

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1314 Session of  
1995

INTRODUCED BY GERLACH, NOVEMBER 21, 1995

SENATOR LEMMOND, STATE GOVERNMENT, AS AMENDED, MARCH 19, 1996

## AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to sell and convey to the Owen J.  
3 Roberts School District certain land situate in East Vincent  
4 Township, Chester County, Pennsylvania.

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

7 Section 1. Conveyance in Chester County.

8 (a) Authorization.--The Department of General Services, with  
9 the approval of the Governor, is hereby authorized and directed  
10 on behalf of the Commonwealth of Pennsylvania to grant, sell and  
11 convey to Owen J. Roberts School District for consideration  
12 equal to one-half of the fair market value, as determined by  
13 appraisal by the Department of General Services, the tract of  
14 land described in subsection (b) AND THE RIGHTS-OF-WAY DESCRIBED <—  
15 IN SUBSECTION (C).

16 (b) Property description.--The property to be conveyed  
17 pursuant to subsection (a) is the following tract of land  
18 situate in the Township of East Vincent, County of Chester,

1 Commonwealth of Pennsylvania bounded and described as follows:

2 All that certain tract of land situate along the southerly  
3 side of Brown Drive and the westerly side of Pennhurst Road in  
4 the Township of East Vincent, County of Chester, Commonwealth of  
5 Pennsylvania, bounded and described as follows:

6 Beginning at a spike (set) marking the intersection of the  
7 titleline in Pennhurst Road (proposed right-of-way to be 50 feet  
8 wide) and the titleline in Brown Drive (proposed right-of-way to  
9 be 50 feet wide); thence from the place of beginning; along the  
10 titleline in Pennhurst Road, south 11 degrees 5 minutes 52  
11 seconds east 1,018.78 feet to a spike (set) for a corner of  
12 remaining lands of the Commonwealth of Pennsylvania; thence  
13 along the same, crossing the proposed westerly right-of-way line  
14 of Pennhurst Road 25.05 feet distant and extending along the  
15 northerly side of a proposed 25 foot-wide access right-of-way,  
16 the six following courses and distances: (1) south 75 degrees 26  
17 minutes 3 seconds west 50.89 feet to an iron pin (set), (2)  
18 south 80 degrees 49 minutes 35 seconds west 89.60 feet to an  
19 iron pin (set), (3) south 83 degrees 59 minutes 34 seconds west  
20 425.56 feet to an iron pin (set), (4) south 80 degrees 35  
21 minutes 53 seconds west 128.88 feet to an iron pin (set), (5)  
22 south 80 degrees 27 minutes west 106.10 feet to an iron pin  
23 (set), and (6) north 84 degrees 45 minutes west 370.14 feet to  
24 an iron pin (set) in line of lands of Spring Hollow Golf Course,  
25 Inc.; thence along the same, north 3 degrees 42 minutes 57  
26 seconds east 456.84 feet to a concrete monument (found), a  
27 corner of lands of David A. Buchanan; thence along the same,  
28 north 4 degrees 10 minutes 57 seconds east 534.24 feet to a  
29 spike (found) in the aforementioned titleline in Brown Drive,  
30 having crossed an iron pin set at the southerly proposed right-

1 of-way line of Brown Drive 25.11 feet distant from the last-  
2 mentioned spike; thence along the titleline in Brown Drive,  
3 north 88 degrees 56 minutes 46 seconds east 133.32 feet to a  
4 point of curve, and continuing along the titleline in Brown  
5 Drive, along a curve to the left, having a radius of 3,020 feet,  
6 through a central angle of 3 degrees 44 minutes 56 seconds and  
7 an arc distance of 197.60 feet (chord: north 87 degrees 4  
8 minutes 18 seconds east 197.57 feet to a spike (set) for a  
9 corner of still other remaining lands of the Commonwealth of  
10 Pennsylvania, which includes an existing dwelling and various  
11 outbuildings; thence along the same, the three following courses  
12 and distances: (1) recrossing the southerly proposed right-of-  
13 way line of Brown Drive, 25.04 feet distant, south 7 degrees 56  
14 minutes 55 seconds east 230.60 feet to an iron pin (set), (2)  
15 north 82 degrees 3 minutes 5 seconds east 326.70 feet to an iron  
16 pin (set), and (3) north 7 degrees 56 minutes 55 seconds west  
17 225 feet to a spike (set), again in the titleline in Brown  
18 Drive, having crossed the proposed southerly right-of-way line  
19 25 feet distant from the last-mentioned spike; thence again  
20 along the titleline in Brown Drive, north 81 degrees 41 minutes  
21 59 seconds east 244.23 feet to the place of beginning.

22 Containing 22.4623 acres gross or 21.5574 acres net of land,  
23 be the same more or less.

24 Under and subject to easements for various utility lines  
25 which are shown on the above-referred plan.

26 (C) RIGHTS-OF-WAY.--THE PROPERTY TO BE CONVEYED SHALL  
27 INCLUDE THE FOLLOWING RIGHTS-OF-WAY:

28 (1) PENNHURST ROAD

29 DESCRIPTION OF A RIGHT-OF-WAY REFERRED TO AS PENNHURST ROAD  
30 TO BE GRANTED TO OWEN J. ROBERTS SCHOOL DISTRICT.

1 ALL THAT CERTAIN RIGHT-OF-WAY REFERRED TO AS PENNHURST ROAD  
2 SITUATE IN THE TOWNSHIP OF EAST VINCENT, COUNTY OF CHESTER,  
3 COMMONWEALTH OF PENNSYLVANIA, BOUNDED AND DESCRIBED ACCORDING TO  
4 A SURVEY AND SUBDIVISION PLAN BY CONVER AND SMITH ENGINEERING,  
5 INC., ROYERSFORD, PENNSYLVANIA, DATED JUNE 30, 1995, LAST  
6 REVISED FEBRUARY 15, 1996, PLAN NO. D-95-032, SHEET 2 OF 2.

7 BEGINNING AT THE INTERSECTION OF THE TITLELINE IN THE HEREIN-  
8 DESCRIBED PENNHURST ROAD (50 FEET WIDE) AND THE SOUTHERLY RIGHT-  
9 OF-WAY LINE OF BROWN DRIVE (50 FEET WIDE), THE SAID CORNER BEING  
10 ALSO SOUTH 11 DEGREES 5 MINUTES 52 SECONDS EAST 25.03 FEET FROM  
11 THE INTERSECTION OF THE TITLELINE IN PENNHURST ROAD AND THE  
12 TITLELINE IN BROWN DRIVE; THENCE FROM THE PLACE OF BEGINNING,  
13 ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF BROWN DRIVE, NORTH 81  
14 DEGREES 41 MINUTES 59 SECONDS EAST 46.03 FEET TO A CORNER;  
15 THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF PENNHURST ROAD,  
16 THE FIVE (5) FOLLOWING COURSES AND DISTANCES: (1) ALONG A CURVE  
17 TO THE SOUTHEAST, HAVING A RADIUS OF 20 FEET, THROUGH A CENTRAL  
18 ANGLE OF 92 DEGREES 47 MINUTES 51 SECONDS AND AN ARC DISTANCE OF  
19 32.39 FEET (CHORD: SOUTH 35 DEGREES 18 MINUTES 3 SECONDS WEST  
20 28.97 FEET) TO A POINT OF TANGENT, (2) CROSSING THE WESTERLY  
21 TERMINUS OF DUNLAP ROAD, NEAR THE END OF THIS COURSE, SOUTH 11  
22 DEGREES 5 MINUTES 52 SECONDS EAST 1,021.35 FEET TO A CORNER, (3)  
23 SOUTH 11 DEGREES 53 MINUTES 58 SECONDS EAST 698.13 FEET TO A  
24 POINT OF CURVE, (4) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS  
25 OF 1350 FEET, THROUGH A CENTRAL ANGLE OF 9 DEGREES 3 MINUTES 25  
26 SECONDS AND AN ARC DISTANCE OF 213.40 FEET (CHORD: SOUTH 7  
27 DEGREES 22 MINUTES 16 SECONDS EAST 213.18 FEET) TO A POINT OF  
28 TANGENT, AND (5) SOUTH 2 DEGREES 50 MINUTES 33 SECONDS EAST  
29 36.02 FEET, MORE OR LESS, TO A CORNER; THENCE CROSSING THE  
30 NORTHERLY TERMINUS OF THE PUBLIC PORTION OF PENNHURST ROAD (T-

1 483-33 FEET WIDE), SOUTH 86 DEGREES 52 MINUTES 4 SECONDS WEST 50  
2 FEET TO A CORNER ON THE WESTERLY RIGHT-OF-WAY OF THE HEREIN-  
3 DESCRIBED PENNHURST ROAD; THENCE ALONG THE SAME, THE FIVE (5)  
4 FOLLOWING COURSES AND DISTANCES: (1) NORTH 2 DEGREES 50 MINUTES  
5 33 SECONDS WEST 36.27 FEET, MORE OR LESS, TO A POINT OF CURVE,  
6 (2) ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1300 FEET,  
7 THROUGH A CENTRAL ANGLE OF 9 DEGREES 3 MINUTES 25 SECONDS AND AN  
8 ARC DISTANCE OF 205.50 FEET (CHORD: NORTH 7 DEGREES 22 MINUTES  
9 16 SECONDS WEST 205.28 FEET) TO A POINT OF TANGENT, (3) NORTH 11  
10 DEGREES 53 MINUTES 58 SECONDS WEST 698.48 FEET TO A CORNER, (4)  
11 CROSSING THE EASTERLY TERMINUS OF A CERTAIN 25-FOOT WIDE ACCESS  
12 RIGHT-OF-WAY, NORTH 11 DEGREES 5 MINUTES 52 SECONDS WEST 1026.10  
13 FEET TO A POINT OF CURVE, AND (5) ALONG A CURVE TO THE LEFT,  
14 HAVING A RADIUS OF 20 FEET, THROUGH A CENTRAL ANGLE OF 87  
15 DEGREES 12 MINUTES 9 SECONDS AND AN ARC DISTANCE OF 30.44 FEET  
16 (CHORD: NORTH 54 DEGREES 41 MINUTES 56 SECONDS WEST 27.59 FEET)  
17 TO A POINT OF TANGENT ON THE AFOREMENTIONED SOUTHERLY RIGHT-OF-  
18 WAY LINE OF BROWN DRIVE; THENCE ALONG THE SAME, NORTH 81 DEGREES  
19 41 MINUTES 59 SECONDS EAST 44.08 FEET TO THE PLACE OF BEGINNING.

20 (2) BROWN DRIVE

21 DESCRIPTION OF A RIGHT-OF-WAY REFERRED TO AS BROWN DRIVE TO  
22 BE GRANTED TO THE OWEN J. ROBERTS SCHOOL DISTRICT.

23 ALL THAT CERTAIN RIGHT-OF-WAY REFERRED TO AS BROWN DRIVE  
24 SITUATE IN THE TOWNSHIP OF EAST VINCENT, COUNTY OF CHESTER,  
25 COMMONWEALTH OF PENNSYLVANIA, BOUNDED AND DESCRIBED ACCORDING TO  
26 A SURVEY AND SUBDIVISION PLAN BY CONVER AND SMITH ENGINEERING,  
27 INC., ROYERSFORD, PENNSYLVANIA, DATED JUNE 30, 1995, LAST  
28 REVISED FEBRUARY 15, 1996, PLAN NO. D-95-032, SHEET 2 OF 2.

29 BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY  
30 LINE OF THE HEREIN-DESCRIBED BROWN DRIVE (50 FEET WIDE AND THE

1 TITLELINE IN PENNHURST ROAD (50 FEET WIDE); THE SAID CORNER  
2 BEING ALSO SOUTH 11 DEGREES 5 MINUTES 52 SECONDS EAST 25.03 FEET  
3 FROM THE INTERSECTION OF THE TITLELINE IN BROWN DRIVE AND THE  
4 TITLELINE IN PENNHURST ROAD; THENCE FROM THE PLACE OF BEGINNING,  
5 ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF BROWN DRIVE, THE FOUR  
6 (4) FOLLOWING COURSES AND DISTANCES: (1) SOUTH 81 DEGREES 41  
7 MINUTES 59 SECONDS WEST 245.61 FEET TO A CORNER, (2) SOUTH 82  
8 DEGREES 24 MINUTES 11 SECONDS WEST 179.67 FEET TO A POINT OF  
9 CURVE, (3) ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 3045  
10 FEET, THROUGH A CENTRAL ANGLE OF 6 DEGREES 32 MINUTES 35 SECONDS  
11 AND AN ARC DISTANCE OF 347.73 FEET (CHORD: SOUTH 85 DEGREES 40  
12 MINUTES 28 SECONDS WEST 347.54 FEET) TO A POINT OF TANGENT, AND  
13 (4) SOUTH 88 DEGREES 56 MINUTES 46 SECONDS WEST 135.61 FEET TO A  
14 CORNER IN LINE OF LANDS OF DAVID A. BUCHANAN WHICH ARE LOCATED  
15 SOUTHERLY OF BROWN DRIVE; THENCE ALONG THE SAME AND ALSO ALONG  
16 LANDS OF CITIZENS UTILITIES HOME WATER COMPANY WHICH ARE LOCATED  
17 NORTHERLY OF BROWN DRIVE, ALSO CROSSING THE EASTERN TERMINUS OF  
18 THAT PORTION OF BROWN DRIVE WHICH IS CURRENTLY PUBLIC RIGHT-OF-  
19 WAY, NORTH 4 DEGREES 10 MINUTES 57 SECONDS EAST 50.22 FEET TO A  
20 CORNER ON THE NORTHERLY SIDE OF THE HEREIN-DESCRIBED RIGHT-OF-  
21 WAY OF BROWN DRIVE; THENCE ALONG THE SAME, THE FOUR (4)  
22 FOLLOWING COURSES AND DISTANCES: (1) NORTH 88 DEGREES 56 MINUTES  
23 46 SECONDS EAST 131.03 FEET TO A POINT OF CURVE, (2) ALONG A  
24 CURVE TO THE LEFT, HAVING A RADIUS OF 2995 FEET, THROUGH A  
25 CENTRAL ANGLE OF 6 DEGREES 32 MINUTES 35 SECONDS AND AN ARC  
26 DISTANCE OF 342.02 FEET (CHORD: NORTH 85 DEGREES 40 MINUTES 28  
27 SECONDS EAST 341.84 FEET) TO A POINT OF TANGENT, (3) NORTH 82  
28 DEGREES 24 MINUTES 11 SECONDS EAST 179.36 FEET TO A CORNER, AND  
29 (4) PARTLY CROSSING THE TERMINUS OF COMMONWEALTH DRIVE (A  
30 PRIVATE ROAD), NORTH 81 DEGREES 41 MINUTES 59 SECONDS EAST

1 291.33 FEET TO A CORNER; THENCE CROSSING THE BED OF THE HEREIN-  
2 DESCRIBED BROWN DRIVE, SOUTH 8 DEGREES 18 MINUTES 1 SECOND EAST  
3 50 FEET TO A CORNER ON THE AFOREMENTIONED SOUTHERLY RIGHT-OF-WAY  
4 LINE OF BROWN DRIVE; THENCE ALONG THE SAME, SOUTH 81 DEGREES 41  
5 MINUTES 59 SECONDS WEST 46.03 FEET TO THE PLACE OF BEGINNING.

6 ~~(e)~~ (D) Easements generally.--These conveyances shall be <—  
7 made under and subject to all easements, servitudes and rights  
8 of others, including, but not confined to, streets, roadways and  
9 rights of any telephone, telegraph, water, electric, sewer, gas  
10 or pipeline companies, as well as under and subject to any  
11 interest, estates or tenancies vested in third persons, whether  
12 or not appearing of record, for any portion of land or  
13 improvements erected thereon.

14 (E) RESTRICTED TO EDUCATIONAL PURPOSES.--THE DEED OF <—  
15 CONVEYANCE SHALL RESTRICT THE USE OF THE PROPERTY FOR  
16 EDUCATIONAL PURPOSES ONLY. IF THE GRANTEE OR SUCCESSOR IN  
17 FUNCTION USES THE PROPERTY FOR NONEDUCATIONAL PURPOSES, LEASES  
18 THE LAND FOR NONEDUCATIONAL OR NONAGRICULTURAL PURPOSES, OR  
19 ATTEMPTS TO SELL THE PROPERTY WITHIN 25 YEARS FROM THE DATE THE  
20 PROPERTY IS DEEDED TO THE GRANTEE, THE PROPERTY SHALL  
21 IMMEDIATELY REVERT TO AND REVEST IN THE COMMONWEALTH OF  
22 PENNSYLVANIA. THIS RESTRICTION SHALL CEASE 25 YEARS AFTER THE  
23 DATE THE PROPERTY IS DEEDED TO THE GRANTEE.

24 ~~(d)~~ (F) Approval and execution of deed.--Deeds of conveyance <—  
25 shall be approved as provided by law and shall be executed by  
26 the Secretary of General Services in the name of the  
27 Commonwealth of Pennsylvania.

28 ~~(e)~~ (G) Costs and fees.--Costs and fees incidental to these <—  
29 conveyances which are customarily paid by grantees, such as  
30 recording fees, shall be borne by the grantee.

1        (H) DEPOSIT OF PROCEEDS.--THE PROCEEDS FROM THE SALE SHALL        <—  
2 BE DEPOSITED IN THE PURCHASING FUND OF THE DEPARTMENT OF GENERAL  
3 SERVICES TO PAY FOR COSTS AND FEES INCURRED FOR MARKETING AND  
4 OTHER MEASURES TO PREPARE THE ADJACENT PENNHURST CENTER FOR  
5 SALE, AS WELL AS THE COSTS AND FEES INCURRED BY THE DEPARTMENT  
6 OF GENERAL SERVICES AS AUTHORIZED UNDER SECTION 2406-A OF THE  
7 ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE  
8 ADMINISTRATIVE CODE OF 1929. ANY PROCEEDS REMAINING AFTER  
9 PAYMENT OF THE COSTS AND FEES INCURRED BY THE DEPARTMENT OF  
10 GENERAL SERVICES SHALL BE TRANSFERRED TO THE GENERAL FUND.  
11        Section 2. This act shall take effect immediately.