

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 212

Session of  
1987

INTRODUCED BY BRANDT, FEBRUARY 4, 1987

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, MAY 17, 1988

AN ACT

1 Authorizing and directing the Department of General Services,  
2 with the approval of the Governor and the Department of  
3 Health, to sell and convey a tract of land situate in Mount  
4 Joy Township, Lancaster County, ~~Pennsylvania~~; AUTHORIZING <—  
5 THE RELEASE OF PROJECT 500 RESTRICTIONS IMPOSED ON CERTAIN  
6 LAND OWNED BY THE BOROUGH OF ROYALTON, DAUPHIN COUNTY, IN  
7 RETURN FOR THE IMPOSITION OF PROJECT 500 RESTRICTIONS ON  
8 CERTAIN LAND OWNED BY THE BOROUGH OF ROYALTON; ~~and~~ <—  
9 ~~authorizing and directing the Department of General Services,~~  
10 ~~with the approval of the Governor, to release from certain~~  
11 ~~reverter limitation a tract of land situate in Westtown~~  
12 ~~Township, Chester County, in return for the imposition of~~  
13 ~~similar reverter limitations on lands purchased by Westtown~~  
14 ~~Township.~~ AND AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES, <—  
15 WITH THE APPROVAL OF THE DEPARTMENT OF ENVIRONMENTAL  
16 RESOURCES, TO LEASE TO THE CITY OF PHILADELPHIA CERTAIN LANDS  
17 SUBJECT TO CERTAIN CONDITIONS WITHIN THE BED OF THE DELAWARE  
18 RIVER IN THE 2ND WARD OF THE CITY OF PHILADELPHIA.

19 The General Assembly of the Commonwealth of Pennsylvania

20 hereby enacts as follows:

21 ~~Section 1. (a) Conveyance to Davis.~~ <—

22 SECTION 1. LANCASTER COUNTY TRACT. <—

23 (A) CONVEYANCE.--The Department of General Services, with  
24 the approval of the Governor and the Department of Health, is  
25 hereby authorized and directed on behalf of the Commonwealth of

1 Pennsylvania to grant and convey, for a consideration of fair  
2 market value as determined by an independent appraisal, to Paul  
3 L. and Muriel V. Davis the following tract of land situate in  
4 Mount Joy Township, Lancaster County, Pennsylvania, bounded and  
5 described as follows:

6 Beginning at a concreted pipe monument, corner to lands of  
7 Paul L. and Muriel V. Davis, lands now or formerly of S. H.  
8 Hertzler and lands of the Commonwealth of Pennsylvania, thence  
9 by lands of said Davis north 36 degrees 42 minutes 41 seconds  
10 east 442.43 feet to a concreted pipe monument; thence by lands  
11 of the Commonwealth of Pennsylvania south 68 degrees 46 minutes  
12 46 seconds east 69.59 feet to a point in the west line of  
13 Township Road No. 310; thence by said west line of said Township  
14 Road No. 310, the following three courses: (1) south 26 degrees  
15 01 minute 01 second west 79.43 feet to a point; (2) south 41  
16 degrees 03 minutes 06 seconds west 303.92 feet to a point; (3)  
17 south 35 degrees 31 minutes 00 seconds west 66.72 feet to a  
18 point; thence by lands of the said Commonwealth of Pennsylvania  
19 north 65 degrees 40 minutes 19 seconds west 61.63 feet to the  
20 point of beginning.

21 Containing 0.708 acres, more or less, as shown on a survey  
22 prepared by Edward Prall, Registered Surveyor, on July 17, 1986.

23 ~~(b) Easements, etc.~~ SECTION 2. (B) EASEMENTS AND <—  
24 CONDITIONS.--The conveyance shall be made under and subject to  
25 all easements, servitudes and rights of others, including, but  
26 not confined to, streets, roadways and rights of any telephone,  
27 telegraph, water, electric, sewer, gas or pipeline companies, as  
28 well as under and subject to any interest, estates or tenancies  
29 vested in third persons, whether or not appearing of record, for  
30 any portion of the land or improvements erected thereon.

~~(c) Approval. SECTION 3. (C) APPROVAL.--~~The deed of

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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. SECTION 4. (D) COSTS AND FEES.--~~Costs and fees

<—

incidental to this conveyance shall be borne by the grantee.

~~Section 2. (a) Release of reversion right. The Department~~

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~~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~~

1 ~~the Department of General Services, with the approval of the~~  
2 ~~Governor, to convey a right of way to Jeffrey W. Shank and~~  
3 ~~Roberta L. Shank, his wife, over certain lands in Mount Joy~~  
4 ~~Township, Lancaster County, Pennsylvania; authorizing and~~  
5 ~~directing the Department of General Services and the Department~~  
6 ~~of Agriculture, with the approval of the Governor, to convey to~~  
7 ~~Lifecare Associates, Inc., a tract of land and the buildings~~  
8 ~~erected thereon in Penn Township, Snyder County, Pennsylvania;~~  
9 ~~authorizing and directing the Department of General Services,~~  
10 ~~with the approval of the Governor and the Secretary of Public~~  
11 ~~Welfare, to convey to the City of Allentown a parcel of land~~  
12 ~~situate in the City of Allentown, Lehigh County, Pennsylvania;~~  
13 ~~authorizing and directing the Department of General Services,~~  
14 ~~with the approval of the Governor and the Department of Public~~  
15 ~~Welfare, to convey a tract of land to the Fraternal Order of~~  
16 ~~Police, Lodge 5 of Philadelphia, situate in the city and county~~  
17 ~~of Philadelphia, Pennsylvania; and authorizing the Department of~~  
18 ~~General Services, with the approval of the Governor and the~~  
19 ~~Department of Agriculture, to convey to East Norriton Fire~~  
20 ~~Company 2.2856 acres of land, more or less, situate in East~~  
21 ~~Norriton Township, Montgomery County, Pennsylvania," in return~~  
22 ~~for the imposition of similar reverter language on the tracts of~~  
23 ~~land described in subsection (b). The land to be released from~~  
24 ~~the reverter limitation consists of the following tracts of land~~  
25 ~~situate in Westtown Township, Chester County, Pennsylvania,~~  
26 ~~bounded and described as follows:~~

27 ~~LANDS TO BE CONVEYED TO PHILADELPHIA SUBURBAN WATER COMPANY~~

28 ~~WESTTOWN TOWNSHIP~~

29 ~~CHESTER COUNTY~~

30 ~~TRACT I~~

1 ~~BEGINNING at a point on the dividing line between the lands~~  
2 ~~of Westtown Township and Gaudenzia, Inc. (a Pennsylvania non-~~  
3 ~~profit corporation) and also a common corner of Lots No. 1 and~~  
4 ~~No. 2, as shown on a certain subdivision plan titled "Plan of~~  
5 ~~Subdivision made for Westtown Township," as shown on Plan A-~~  
6 ~~3306, as prepared by Donald J. Boucher, Registered Professional~~  
7 ~~Land Surveyor, Willow Grove, PA, dated September 30, 1987, said~~  
8 ~~point being the thirteen (13) following courses and distances~~  
9 ~~from the point formed by the intersection of the title line of~~  
10 ~~East Pleasant Grove Road with the title line of Concord Road:~~

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

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

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

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

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

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

30 ~~6. THENCE continuing along the said ultimate right of way~~

1 ~~line and the said 25 foot wide roadway South 46 degrees 54~~  
2 ~~minutes 00 seconds West, 0.40 feet to a point on the westerly~~  
3 ~~side of the said 25 foot wide roadway;~~

4 ~~7. THENCE leaving said ultimate right of way and along the~~  
5 ~~westerly side of the said 25 foot wide roadway North 40 degrees~~  
6 ~~33 minutes 07 seconds West, 256.50 feet to a point;~~

7 ~~8. THENCE continuing along the westerly side of the said 25~~  
8 ~~foot wide roadway North 21 degrees 50 minutes 05 seconds West,~~  
9 ~~239.80 feet to a point, a common corner between said Westtown~~  
10 ~~Township and said Gaudenzia, Inc.;~~

11 ~~THENCE along the dividing line between the lands of Westtown~~  
12 ~~Township and Gaudenzia, Inc.;~~

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

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

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

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

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

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

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

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

30 ~~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~~

1 ~~Grove Road;~~

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

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

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

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

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

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

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

26 ~~3. THENCE leaving said ultimate right of way and along the~~  
27 ~~westerly side of the said 25 foot wide roadway North 40 degrees~~  
28 ~~33 minutes 07 seconds West, 256.50 feet to a point;~~

29 ~~4. THENCE continuing along the westerly side of the said 25~~  
30 ~~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~~

1 ~~be applied to the following tracts of land situate in~~  
2 ~~Westtown Township, Chester County, Pennsylvania, bounded and~~  
3 ~~described as follows:~~

4 ~~TRACT I~~

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

10 ~~BEGINNING at a point in the west line of Larchwood Road (50~~  
11 ~~feet wide)said point being along said west line north 16 degrees~~  
12 ~~01 minute 20 seconds west 380.00 feet of a point marking the~~  
13 ~~intersection of the west line of Larchwood Road with the north~~  
14 ~~line of Oakbourne Road (40 feet wide); thence from said point of~~  
15 ~~beginning and along the north line of Lot No. 2 south 73 degrees~~  
16 ~~58 minutes 40 seconds west 166.69 feet to a point; thence north~~  
17 ~~14 degrees 07 minutes west 180.10 feet to a point the southwest~~  
18 ~~corner of Lot No. 4; thence along the south line of Lot No. 4~~  
19 ~~north 73 degrees 58 minutes 40 seconds east 160.70 feet to a~~  
20 ~~point in the west line of Larchwood Road; thence along the west~~  
21 ~~line of Larchwood Road south 16 degrees 01 minute 20 seconds~~  
22 ~~east 180.00 feet to the point of beginning.~~

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

25 ~~TRACT II~~

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

1 ~~described as follows:~~

2 ~~BEGINNING at a point in the west line of Larchwood Road (50~~  
3 ~~feet wide) said point being along said west line north 16~~  
4 ~~degrees 01 minute 20 seconds west 560.00 feet of a point marking~~  
5 ~~the intersection of the west line of Larchwood Road with the~~  
6 ~~north line of Oakbourne Road (40 feet wide); thence from said~~  
7 ~~point of beginning and along the north line of Lot No. 3 south~~  
8 ~~73 degrees 58 minutes 40 seconds west 160.70 feet to a point;~~  
9 ~~thence north 14 degrees 07 minutes west 131.09 feet; thence~~  
10 ~~north 20 degrees 12 minutes 10 seconds west 70.02 feet to a~~  
11 ~~point, the southwest corner of Lot No. 5 and in the centerline~~  
12 ~~of the 20 foot wide easement for drainage; thence along the~~  
13 ~~south line of Lot No. 5 and the centerline of said 20 foot~~  
14 ~~easement north 86 degrees 06 minutes east 169.66 feet to a point~~  
15 ~~in the west line of Larchwood Road; thence along the west line~~  
16 ~~of Larchwood Road the following two courses: (1) on a line~~  
17 ~~curving to the left having a radius of 198.31 feet, an arc~~  
18 ~~distance of 41.96 feet and a chord bearing south 09 degrees 57~~  
19 ~~minutes 40 seconds east 41.88 feet to a point; (2) south 16~~  
20 ~~degrees 01 minute 20 seconds east 123.58 feet to the point of~~  
21 ~~beginning.~~

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

24 ~~BEING the same premises which George D. Stiteler and~~  
25 ~~Catharine B. Stiteler, his wife, conveyed by Deed dated October~~  
26 ~~28, 1987, and recorded in the Office for the Recording of Deeds~~  
27 ~~in and for Chester County, Pennsylvania, granted and conveyed~~  
28 ~~unto Westtown Township, in fee.~~

29 ~~TRACT III~~

30 ~~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.~~

1 SECTION 2. DAUPHIN COUNTY TRACT.

2 (A) AUTHORIZATION TO RELEASE RESTRICTIONS.--THE LAND  
3 DESCRIBED IN SUBSECTION (B) IS HEREBY RELEASED FROM ANY  
4 RESTRICTIONS OR ENCUMBRANCES ON THE TITLE RESULTING FROM THE  
5 PROVISIONS OF THE ACT OF JANUARY 19, 1968 (1967 P.L.996,  
6 NO.443), KNOWN AS THE LAND AND WATER CONSERVATION AND  
7 RECLAMATION ACT, IN EXCHANGE FOR THE IMPOSITION OF THE LAND AND  
8 WATER CONSERVATION AND RECLAMATION ACT PROVISIONS ON LAND OWNED  
9 BY THE BOROUGH OF ROYALTON AND DESCRIBED IN SUBSECTION (C).

10 (B) DESCRIPTION OF LAND UNRESTRICTED.--THE LAND TO BE  
11 RELEASED FROM RESTRICTIONS IMPOSED BY THE LAND AND WATER  
12 CONSERVATION AND RECLAMATION ACT IS MORE PARTICULARLY DESCRIBED  
13 AS FOLLOWS:

14 BEGINNING AT A SET RE-BAR AT THE NORTHEASTERLY CORNER OF THE  
15 INTERSECTION OF DERRY STREET, AT THAT POINT AN UNIMPROVED STREET  
16 HAVING AN ORDAINED WIDTH OF 50 FEET AND A PROPOSED CARTWAY OF 34  
17 FEET, AND DONEGAL STREET, AT THAT POINT AN UNIMPROVED STREET  
18 HAVING AN ORDAINED WIDTH OF 50 FEET AND A PROPOSED CARTWAY OF 34  
19 FEET; THENCE NORTH 26 DEGREES 43 MINUTES 36 SECONDS WEST A  
20 DISTANCE OF 140.32 FEET TO A POINT AT THE CORNER OF LANDS OF THE  
21 BOROUGH OF ROYALTON KNOWN AS LOT 47; THENCE SOUTH 86 DEGREES 43  
22 MINUTES 36 SECONDS EAST A DISTANCE OF 263.29 FEET TO A SET RE-  
23 BAR AT THE NORTHWESTERLY CORNER OF LANDS NOW OR FORMERLY OF  
24 DANIEL DUPLER; THENCE SOUTH 03 DEGREES 16 MINUTES 24 SECONDS  
25 WEST ALONG SAID LANDS OF DANIEL DUPLER A DISTANCE OF 120.40 FEET  
26 TO A SET RE-BAR AT THE SOUTHWESTERLY CORNER OF SAID DUPLER  
27 LANDS, SAID RE-BAR BEING ALSO ON THE NORTHERLY LINE OF DERRY  
28 STREET AFORESAID; THENCE NORTH 87 DEGREES 03 MINUTES 36 SECONDS  
29 WEST A DISTANCE OF 193.13 FEET TO A SET RE-BAR, THE PLACE OF  
30 BEGINNING.

1 BEING A PORTION OF THE PREMISES WHICH FRANCIS J. WOLFGANG AND  
2 KENNETH L. WOLFGANG, HER HUSBAND, BY DEED DATED DECEMBER 22,  
3 1978, AND RECORDED IN THE OFFICE OF RECORDER OF DEEDS, DAUPHIN  
4 COUNTY, PENNSYLVANIA, IN RECORD BOOK 2, PAGE 423, GRANTED AND  
5 CONVEYED TO THE BOROUGH OF ROYALTON, SAID PORTION OF PREMISES  
6 BEING ALSO KNOWN AS LOTS NOS. 298, 299, 300 AND 301.

7 (C) DESCRIPTION OF LAND RESTRICTED.--THE LAND ON WHICH THE  
8 LAND AND WATER CONSERVATION AND RECLAMATION ACT RESTRICTIONS  
9 SHALL BE IMPOSED IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

10 TRACT 1

11 BEGINNING AT A STEEL REINFORCING BAR SET AT THE INTERSECTION  
12 OF OLD CANAL STREET, NOW KNOWN AS KERR AVENUE, AND THE WESTERN  
13 REQUIRED RIGHT-OF-WAY LINE OF STATE HIGHWAY ROUTE NO. 407  
14 (SECTION 1-A);

15 THENCE FROM THE PLACE OF THE BEGINNING AND ALONG THE NORTHERN  
16 RIGHT-OF-WAY LINE OF KERR AVENUE THE FOLLOWING FIVE COURSES AND  
17 DISTANCES:

18 (1) NORTH 42 DEGREES 27 MINUTES 02 SECONDS WEST 23.84 FEET TO  
19 A RE-BAR;

20 (2) NORTH 61 DEGREES 57 MINUTES 02 SECONDS WEST 58.21 FEET TO  
21 A RE-BAR;

22 (3) NORTH 83 DEGREES 05 MINUTES 02 SECONDS WEST 113.35 FEET  
23 TO A RE-BAR;

24 (4) SOUTH 80 DEGREES 24 MINUTES 58 SECONDS WEST 51.06 FEET TO  
25 A RE-BAR;

26 (5) SOUTH 75 DEGREES 46 MINUTES 56 SECONDS WEST 261.31 FEET  
27 TO A RE-BAR;

28 SET ON THE LEGAL RIGHT-OF-WAY LINE OF OLD L.R.407.

29 THENCE ALONG THE REQUIRED RIGHT-OF-WAY LINE THE FOLLOWING TWO  
30 COURSES AND DISTANCES:

1 (1) NORTH 07 DEGREES 16 MINUTES 18 SECONDS EAST 42.00 FEET TO  
2 A RE-BAR;

3 (2) NORTH 82 DEGREES 33 MINUTES 42 SECONDS WEST 154.76 FEET  
4 TO A POINT AT THE LOW WATER MARK OF SWATARA CREEK;

5 THENCE ALONG SAME THE FOLLOWING THREE COURSES AND DISTANCES:

6 (1) NORTH 16 DEGREES 18 MINUTES 11 SECONDS EAST 269.24 FEET;

7 (2) NORTH 31 DEGREES 07 MINUTES 47 SECONDS EAST 167.94 FEET;

8 (3) NORTH 52 DEGREES 33 MINUTES 13 SECONDS EAST 327.65 FEET  
9 TO A POINT ON THE WESTERN REQUIRED RIGHT-OF-WAY LINE OF STATE  
10 HIGHWAY ROUTE NO. 407 (SECTION 1-A);

11 THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 17 DEGREES 52  
12 MINUTES 14 SECONDS EAST 681.91 FEET TO A STEEL REINFORCING BAR,  
13 THE PLACE OF THE BEGINNING.

14 BEING THE SAME PREMISES WHICH THE KIWANIS CLUB OF MIDDLETOWN  
15 BY DEED DATED APRIL 1, 1985, AND RECORDED IN THE OFFICE OF  
16 RECORDER OF DEEDS, DAUPHIN COUNTY, PENNSYLVANIA, IN RECORD BOOK  
17 604-238, GRANTED AND CONVEYED TO THE BOROUGH OF ROYALTON.

18 TRACT 2

19 BEGINNING AT A MONUMENT ON THE SOUTHERLY SIDE OF CANAL  
20 STREET; THENCE SOUTH 10 DEGREES 03 MINUTES WEST ALONG THE  
21 EASTERLY SIDE OF A PRIVATE ROAD, 123.55 FEET TO A SPIKE; THENCE  
22 SOUTH 79 DEGREES 50 MINUTES WEST 100 FEET TO A SPIKE IN THE  
23 EASTERLY LINE OF LANDS, NOW OR LATE, OF MARGARET ELLEN KERR  
24 BECKLEY; THENCE NORTH 12 DEGREES 42 MINUTES EAST 97.46 FEET TO A  
25 SPIKE IN THE SOUTHERLY LINE OF CANAL STREET; THENCE ALONG THE  
26 SOUTHERN LINE OF SAID CANAL STREET, NORTH 75 DEGREES 50 MINUTES  
27 EAST 45.51 FEET TO A SPIKE; THENCE STILL ALONG THE SOUTHERLY  
28 LINE OF SAID CANAL STREET, SOUTH 07 DEGREES 40 MINUTES EAST,  
29 54.50 FEET TO A MONUMENT, THE PLACE OF BEGINNING.

30 BEING THE SAME PREMISES WHICH KENNETH P. DUDLEY AND DORIS M.

1 DUDLEY, HIS WIFE, BY DEED DATED AUGUST 7, 1984, AND RECORDED IN  
2 THE OFFICE OF RECORDER OF DEEDS, DAUPHIN COUNTY, PENNSYLVANIA,  
3 IN RECORD BOOK 526-252, GRANTED AND CONVEYED TO THE BOROUGH OF  
4 ROYALTON.

5 (D) AUTHORIZATION TO IMPOSE RESTRICTIONS.--THE FOLLOWING  
6 RESTRICTION SHALL BE ADDED TO THE DEEDS FOR THE LAND DESCRIBED  
7 IN SUBSECTION (C):

8 "THIS LAND IS TO BE USED FOR MUNICIPAL PARK, RECREATION AND  
9 OPEN SPACE PURPOSES AS DEFINED IN THE LAND AND WATER  
10 CONSERVATION AND RECLAMATION ACT."

11 (E) USE OF PROCEEDS.--ALL PROCEEDS FROM THE SALE OR LEASE OF  
12 THE LAND DESCRIBED IN SUBSECTION (B) SHALL BE UTILIZED BY THE  
13 BOROUGH OF ROYALTON FOR DEVELOPMENT OF RECREATION FACILITIES ON  
14 THE LAND DESCRIBED IN SUBSECTION (C).

15 SECTION 3. LANDS IN DELAWARE RIVER.

16 (A) PURPOSE.--THE COMMONWEALTH OF PENNSYLVANIA OWNS THE  
17 LANDS WITHIN THE BED OF THE DELAWARE RIVER, A PORTION OF WHICH  
18 LANDS ARE LOCATED IN THE 2ND WARD OF THE CITY OF PHILADELPHIA,  
19 COMMONLY KNOWN AS PIERS #36, #35, #34, #30 AND #28 SOUTH. THE  
20 CITY OF PHILADELPHIA DESIRES TO ELIMINATE THE BLIGHT AND  
21 DETERIORATION WHICH NOW EXIST IN THIS AREA AND UNDERTAKE THE  
22 REDEVELOPMENT OF VARIOUS SITES WITHIN THIS AREA FOR THE  
23 SUBSTANTIAL BENEFIT OF THE PEOPLE OF THE CITY OF PHILADELPHIA  
24 AND THE SURROUNDING REGIONS. THE COMMONWEALTH HAS AGREED TO  
25 ASSIST THE CITY OF PHILADELPHIA IN THE RENEWAL OF THIS AREA BY  
26 LEASING A PORTION OF THE BED OF THE DELAWARE RIVER TO THE CITY  
27 OF PHILADELPHIA AS HEREINAFTER PROVIDED.

28 (B) LEASE.--THE DEPARTMENT OF GENERAL SERVICES, WITH THE  
29 CONCURRENCE OF THE DEPARTMENT OF ENVIRONMENTAL RESOURCES, ACTING  
30 ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA, FOR A



1 CONSIDERATION OF \$1, IS HEREBY AUTHORIZED TO LEASE TO THE CITY  
2 OF PHILADELPHIA FOR AN INITIAL TERM OF 99 YEARS (THE "INITIAL  
3 TERM") LANDS WITHIN THE BED OF THE DELAWARE RIVER IN THE CITY OF  
4 PHILADELPHIA, AND GRANTING TO THE CITY OF PHILADELPHIA THE RIGHT  
5 TO EXTEND THE PERIOD FOR ALL OR ANY PORTION OF THE LEASED  
6 PREMISES FOR AN ADDITIONAL 99 YEARS (THE "RENEWAL TERM") UPON  
7 NOTICE GIVEN NO LESS THAN TEN YEARS PRIOR TO THE EXPIRATION OF  
8 THE INITIAL TERM. THESE LANDS ARE MORE PARTICULARLY DESCRIBED AS  
9 FOLLOWS:

10 PARCEL NO. 1.

11 BEGINNING AT A POINT ON THE EASTERLY SIDE OF DELAWARE AVENUE,  
12 VARIABLE WIDTH, WHICH IS ALSO THE BULKHEAD LINE ESTABLISHED BY  
13 THE SECRETARY OF WAR, SEPTEMBER 10, 1940, AT THE DISTANCE OF 76  
14 FEET 7/8 INCHES FROM A POINT FORMED BY THE INTERSECTION OF THE  
15 NORTHERLY SIDE OF CATHARINE STREET, 50 FEET WIDE, PRODUCED  
16 EASTWARDLY AND THE EASTERLY SIDE OF SAID DELAWARE AVENUE; THENCE  
17 EXTENDING ALONG SAID DELAWARE AVENUE AND BULKHEAD LINE, NORTH 01  
18 DEGREE 05 MINUTES 56 SECONDS EAST, THE DISTANCE OF 307 FEET 2  
19 1/8 INCHES TO A POINT; THENCE EXTENDING SOUTH 83 DEGREES 31  
20 MINUTES 49 SECONDS EAST, THE DISTANCE OF 538 FEET 11 5/8 INCHES  
21 TO A POINT ON THE PIERHEAD LINE ESTABLISHED BY THE SECRETARY OF  
22 WAR, SEPTEMBER 10, 1940; THENCE EXTENDING ALONG SAID PIERHEAD  
23 LINE SOUTH 00 DEGREES 46 MINUTES 33 SECONDS WEST, THE DISTANCE  
24 OF 357 FEET 1 1/2 INCHES TO A POINT; THENCE EXTENDING NORTH 78  
25 DEGREES 20 MINUTES 34 SECONDS WEST, THE DISTANCE OF 547 FEET 10  
26 3/4 INCHES TO A POINT ON THE SAID EASTERLY SIDE OF DELAWARE  
27 AVENUE AND BULKHEAD LINE AND PLACE OF BEGINNING. BEING KNOWN AS  
28 PIER #36 SOUTH.

29 PARCEL NO. 2.

30 BEGINNING AT A POINT ON THE EASTERLY SIDE OF DELAWARE AVENUE,

1 VARIABLE WIDTH, WHICH IS ALSO THE BULKHEAD LINE ESTABLISHED BY  
2 THE SECRETARY OF WAR, SEPTEMBER 10, 1940, AT THE DISTANCE OF 383  
3 FEET 3 INCHES FROM A POINT FORMED BY THE INTERSECTION OF THE  
4 NORTHERLY SIDE OF CATHARINE STREET, 50 FEET WIDE, PRODUCED  
5 EASTWARDLY AND THE EASTERLY SIDE OF SAID DELAWARE AVENUE; THENCE  
6 EXTENDING ALONG SAID DELAWARE AVENUE AND BULKHEAD LINE NORTH 01  
7 DEGREE 05 MINUTES 56 SECONDS EAST, THE DISTANCE OF 345 FEET 4  
8 7/8 INCHES TO A POINT; THENCE EXTENDING SOUTH 74 DEGREES 39  
9 MINUTES 44 SECONDS EAST, THE DISTANCE OF 552 FEET 1 1/4 INCHES  
10 TO A POINT ON THE PIERHEAD LINE ESTABLISHED BY THE SECRETARY OF  
11 WAR, SEPTEMBER 10, 1940; THENCE EXTENDING ALONG SAID PIERHEAD  
12 LINE SOUTH 00 DEGREES 46 MINUTES 33 SECONDS WEST, THE DISTANCE  
13 OF 260 FEET 3/4 INCHES TO A POINT; THENCE EXTENDING NORTH 83  
14 DEGREES 31 MINUTES 49 SECONDS WEST, THE DISTANCE OF 538 FEET 11  
15 5/8 INCHES TO A POINT ON THE SAID EASTERLY SIDE OF DELAWARE  
16 AVENUE AND BULKHEAD LINE AND PLACE OF BEGINNING. BEING KNOWN AS  
17 PIER #34 SOUTH AND PIER #35 SOUTH.

18 PARCEL NO. 3.

19 BEGINNING AT A POINT ON THE EASTERLY SIDE OF DELAWARE AVENUE,  
20 VARIABLE WIDTH, WHICH IS ALSO THE BULKHEAD LINE ESTABLISHED BY  
21 THE SECRETARY OF WAR, SEPTEMBER 10, 1940, AT THE DISTANCE OF 728  
22 FEET 7 7/8 INCHES FROM A POINT FORMED BY THE INTERSECTION OF THE  
23 NORTHERLY SIDE OF CATHARINE STREET, 50 FEET WIDE PRODUCED  
24 EASTWARDLY AND THE EASTERLY SIDE OF SAID DELAWARE AVENUE; THENCE  
25 EXTENDING ALONG SAID DELAWARE AVENUE AND BULKHEAD LINE NORTH 01  
26 DEGREE 05 MINUTES 56 SECONDS EAST, THE DISTANCE OF 263 FEET 3  
27 7/8 INCHES TO A POINT; THENCE EXTENDING SOUTH 77 DEGREES 48  
28 MINUTES 10 SECONDS EAST, THE DISTANCE OF 543 FEET 7 3/4 INCHES  
29 TO A POINT ON THE PIERHEAD LINE ESTABLISHED BY THE SECRETARY OF  
30 WAR, SEPTEMBER 10, 1940; THENCE EXTENDING ALONG SAID PIERHEAD

1 LINE SOUTH 00 DEGREES 46 MINUTES 33 SECONDS WEST, THE DISTANCE  
2 OF 294 FEET 5 3/4 INCHES TO A POINT; THENCE EXTENDING NORTH 74  
3 DEGREES 39 MINUTES 44 SECONDS WEST, THE DISTANCE OF 552 FEET 1  
4 1/4 INCHES TO A POINT ON THE SAID EASTERLY SIDE OF DELAWARE  
5 AVENUE AND BULKHEAD LINE AND PLACE OF BEGINNING. BEING KNOWN AS  
6 PIER #30 SOUTH.

7 PARCEL NO. 4.

8 BEGINNING AT A POINT ON THE EASTERLY SIDE OF DELAWARE AVENUE,  
9 VARIABLE WIDTH, WHICH IS ALSO THE BULKHEAD LINE ESTABLISHED BY  
10 THE SECRETARY OF WAR, SEPTEMBER 10, 1940, AT THE DISTANCE OF 991  
11 FEET 11 3/4 INCHES FROM A POINT FORMED BY THE INTERSECTION OF  
12 THE NORTHERLY SIDE OF CATHARINE STREET, 50 FEET WIDE, PRODUCED  
13 EASTWARDLY AND THE EASTERLY SIDE OF SAID DELAWARE AVENUE; THENCE  
14 EXTENDING ALONG SAID DELAWARE AVENUE AND BULKHEAD LINE, NORTH 01  
15 DEGREE 05 MINUTES 56 SECONDS EAST, THE DISTANCE OF 434 FEET 3  
16 1/2 INCHES AND CROSSING THE HEAD OF A 50-FOOT WIDE PROPOSED  
17 EASEMENT TO A POINT ON THE NORTH HOUSE LINE OF SOUTH STREET, 50  
18 FEET WIDE, PRODUCED EASTWARD; THENCE EXTENDING ALONG THE SAID  
19 PRODUCED HOUSE LINE OF SOUTH STREET AND ALONG THE NORTHERLY SIDE  
20 OF SAID EASEMENT, SOUTH 78 DEGREES 57 MINUTES 59 SECONDS EAST,  
21 THE DISTANCE OF 539 FEET 5/8 INCHES TO A POINT ON THE PIERHEAD  
22 LINE ESTABLISHED BY THE SECRETARY OF WAR, SEPTEMBER 10, 1940;  
23 THENCE EXTENDING ALONG SAID PIERHEAD LINE SOUTH 00 DEGREES 46  
24 MINUTES 33 SECONDS WEST, THE DISTANCE OF 445 FEET 11 3/8 INCHES  
25 TO A POINT; THENCE EXTENDING NORTH 77 DEGREES 48 MINUTES 10  
26 SECONDS WEST, THE DISTANCE OF 543 FEET 7 3/4 INCHES TO A POINT  
27 ON THE SAID EASTERLY SIDE OF DELAWARE AVENUE AND BULKHEAD LINE  
28 AND PLACE OF BEGINNING. BEING KNOWN AS PIER #28 SOUTH.

29 (C) APPROVAL.--THE LEASE AND ANY OTHER DOCUMENTS HEREBY  
30 CONTEMPLATED SHALL BE APPROVED BY THE ATTORNEY GENERAL AND SHALL

1 BE EXECUTED BY THE DEPARTMENT OF GENERAL SERVICES, WITH THE  
2 APPROVAL OF THE DEPARTMENT OF ENVIRONMENTAL RESOURCES, IN THE  
3 NAME OF THE COMMONWEALTH OF PENNSYLVANIA. THE LEASE SHALL GRANT  
4 THE LESSEE, CITY OF PHILADELPHIA, THE RIGHT TO SUBLEASE OR  
5 PERMIT THE SUBLEASE OF THE ABOVE-DESCRIBED PREMISES FOR THE  
6 PURPOSES OF DEVELOPMENT FOR RESIDENTIAL, OFFICE, COMMERCIAL,  
7 CONDOMINIUM, HOTEL, MARINA, OR OTHER USES, AND THE LEASE SHALL  
8 SPECIFICALLY INCLUDE THE FOLLOWING CONDITIONS:

9 UNDER AND SUBJECT, NEVERTHELESS, TO THE CONDITION THAT IF  
10 THE SAID LESSEE, CITY OF PHILADELPHIA, SHOULD SUBLEASE OR  
11 PERMIT THE SUBLEASE OF OR OTHERWISE TRANSFER THE ABOVE-  
12 DESCRIBED PREMISES DURING SAID INITIAL TERM OTHER THAN TO  
13 A DEPARTMENT OR AGENCY OR POLITICAL SUBDIVISION OF THE  
14 CITY OR TO THE COMMONWEALTH OF PENNSYLVANIA OR A  
15 DEPARTMENT OR AGENCY OR POLITICAL SUBDIVISION OF THE  
16 COMMONWEALTH, THE NET RENTALS RECEIVED BY THE SAID  
17 LESSEE, CITY OF PHILADELPHIA, UPON SUCH SUBLEASE OR  
18 TRANSFER SHALL BE RECEIVED, HELD, AND APPLIED AS FOLLOWS:  
19 FIRST, TO REIMBURSE SAID LESSEE, CITY OF PHILADELPHIA,  
20 FOR THE COSTS AND EXPENSES OF SAID SUBLEASE OR TRANSFER,  
21 INCLUDING, WITHOUT LIMITATION, APPRAISAL FEES, TITLE  
22 INSURANCE CHARGES, MARKETING COSTS, ATTORNEYS' FEES, AND  
23 OTHER COSTS AND EXPENSES, SIMILAR AND DISSIMILAR;  
24 SECOND, TO REIMBURSE SAID LESSEE, CITY OF PHILADELPHIA,  
25 OR ANY DEPARTMENT OR AGENCY OR POLITICAL SUBDIVISION  
26 THEREOF, FOR THE COST OF ANY IMPROVEMENTS NOW OR  
27 HEREFTER ERECTED ON THE ABOVE-DESCRIBED PREMISES,  
28 INCLUDING, WITHOUT LIMITATION, THE COST OF ANY PIERS,  
29 WHARVES, BULKHEADS, WATER AND SEWER LINES AND  
30 CONNECTIONS, AND OTHER IMPROVEMENTS, SIMILAR OR

DISSIMILAR, AND THE FAIR MARKET VALUE OF ANY RIGHTS TO  
DEVELOP SPACE OVER THE ABOVE-DESCRIBED PREMISES; AND  
THIRD, THE BALANCE OF SAID NET RENTALS SHALL BE PAID  
FIFTY PERCENT (50%) TO THE SAID LESSOR, COMMONWEALTH OF  
PENNSYLVANIA, OR ITS DESIGNEE OR ASSIGNEE, AND FIFTY  
PERCENT (50%) TO THE SAID LESSEE, CITY OF PHILADELPHIA,  
OR ITS DESIGNEE OR ASSIGNEE, IN CONSIDERATION OF THEIR  
RESPECTIVE INTERESTS IN THE ABOVE-DESCRIBED PREMISES  
PURSUANT TO SAID LEASE.

AND FURTHER PROVIDED, THAT IF THE SAID LESSEE, CITY OF  
PHILADELPHIA, SHOULD SUBLEASE OR PERMIT THE SUBLEASE OF  
OR OTHERWISE TRANSFER THE ABOVE-DESCRIBED PREMISES DURING  
THE SAID RENEWAL TERM OTHER THAN TO A DEPARTMENT OR  
AGENCY OR POLITICAL SUBDIVISION OF THE CITY OR TO THE  
COMMONWEALTH OF PENNSYLVANIA OR A DEPARTMENT OR AGENCY OR  
POLITICAL SUBDIVISION OF THE COMMONWEALTH, THE CITY OF  
PHILADELPHIA SHALL REQUIRE PAYMENT OF QUARTER-ANNUAL OR  
OTHER MORE FREQUENT PERIODIC PAYMENTS OF RENT  
REPRESENTING THE FAIR MARKET VALUE RENT FOR THAT PORTION  
OF THE SAID LANDS SUBLEASED OR OTHERWISE TRANSFERRED AS  
OF THE DATE OF THE COMMENCEMENT OF THE RENEWAL TERM, AND  
SUCH FAIR MARKET VALUE RENT SHALL BE RECEIVED, HELD AND  
APPLIED IN ACCORDANCE WITH SUBPARAGRAPHS FIRST, SECOND  
AND THIRD ABOVE.

THE "FAIR MARKET VALUE RENT" SHALL BE THE RENT WHICH A  
WILLING TENANT WOULD PAY TO A WILLING LANDLORD PURSUANT  
TO AN ARM'S-LENGTH TRANSACTION FOR THE LEASE OF THAT  
PORTION OF THE PREMISES AS IF IT WERE A PARCEL IMPROVED  
WITH ROADS AND UTILITIES, BUT EXCLUSIVE OF THE OTHER  
IMPROVEMENTS CONSTRUCTED THEREON AS DETERMINED BY ONE

1 APPRAISER SELECTED JOINTLY BY THE CITY AND THE  
2 COMMONWEALTH, OR, IF THE CITY AND THE COMMONWEALTH DO NOT  
3 AGREE ON THE SELECTION, BY THREE (3) APPRAISERS SELECTED  
4 AS FOLLOWS: ONE APPRAISER SHALL BE SELECTED BY THE  
5 COMMONWEALTH, ONE APPRAISER SHALL BE SELECTED BY THE  
6 CITY, AND ONE APPRAISER SHALL BE SELECTED BY THE  
7 APPRAISERS SELECTED BY THE CITY AND THE COMMONWEALTH;  
8 PROVIDED, HOWEVER, THAT IF THE APPRAISERS SELECTED BY THE  
9 CITY AND THE COMMONWEALTH ARE UNABLE TO AGREE UPON THE  
10 THIRD APPRAISER, THEN THE THIRD APPRAISER SHALL BE  
11 SELECTED BY THE PRESIDENT JUDGE OF THE PHILADELPHIA COURT  
12 OF COMMON PLEAS, OR HIS OR HER SUCCESSOR. THE TERM  
13 "APPRAISER" SHALL MEAN A PERSON WHO HAS BEEN ENGAGED IN  
14 THE BUSINESS OF APPRAISING MULTIFAMILY RESIDENTIAL AND  
15 COMMERCIAL REAL ESTATE WITHIN THE AREA OF THE CITY OF  
16 PHILADELPHIA FOR A PERIOD OF AT LEAST FIVE (5) YEARS  
17 PRIOR TO THE DATE OF HIS OR HER DESIGNATION, AND SHALL BE  
18 THEN A MEMBER OF THE AMERICAN INSTITUTE OF REAL ESTATE  
19 APPRAISERS, OR ANY SUCCESSOR THERETO THEN IN EXISTENCE,  
20 OR ANY OTHER BODY OR ORGANIZATION SIMILAR IN NATURE TO  
21 THE AMERICAN INSTITUTE OF REAL ESTATE APPRAISERS IF THE  
22 AMERICAN INSTITUTE OF REAL ESTATE APPRAISERS IS NOT THEN  
23 IN EXISTENCE. EACH APPRAISER SHALL DESIGNATE THE FAIR  
24 MARKET VALUE RENT, AND THE RENT PAYABLE DURING THE  
25 RENEWAL TERM SHALL BE THE SUM DETERMINED BY ADDING THE  
26 TOTAL OF THE FAIR MARKET VALUE RENT DESIGNATED BY EACH  
27 APPRAISER AND DIVIDING SUCH TOTAL BY THE NUMBER OF  
28 APPRAISERS. THE COST OF THE SERVICES OF SAID APPRAISERS  
29 SHALL BE DIVIDED EQUALLY BETWEEN THE CITY AND THE  
30 COMMONWEALTH.

1 (D) NONDISTURBANCE AGREEMENTS.--THE DEPARTMENT OF GENERAL  
2 SERVICES, WITH THE CONCURRENCE OF THE DEPARTMENT OF  
3 ENVIRONMENTAL RESOURCES, ACTING ON BEHALF OF THE COMMONWEALTH OF  
4 PENNSYLVANIA, IS ALSO SPECIFICALLY AUTHORIZED TO ENTER INTO ONE  
5 OR MORE NONDISTURBANCE AGREEMENTS WITH ANY SUBLESSEE OF THE  
6 PREMISES DESCRIBED IN THIS SECTION PURSUANT TO WHICH THE  
7 COMMONWEALTH WILL AGREE THAT, IF THE COMMONWEALTH SUCCEEDS TO  
8 THE INTEREST OF THE CITY OF PHILADELPHIA UNDER SAID SUBLEASE, IT  
9 WILL NOT TERMINATE SAID SUBLEASE UNLESS SAID SUBLESSEE IS IN  
10 DEFAULT THEREUNDER.

11 (E) LEASEHOLD CONDOMINIUM.--THE DEPARTMENT OF GENERAL  
12 SERVICES, WITH THE APPROVAL OF THE ATTORNEY GENERAL, IS HEREBY  
13 AUTHORIZED TO EXECUTE, ON BEHALF OF THE COMMONWEALTH OF  
14 PENNSYLVANIA, ANY DECLARATION OR OTHER DOCUMENT NECESSARY TO  
15 SUBMIT THESE PREMISES OR ANY PORTION THEREOF AND ANY  
16 IMPROVEMENTS THEREON TO THE PROVISIONS OF 68 PA.C.S. PART II  
17 SUBPT. B (RELATING TO CONDOMINIUMS) AS A LEASEHOLD CONDOMINIUM.

18 (F) USE OF LEASE REVENUES.--ALL LEASE REVENUES GENERATED BY  
19 THE PROPERTIES DESCRIBED IN THIS SECTION SHALL, LESS THE COSTS  
20 DESCRIBED IN SUBSECTION (C), BE SPLIT EVENLY BETWEEN THE CITY OF  
21 PHILADELPHIA AND THE COMMONWEALTH. THE CITY'S SHARE SHALL BE FOR  
22 THE EXCLUSIVE USE, FOR MARITIME PURPOSES, OF THE PHILADELPHIA  
23 PORT CORPORATION AND SUBSIDIARIES THEREOF, OR ANY SUCCESSOR  
24 ENTITY, OR IN THE EVENT THAT SUCH ENTITIES CEASE TO EXIST  
25 FOLLOWING ANY UNIFICATION OR CONSOLIDATION OF PORT OPERATIONS,  
26 THE APPROPRIATE MANAGING ENTITY FOR OPERATIONS AT THE PORT OF  
27 PHILADELPHIA AS RECOGNIZED AND DESIGNATED BY THE COMMONWEALTH.

28 (G) USE OF TAX REVENUES.--EXCLUSIVE OF TAX REVENUES  
29 COLLECTED BY THE CITY ON BEHALF OF THE SCHOOL DISTRICT, ONE HALF  
30 OF ALL REAL PROPERTY TAX REVENUES OR PAYMENTS IN LIEU OF REAL

1 PROPERTY TAXES COLLECTED BY THE CITY OF PHILADELPHIA ON THE  
2 PROPERTIES DESCRIBED IN THIS SECTION SHALL BE FOR THE EXCLUSIVE  
3 USE, FOR MARITIME PURPOSES, OF THE PHILADELPHIA PORT CORPORATION  
4 AND SUBSIDIARIES THEREOF, OR ANY SUCCESSOR ENTITY, OR IN THE  
5 EVENT THAT SUCH ENTITIES CEASE TO EXIST FOLLOWING ANY  
6 UNIFICATION OR CONSOLIDATION OF PORT OPERATIONS, THE APPROPRIATE  
7 MANAGING ENTITY FOR OPERATIONS AT THE PORT OF PHILADELPHIA AS  
8 RECOGNIZED AND DESIGNATED BY THE COMMONWEALTH.

9 (H) USE OF PAYMENTS IN LIEU OF TAXES.--IN THE EVENT THAT  
10 PAYMENTS IN LIEU OF REAL PROPERTY TAXES ARE COLLECTED BY THE  
11 CITY ON THE PROPERTIES DESCRIBED IN THIS SECTION, THESE REVENUES  
12 SHALL BE DIVIDED AMONG THE CITY'S SHARE AND THE SCHOOL  
13 DISTRICT'S SHARE IN THE SAME PROPORTION THAT REAL PROPERTY TAX  
14 REVENUES WOULD BE DIVIDED.

15 (I) DEFINITION.--AS USED IN THIS SECTION, THE TERM "MARITIME  
16 PURPOSES" MEANS ACTIVITIES DIRECTLY RELATED TO THE HANDLING OF  
17 CARGO OR PASSENGERS FOR IMPORT OR EXPORT THROUGH THE PORT OF  
18 PHILADELPHIA.

19 Section ~~3-5~~ 4. Effective date.

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20 This act shall take effect immediately.