

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1219 Session of 1995

INTRODUCED BY CORMAN, SEPTEMBER 20, 1995

SENATE AMENDMENTS TO HOUSE AMENDMENTS, NOVEMBER 26, 1996

AN ACT

1 Authorizing the Pennsylvania Fish and Boat Commission to convey  
 2 a portion of a Project 70 tract of land in Porter Township,  
 3 Clinton County, under certain conditions to the Township of  
 4 Porter, a municipal corporation of the Commonwealth of  
 5 Pennsylvania; ~~and authorizing Harrison Township, Allegheny~~ <—  
 6 ~~County, to exchange land.~~; AND AUTHORIZING THE DEPARTMENT OF <—  
 7 GENERAL SERVICES, WITH THE APPROVAL OF THE GOVERNOR AND THE  
 8 SECRETARY OF CONSERVATION AND NATURAL RESOURCES, TO SELL AND  
 9 CONVEY TO WAYNE S. OLDHAM CERTAIN EXCESS LAND SITUATE IN THE  
 10 TOWNSHIP OF RICHLAND, CAMBRIA COUNTY.

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

13 ~~Section 1. Authorization.~~ <—

14 ~~Under the requirements of section 20(b) of the act of June~~

15 SECTION 1. (A) UNDER THE REQUIREMENTS OF SECTION 20(B) OF <—  
 16 THE ACT OF JUNE 22, 1964 (Sp.Sess., P.L.131, No.8), known as the  
 17 Project 70 Land Acquisition and Borrowing Act, the General  
 18 Assembly hereby authorizes the Pennsylvania Fish and Boat  
 19 Commission to convey a portion of its Cedar Springs Fish Culture  
 20 Station located in the Township of Porter, County of Clinton, to  
 21 the Township of Porter for inclusion into the right-of-way of

1 Porter Township Road No. 321 of the township roadway system  
2 allowing for the continued use and enjoyment of the public at  
3 large.

4 ~~Section 2. Freedom of restrictions.~~ <—

5 ~~The Pennsylvania Fish and Boat Commission is authorized to~~

6 (B) THE PENNSYLVANIA FISH AND BOAT COMMISSION IS AUTHORIZED <—  
7 TO convey a portion of its Cedar Springs Fish Culture Station  
8 being approximately 0.09 acres, lying adjacent to the right-of-  
9 way of Porter Township Road No. 321 from the Commonwealth of  
10 Pennsylvania for use of the Pennsylvania Fish and Boat  
11 Commission to the Township of Porter free of the restrictions on  
12 use and alienation prescribed by the act of June 22, 1964  
13 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land  
14 Acquisition and Borrowing Act, provided the conveyance shall be  
15 subject to all easements of record and the following conditions:

16 (1) If, at any time, Porter Township shall abandon the  
17 herein described property or restrict its use in any way that  
18 it is not open to free public use and enjoyment, the said  
19 property shall revert to the ownership of the Commonwealth of  
20 Pennsylvania for use by the Pennsylvania Fish and Boat  
21 Commission.

22 (2) The Pennsylvania Fish and Boat Commission shall  
23 retain at all times the unrestricted right of ingress, egress  
24 and regress over the said property.

25 ~~Section 3. Execution.~~ <—

26 ~~The deed of conveyance from the Pennsylvania Fish and Boat~~

27 (C) THE DEED OF CONVEYANCE FROM THE PENNSYLVANIA FISH AND <—  
28 BOAT Commission to the Township of Porter shall be executed by  
29 the Executive Director of the Pennsylvania Fish and Boat  
30 Commission in the name of the Commonwealth of Pennsylvania for

1 use by the Pennsylvania Fish and Boat Commission and shall be  
2 approved for legality and form by the Chief Counsel of the  
3 Pennsylvania Fish and Boat Commission and the Office of Attorney  
4 General.

5 ~~Section 4. Description of premises to be conveyed.~~ <—

6 ~~The portion of the Pennsylvania Fish and Boat Commission's~~

7 (D) THE PORTION OF THE PENNSYLVANIA FISH AND BOAT <—

8 COMMISSION'S Cedar Springs Fish Culture Station to be conveyed  
9 under this act is described as - all that land situated adjacent  
10 to the right-of-way of Porter Township Road No. 321 in Porter  
11 Township, Clinton County, Commonwealth of Pennsylvania, further  
12 described as:

13 Being all that area defined by the widening of the right-of-  
14 way of the said township road from 16.5 feet from centerline to  
15 25 feet from centerline beginning at the intersection of the  
16 said township road and State Route 2018 and extending in a  
17 westerly direction from the said intersection approximately 225  
18 feet on the south of township road centerline (upstream side of  
19 road) and approximately 184 feet on the north of the township  
20 road centerline; and

21 Also including all that area along the aforementioned area  
22 south of the said township road at its intersection with State  
23 Route 2018 required for the development of a 35-foot turning  
24 radius joining the cartway of the said State Route and Township  
25 Road; and

26 Further including a drainage swale area being all that area  
27 north of the said Township Road at its intersection with the  
28 State Route having an approximate width of 10 feet along the  
29 State Route right-of-way to a 0 width at approximately 75 feet  
30 from the said intersection running along the aforementioned

1 right-of-way line to the north of the said Township Road.

2 Containing approximately 0.09 acres.

3 ~~Section 5. Harrison Township exchange. Under the~~ <—  
4 ~~requirements of section 20(b) of the act of June 22, 1964~~  
5 ~~(Sp.Sess., P.L.131, No.8), known as the Project 70 Land~~  
6 ~~Acquisition and Borrowing Act, the General Assembly hereby~~  
7 ~~authorizes Harrison Township, Allegheny County, to exchange all~~  
8 ~~or a portion of property, recorded September 17, 1968, in the~~  
9 ~~Recorder's Office of Allegheny County in deed book volume 4605,~~  
10 ~~page 637, for property equal or greater in size with an~~  
11 ~~adjoining landowner.~~

12 SECTION 2. (A) THE DEPARTMENT OF GENERAL SERVICES, WITH THE <—  
13 APPROVAL OF THE GOVERNOR AND THE SECRETARY OF CONSERVATION AND  
14 NATURAL RESOURCES, IS HEREBY AUTHORIZED AND DIRECTED ON BEHALF  
15 OF THE COMMONWEALTH OF PENNSYLVANIA TO GRANT, SELL AND CONVEY TO  
16 WAYNE S. OLDHAM FOR CONSIDERATION EQUAL TO THE FAIR MARKET VALUE  
17 AS DETERMINED BY APPRAISAL BY THE DEPARTMENT OF GENERAL SERVICES  
18 THE TRACT OF LAND DESCRIBED IN SUBSECTION (B).

19 (B) THE PROPERTY TO BE CONVEYED PURSUANT TO THIS SECTION IS  
20 THE FOLLOWING TRACT OF LAND SITUATE IN THE TOWNSHIP OF RICHLAND,  
21 CAMBRIA COUNTY, BOUNDED AND DESCRIBED AS FOLLOWS:

22 BEGINNING AT AN IRON PIN CORNER, COMMON TO LANDS HEREIN  
23 DESCRIBED AND LANDS OF LEWIS H. WEAVER; THENCE BY LANDS HEREIN  
24 DESCRIBED AND LANDS OF LEWIS H. WEAVER NORTH 46 DEGREES 26  
25 MINUTES WEST 118.03 FEET TO A CORNER; THENCE BY LANDS HEREIN  
26 DESCRIBED AND OTHER LANDS OF THE GRANTOR HEREIN THE FOLLOWING  
27 TWO (2) COURSES AND DISTANCES; (1) NORTH 47 DEGREES 39 MINUTES  
28 EAST 370 FEET TO A CORNER; (2) SOUTH 46 DEGREES 26 MINUTES EAST  
29 118.03 FEET TO A CORNER, SAID CORNER BEING SOUTH 47 DEGREES 39  
30 MINUTES WEST FROM A STAKE SET AT A CORNER COMMON TO OTHER LANDS

1 OF THE GRANTOR HEREIN, LANDS OF GEORGE KLEBAN AND LANDS OF LEWIS  
2 H. WEAVER; THENCE BY LANDS HEREIN DESCRIBED AND LANDS OF LEWIS  
3 H. WEAVER SOUTH 47 DEGREES 39 MINUTES WEST 370 FEET TO AN IRON  
4 PIN CORNER, THE PLACE OF BEGINNING.

5 CONTAINING 1.00 ACRE OF LAND, MORE OR LESS.

6 (C) THE CONVEYANCE SHALL BE MADE UNDER AND SUBJECT TO ALL  
7 EASEMENTS, SERVITUDES AND RIGHTS OF OTHERS, INCLUDING, BUT NOT  
8 CONFINED TO, STREETS, ROADWAYS AND RIGHTS OF ANY TELEPHONE,  
9 TELEGRAPH, WATER, ELECTRIC, SEWER, GAS OR PIPELINE COMPANIES, AS  
10 WELL AS UNDER THE SUBJECT TO ANY INTEREST, ESTATES OR TENANCIES  
11 VESTED IN THIRD PERSONS, WHETHER OR NOT APPEARING OF RECORD, FOR  
12 ANY PORTION OF THE LAND OR IMPROVEMENTS ERECTED THEREON.

13 (D) THE PROCEEDS OF THIS SALE SHALL BE PAID INTO THE STATE  
14 TREASURY AND DEPOSITED IN THE GENERAL FUND.

15 (E) THE DEED OF CONVEYANCE SHALL BE APPROVED AS PROVIDED BY  
16 LAW AND SHALL BE EXECUTED BY THE SECRETARY OF GENERAL SERVICES  
17 IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

18 (F) COSTS AND FEES INCIDENTAL TO THE CONVEYANCE SHALL BE  
19 BORNE BY THE GRANTEE.

20 Section 6 3. Effective date.

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21 This act shall take effect immediately.