

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 219 Session of
1999

INTRODUCED BY DALLY, JANUARY 28, 1999

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 28, 1999

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to convey to East Allen Township,
3 Northampton County, certain land situate in East Allen
4 Township, Northampton County, Pennsylvania.

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

7 Section 1. (a) Authorization.--The Department of General
8 Services, with the approval of the Governor, is hereby
9 authorized and directed on behalf of the Commonwealth of
10 Pennsylvania to grant and convey to East Allen Township the
11 tract of land described in subsection (b), as a dedication of
12 land in lieu of payment of the full amount that could be
13 assessed against the Department of General Services as set forth
14 in section 1007 of the East Allen Township Subdivision and Land
15 Development Ordinance.

16 (b) Description.--The property to be conveyed pursuant to
17 subsection (a) is the following tract of land situate in East
18 Allen Township, Northampton County, Pennsylvania, bounded and

1 described as follows:

2 BEGINNING at a point at the intersection of the center line
3 of Weaversville Road (SR 3017) and the center line of Colony
4 Drive (T-437) at the Southeast corner of the property herein
5 described, thence

6 (1) South 54 degrees 38 minutes 40 seconds West along the
7 dividing line of the Parcel herein described and Parcel VI of
8 the Allentown State Farm for a distance of 870 feet to a
9 concrete monument;

10 (2) North 33 degrees 47 minutes 40 seconds West along the
11 dividing line of the parcel herein described and Parcel VI of
12 the Allentown State Farm for a distance of 624.49 feet to a
13 concrete monument;

14 (3) North 57 degrees 01 minutes 07 seconds East along the
15 dividing line of the parcel herein described and lands now or
16 formerly of Northampton County for a distance of 517.79 feet to
17 a concrete monument;

18 (4) North 21 degrees 32 minutes 31 seconds East along the
19 dividing line of the parcel herein described and lands now or
20 formerly of Northampton County for a distance of 52.51 feet to a
21 concrete monument;

22 (5) North 63 degrees 21 minutes 08 seconds along the
23 dividing line of the parcel herein described and lands now or
24 formerly of Northampton County for a distance of 299.92 feet to
25 a center line of Weaversville Road (SR 3017);

26 (6) South 36 degrees 11 minutes 04 seconds East along the
27 center line of Weaversville Road (SR 3017) for a distance of
28 181.18 feet to a point;

29 (7) South 33 degrees 49 minutes 30 seconds East along the
30 center line of Weaversville Road (SR 3017) for a distance of

1 277.49 feet to a point;

2 (8) South 35 degrees 20 minutes 50 seconds along the center
3 line of Weaversville Road (SR 3017) for a distance of 127.53
4 feet to a point; said point being the point of beginning.

5 CONTAINING an area of 12.16 acres as per survey of Kurtanich
6 Engineers & Associates, Inc., Hermitage, PA dated May 5, 1997.
7 Revised April 28, 1998.

8 (c) Easements.--The conveyance shall be made under and
9 subject to all easements, and rights of others, including, but
10 not confined to, streets, roadways and rights of any telephone,
11 telegraph, cable, water, electric, sewer, gas or pipeline
12 companies, as well as under and subject to any interest, estates
13 or tenancies vested in third persons, whether or not appearing
14 of record, for any portion of the land or improvements erected
15 thereon.

16 (d) Execution.--The deed of conveyance shall be approved as
17 provided by law and shall be executed by the Secretary of
18 General Services in the name of the Commonwealth of
19 Pennsylvania. Within two years of this conveyance, East Allen
20 Township shall have the right of declaring in writing in the
21 form of notice sent to the Department of General Services,
22 Bureau of Real Estate, 505 North Office Building, Harrisburg, PA
23 17125, a reversion of the property to the Department of General
24 Services in the event that East Allen Township determines that
25 there are environmental problems, not originating during East
26 Allen Township ownership, for which it chooses not to undertake
27 abatement and/or remediation of those problems. In the event the
28 property reverts to Commonwealth of Pennsylvania within two
29 years of this conveyance:

30 (1) East Allen Township shall assume financial

1 responsibility for any costs of restoring the Premises to the
2 condition it was in at the time of this transfer, if the
3 Premises are damaged as a result of East Allen Township's use
4 thereof, ordinary wear and tear excluded. Costs shall include,
5 but not be limited to, remediation of environmental
6 contamination, if any, resulting from East Allen Township's use
7 thereof.

8 (2) The Department of General Services will not be
9 responsible for any fees that were nullified by the dedication
10 of land in lieu of payment as set forth in section 1007 of East
11 Allen Township Subdivision and Land Development Ordinance.

12 (3) At the discretion of the Secretary of General Services,
13 the property shall be offered for sale through auction, sealed
14 bid or request for proposal, under terms of the act of April 9,
15 1929 (P.L.177, No.175), known as The Administrative Code of
16 1929, and conditions in section 2405-A of The Administrative
17 Code of 1929, authorizing the conveyance of the herein noted
18 property to East Allen Township shall automatically cease and
19 become null and void.

20 (e) Costs.--All other costs and fees, including, but not
21 limited to, appraisal fees, title insurance and surveys,
22 incidental to this conveyance shall be borne by the Grantee.

23 Section 2. This act shall take effect immediately.