mains, outfalls, electric power  
17 lines, telephone and communications lines, gas lines, and rights  
18 of ingress and egress.

19 ~~Section 3-~~ (B) The deed of conveyance shall be approved as <—  
20 provided by law and shall be executed by the Secretary of  
21 General Services in the name of the Commonwealth of  
22 Pennsylvania.

23 ~~Section 4-~~ (C) Concurrent jurisdiction in and over the <—  
24 aforesaid lands, when acquired by the United States, is hereby  
25 ceded to the United States by the Commonwealth of Pennsylvania.

26 ~~Section 5-~~ (D) This conveyance is made to the grantee upon <—  
27 the express condition that if the grantee shall cease to use the  
28 above described premises for transportation purposes connected  
29 with the use of the surrounding land as a recreation area, or  
30 shall alienate or attempt to alienate such land, title thereto

1 shall, at the option of the grantor, revert to the Commonwealth  
2 of Pennsylvania.

3 Section ~~6~~ 4. This act shall take effect in 60 days.

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