

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1529 Session of  
1998

INTRODUCED BY CORMAN, SEPTEMBER 18, 1998

AS AMENDED ON THIRD CONSIDERATION, NOVEMBER 9, 1998

## AN ACT

1 Authorizing and directing the Department of General Services,  
2 WITH THE APPROVAL OF THE GOVERNOR AND THE DEPARTMENT OF <—  
3 CONSERVATION AND NATURAL RESOURCES, TO SELL AND CONVEY TO  
4 STEWARDSON TOWNSHIP, A CERTAIN TRACT OF LAND SITUATE IN THE  
5 TOWNSHIP OF STEWARDSON, POTTER COUNTY, PENNSYLVANIA; AND  
6 AUTHORIZING AND DIRECTING THE DEPARTMENT OF GENERAL SERVICES,  
7 with the approval of the Governor, to purchase certain tracts  
8 of land situate in Benner Township, Centre County,  
9 Pennsylvania.

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

## 12 SECTION 1. AUTHORIZATION OF SALE. &lt;—

13 THE DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF THE  
14 GOVERNOR AND THE DEPARTMENT OF CONSERVATION AND NATURAL  
15 RESOURCES, IS HEREBY AUTHORIZED AND DIRECTED ON BEHALF OF THE  
16 COMMONWEALTH OF PENNSYLVANIA TO GRANT, SELL AND CONVEY TO  
17 STEWARDSON TOWNSHIP, FOR FAIR CONSIDERATION EQUAL TO THE FAIR  
18 MARKET VALUE AS ESTABLISHED BY AN INDEPENDENT APPRAISER, A TRACT  
19 OF LAND AS FURTHER DESCRIBED BELOW. THE PROPERTY TO BE CONVEYED  
20 IS A SINGLE TRACT OF LAND SITUATE IN THE TOWNSHIP OF STEWARDSON,  
21 POTTER COUNTY, PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

1 BEGINNING, AT THE INTERSECTION OF STATE ROUTE 144 AND THE  
2 CENTERLINE OF CROSS FORK CREEK; THENCE EASTERLY ALONG THE  
3 CENTERLINE OF SAID HIGHWAY THE FOLLOWING COURSES AND DISTANCES:  
4 NORTH 70 DEGREES 05 MINUTES 11 SECONDS EAST, A DISTANCE OF 18.14  
5 FEET; THENCE NORTH 70 DEGREES 08 MINUTES 47 SECONDS EAST, A  
6 DISTANCE OF 72.16 FEET; THENCE NORTH 71 DEGREES 06 MINUTES 38  
7 SECONDS EAST, A DISTANCE OF 70.03 FEET; THENCE NORTH 73 DEGREES  
8 45 MINUTES 19 SECONDS EAST, A DISTANCE OF 73.00 FEET; THENCE  
9 NORTH 78 DEGREES 25 MINUTES 35 SECONDS EAST, A DISTANCE OF 71.58  
10 FEET; THENCE NORTH 84 DEGREES 29 MINUTES 57 SECONDS EAST, A  
11 DISTANCE OF 72.59 FEET; THENCE SOUTH 89 DEGREES 54 MINUTES 57  
12 SECONDS EAST, A DISTANCE OF 67.45 FEET; THENCE SOUTH 84 DEGREES  
13 33 MINUTES 11 SECONDS EAST, A DISTANCE OF 65.31 FEET; THENCE  
14 SOUTH 78 DEGREES 41 MINUTES 25 SECONDS EAST, A DISTANCE OF 70.24  
15 FEET; THENCE SOUTH 72 DEGREES 43 MINUTES 46 SECONDS EAST, A  
16 DISTANCE OF 74.52 FEET; THENCE SOUTH 67 DEGREES 38 MINUTES 59  
17 SECONDS EAST, A DISTANCE OF 71.11 FEET THENCE SOUTH 65 DEGREES  
18 08 MINUTES 53 SECONDS EAST, A DISTANCE OF 37.12 FEET, TO A POINT  
19 IN THE CENTERLINE OF STATE ROUTE 144; THENCE LEAVING SAID ROAD,  
20 SOUTH 33 DEGREES 26 MINUTES 03 SECONDS WEST, A DISTANCE OF  
21 230.24 FEET, TO A POINT ON THE NORTHERN EDGE OF KETTLE CREEK;  
22 THENCE DOWN KETTLE CREEK THE FOLLOWING COURSES AND DISTANCES,  
23 NORTH 60 DEGREES 39 MINUTES 46 SECONDS WEST, A DISTANCE OF 22.66  
24 FEET; THENCE NORTH 64 DEGREES 08 MINUTES 47 SECONDS WEST, A  
25 DISTANCE OF 57.11 FEET; THENCE NORTH 53 DEGREES 40 MINUTES 22  
26 SECONDS WEST, A DISTANCE OF 55.82 FEET; THENCE NORTH 58 DEGREES  
27 10 MINUTES 34 SECONDS WEST, A DISTANCE OF 49.92 FEET; THENCE  
28 NORTH 43 DEGREES 11 MINUTES 37 SECONDS WEST, A DISTANCE OF 56.13  
29 FEET; THENCE NORTH 56 DEGREES 46 MINUTES 30 SECONDS WEST, A  
30 DISTANCE OF 56.79 FEET; THENCE SOUTH 88 DEGREES 27 MINUTES 55

1 SECONDS WEST, A DISTANCE OF 47.81 FEET; THENCE SOUTH 78 DEGREES  
2 41 MINUTES 35 SECONDS WEST, A DISTANCE OF 57.19 FEET; THENCE  
3 SOUTH 75 DEGREES 47 MINUTES 38 SECONDS WEST, A DISTANCE OF 52.67  
4 FEET; THENCE NORTH 88 DEGREES 47 MINUTES 45 SECONDS WEST, A  
5 DISTANCE OF 49.91 FEET; THENCE SOUTH 84 DEGREES 43 MINUTES 40  
6 SECONDS WEST, A DISTANCE OF 59.07 FEET; THENCE SOUTH 69 DEGREES  
7 34 MINUTES 12 SECONDS WEST, A DISTANCE OF 61.40 FEET; THENCE  
8 SOUTH 69 DEGREES 34 MINUTES 12 SECONDS WEST, A DISTANCE OF 38.41  
9 FEET, TO THE CENTERLINE OF CROSS FORK CREEK; THENCE NORTH 05  
10 DEGREES 07 MINUTES 34 SECONDS WEST, A DISTANCE OF 79.40 FEET,  
11 ALONG THE CENTERLINE OF CROSS FORK CREEK TO THE POINT OF  
12 BEGINNING.

13 CONTAINING 2.23 ACRES, MORE OR LESS.

14 SECTION 2. CONDITIONS OF SALE.

15 THE CONVEYANCE AUTHORIZED BY SECTION 1 SHALL BE MADE UNDER  
16 AND SUBJECT TO ALL LAWFUL AND ENFORCEABLE EASEMENTS, SERVITUDES  
17 AND RIGHTS OF OTHERS, INCLUDING, BUT NOT CONFINED TO, STREETS,  
18 ROADWAYS AND RIGHTS OF ANY TELEPHONE, TELEGRAPH, CABLE, WATER,  
19 ELECTRIC, SEWER, GAS OR PIPELINE COMPANIES, AS WELL AS UNDER AND  
20 SUBJECT TO ANY LAWFUL AND ENFORCEABLE INTEREST, ESTATES OR  
21 TENANCIES VESTED IN THIRD PERSONS, APPEARING OF RECORD, FOR ANY  
22 PORTION OF THE LAND OR IMPROVEMENT ERECTED THEREON.

23 SECTION 3. DEED.

24 THE DEED OF CONVEYANCE AUTHORIZED BY SECTION 1 SHALL BE BY  
25 SPECIAL WARRANTY DEED AND SHALL CONTAIN A CLAUSE THAT THE  
26 GRANTEE SHALL UTILIZE THE PROPERTY FOR MUNICIPAL PURPOSES. IF AT  
27 ANY TIME THE GRANTEE OR THEIR SUCCESSOR IN FUNCTION CONVEYS SAID  
28 PROPERTY OR AUTHORIZES OR PERMITS SAID PROPERTY TO BE USED FOR  
29 ANY PURPOSE OTHER THAN THOSE AFOREMENTIONED, THE PROPERTY SHALL  
30 IMMEDIATELY REVERT TO AND REVEST IN THE COMMONWEALTH OF

1 PENNSYLVANIA.

2 SECTION 4. PEDESTRIAN ACCESS CLAUSE.

3 THE DEED OF CONVEYANCE AUTHORIZED BY SECTION 1 SHALL CONTAIN  
4 A CLAUSE THAT THE GRANTEE SHALL ALLOW PEDESTRIAN ACCESS ACROSS  
5 THE PREMISES TO KETTLE CREEK AND CROSS FORK CREEK.

6 SECTION 5. EXECUTION OF DEED.

7 THE DEED OF CONVEYANCE AUTHORIZED BY SECTION 1 SHALL BE  
8 APPROVED AS PROVIDED BY LAW AND SHALL BE EXECUTED BY THE  
9 SECRETARY OF GENERAL SERVICES IN THE NAME OF THE COMMONWEALTH OF  
10 PENNSYLVANIA. IN THE EVENT THAT THIS CONVEYANCE IS NOT EXECUTED  
11 WITHIN 12 MONTHS OF THE EFFECTIVE DATE OF THIS ACT, THE PROPERTY  
12 SHALL BE DISPOSED OF IN ACCORDANCE WITH ARTICLE XXIV-A OF THE  
13 ACT OF APRIL 9, 1929 (P.L.177, NO.175), KNOWN AS THE  
14 ADMINISTRATIVE CODE OF 1929.

15 SECTION 6. COSTS OF SALE.

16 COSTS AND FEES INCIDENTAL TO THE CONVEYANCE AUTHORIZED BY  
17 SECTION 1 SHALL BE BORNE BY THE GRANTEES.

18 Section ~~4~~ 7. Authorization of purchase.

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19 The Department of General Services, with the approval of the  
20 Governor, is authorized to purchase on behalf of the Department  
21 of Corrections, for fair market value as determined by an  
22 independent appraisal the following tracts of land situate in  
23 Benner Township, Centre County, Pennsylvania, described as  
24 follows:

25 TRACT NO. 1

26 BEGINNING at a rock oak; thence by land of Valentins, South  
27 30 degrees East, 85 perches to a red oak; thence North 72  
28 degrees East, 32 perches; thence by land of Christian Dale,  
29 North 2 degrees East, 40 perches to a rock oak, thence North 33  
30 degrees West, 24 perches to a chestnut oak; thence North 57

1 degrees East, 10 perches to a chestnut oak; thence by land of J.  
2 Noll, North 26 degrees West, 18 perches to a black oak; thence  
3 North 42 degrees West, 20 perches to stones; thence South 58  
4 degrees West, 60 perches to the place of beginning.

5 Containing approximately 28.86 acres and being known as  
6 Centre County Uniform Parcel Identifier Tax Parcel Number 12-05-  
7 036.

8 TRACT NO. 2

9 BEGINNING at a red oak; thence by land of Wistars, South 57  
10 degrees West, 40 5/10 perches to stones; thence by land of  
11 William Simmons heirs, South 42 degrees East, 20 perches to  
12 black oak; thence by same, South 26 degrees East, 18 perches to  
13 chestnut oak; thence by same, South 57 degrees West, 10 perches  
14 to chestnut oak; thence by same, South 33 degrees East, 24  
15 perches to chestnut oak; thence by land of Siney Hoy, North 57  
16 degrees East, 55 perches to stones; thence by land of Henry  
17 Noll, North 38 degrees West, 61 perches to the place of  
18 beginning and being known as Centre County Uniform Parcel  
19 Identifier Tax Parcel Number p/o 12-5/36.

20 BEING the same premises which became vested in Neil Walker  
21 the Grantor herein by a Decree Awarding Real Estate from the  
22 Margaret A. Hild Estate dated October 27, 1994, as recorded in  
23 Centre County Record Book 784, Page 978.

24 Containing approximately 17.46 acres and being known as  
25 Centre County Uniform Parcel Identifier Tax Parcel Number 12-05-  
26 036.

27 Both parcels being the same premises as described in Centre  
28 County Deed Book 195, page 385, consisting of approximately  
29 46.32 acres.

30 Section 2 8. Costs and fees.

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1       The costs and fees incurred by the Department of General  
2       Services for the acquisition of the tracts of land described in  
3       section ~~1~~ 7 shall be reimbursed by the Department of       <—  
4       Corrections.  
5       Section ~~3~~ 9.   Effective date.       <—  
6       This act shall take effect immediately.