
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 697 Session of
2005

INTRODUCED BY STOUT, MAY 23, 2005

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
JULY 2, 2005

AN ACT

1 Authorizing and directing the Department of General Services,
2 with the approval of the Governor, to grant and convey to
3 Basalt Trap Rock Company, a Pennsylvania company, or its
4 assigns, certain lands, situate in Morgan and Franklin
5 Townships, Greene County, Pennsylvania; ~~AUTHORIZING AND~~ <—
6 ~~DIRECTING THE DEPARTMENT OF GENERAL SERVICES, WITH THE~~
7 ~~APPROVAL OF THE GOVERNOR, TO CONVEY TRACTS OF LAND AND~~
8 ~~BUILDINGS, CONSISTING OF A PORTION OF THE FORMER LAURELTON~~
9 ~~CENTER, LOCATED IN HARTLEY TOWNSHIP, UNION COUNTY,~~
10 ~~PENNSYLVANIA; AND MAKING A RELATED REPEAL.~~; AUTHORIZING THE <—
11 DEPARTMENT OF GENERAL SERVICES, WITH THE CONCURRENCE OF THE
12 DEPARTMENT OF ENVIRONMENTAL PROTECTION, TO LEASE TO PIER 25
13 NORTH ASSOCIATES LIMITED PARTNERSHIP LAND WITHIN THE BED OF
14 THE DELAWARE RIVER IN THE CITY OF PHILADELPHIA; AND
15 AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO CONVEY TO
16 MONTOUR COUNTY TWO TRACTS OF LAND SITUATE IN THE BOROUGH OF
17 DANVILLE, MONTOUR COUNTY, PENNSYLVANIA.

18 The General Assembly of the Commonwealth of Pennsylvania

19 hereby enacts as follows:

20 Section 1. Conveyance in Morgan and Franklin Townships, Greene
21 County, Pennsylvania.

22 (a) Authorization.--The Department of General Services, with
23 the approval of the Governor, is hereby authorized and directed

1 on behalf of the Commonwealth of Pennsylvania to grant and
2 convey to Basalt Trap Rock Company, or their assigns, all that
3 certain land and improvements thereon, known as the Waynesburg
4 State Correctional Institution, described in subsection (b) for
5 \$990,000.

6 (b) Description.--The property to be conveyed pursuant to
7 subsection (a) consists of approximately 117 acres described as
8 follows:

9 Beginning at a White Oak corner to lands of Warren Jacobs and
10 Stephen Crayne Estate, thence by lands of Stephen Crayne Estate
11 and Joseph Harding, north 54 degrees 36 minutes east 2242.77
12 feet to a point; thence by lands of Joseph Harding north 54
13 degrees 36 minutes east 529.32 feet to a point; thence by lands
14 of Ed Burnfield, north 10 degrees 6 minutes west 86.55 feet to a
15 point, thence by lands of W. H. R. Hoge Estate, north 74 degrees
16 7 minutes 30 seconds east 232.75 feet to a point, thence by the
17 same, north 56 degrees 55 minutes 30 seconds east 921.33 feet to
18 a point; thence by lands of John B. Harry, south 8 degrees 39
19 minutes east 131.82 feet to a point, thence by same, north 64
20 degrees 30 minutes east 898.6 to a White Oak; thence by same
21 south 43 degrees 15 minutes east 1445.4 feet to a point; thence
22 by lands of Ben Jacobs, south 22 degrees 45 minutes east 561
23 feet to a point, thence along Ten Mile Creek, north 87 degrees
24 24 minutes west 1389.79 feet to a point, thence by same south 6
25 degrees 30 minutes west 346.5 feet to a point, thence by lands
26 of Noah Sproat, north 81 degrees 15 minutes west 874.5 feet to a
27 point, thence by same north 64 degrees 13 minutes west 582.5
28 feet to a point, thence by same south 84 degrees 37 minutes west
29 63.35 feet to a point, thence by same south 46 degrees 13
30 minutes west 19.15 feet to a point, thence by same south 46

1 degrees 13 minutes west 2272.67 feet to a point, thence by lands
2 of Warren Jacobs, north 53 degrees 55 minutes west 921.2 feet to
3 a White Oak, the place of Beginning.

4 Containing: 117.0577 acres, more or less, according to a
5 survey made June, 1960, by Fred L. Miller, Registered Surveyor.

6 Being the same lands conveyed to the Commonwealth of
7 Pennsylvania by deed of the General State Authority, dated June
8 16, 1989, and recorded in Greene County Deed Book 74, page 895.

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

17 (d) Land use restriction.--Any conveyance authorized under
18 this act shall be made under and subject to the condition, which
19 shall be contained in the deed of conveyance, that no portion of
20 the parcels conveyed shall be used as ~~the location for a~~ <—
21 ~~licensed gaming entity authorized under 4 Pa.C.S. Pt. II~~
22 ~~(relating to gaming)~~ A LICENSED FACILITY AS THAT TERM IS DEFINED <—
23 IN 4 PA.C.S. § 1103 (RELATING TO DEFINITIONS) or similar type of
24 facility authorized under the law of this Commonwealth. The
25 condition shall be a covenant running with the land and shall be
26 binding upon the grantee, its successors and assigns. Should any
27 grantee, its successors or assigns, permit any parcel conveyed
28 in this act, or any portion thereof, to be used in violation of
29 this subsection, the title shall immediately revert to and
30 revert in the grantor.

1 (e) Execution.--The deed of conveyance shall be by Special
2 Warranty Deed and shall be executed by the Secretary of General
3 Services in the name of the Commonwealth of Pennsylvania.

4 (f) Costs and fees.--Costs and fees incidental to this
5 conveyance shall be borne by the grantee.

6 (g) Nonconveyance.--In the event that this conveyance is not
7 executed within six months of the effective date of this act,
8 the property may be disposed of in accordance with Article 2406-
9 A of the act of April 9, 1929 (P.L.177, No.175), known as The
10 Administrative Code of 1929.

11 ~~Section 2. Effective date.~~ <—

12 ~~This act shall take effect immediately.~~

13 ~~SECTION 2. CONVEYANCE IN HARTLEY TOWNSHIP, UNION COUNTY.~~ <—

14 ~~(A) AUTHORIZATION. THE DEPARTMENT OF GENERAL SERVICES, WITH~~
15 ~~THE APPROVAL OF THE GOVERNOR, IS HEREBY AUTHORIZED AND DIRECTED,~~
16 ~~ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA, TO GRANT AND~~
17 ~~CONVEY THE TRACTS OF LAND DESCRIBED IN SUBSECTION (B) AND THE~~
18 ~~IMPROVEMENTS ERECTED THEREON TO MOUNTAIN VALLEY, INC., A~~
19 ~~MARYLAND CORPORATION, FOR CONSIDERATION EQUAL TO FAIR MARKET~~
20 ~~VALUE, AS DETERMINED BY AN INDEPENDENT APPRAISAL.~~

21 ~~(B) DESCRIPTION. ALL THOSE CERTAIN TRACTS OR PARCELS OF~~
22 ~~LAND, WITH IMPROVEMENTS THEREON ERECTED, SITUATE IN HARTLEY~~
23 ~~TOWNSHIP, UNION COUNTY, PENNSYLVANIA, MORE PARTICULARLY BOUNDED~~
24 ~~AND DESCRIBED AS FOLLOWS:~~

25 ~~TRACT 1~~

26 ~~ALL THAT CERTAIN PARCEL OF LAND SHOWN AS EXISTING PARCEL NO.~~
27 ~~1 ON AN ADDITION LOT SUBDIVISION PREPARED BY LARSON DESIGN GROUP~~
28 ~~DATED NOVEMBER 9, 1997 AND RECORDED IN THE UNION COUNTY RECORDER~~
29 ~~OF DEEDS OFFICE IN PLAT BOOK 19, PAGE 54.~~

30 ~~CONTAINING 266.429 ACRES.~~

TRACT 2

ALL THAT CERTAIN PARCEL OF LAND SHOWN AS RESIDUAL LANDS OF THE COMMONWEALTH OF PENNSYLVANIA ON AN ADDITION LOT SUBDIVISION PREPARED BY LARSON DESIGN GROUP, DATED NOVEMBER 9, 1997, AND RECORDED IN THE UNION COUNTY RECORDER OF DEEDS OFFICE IN PLAT BOOK 19, PAGE 54.

CONTAINING 5.993 ACRES.

TRACT 3

ALL THAT CERTAIN PARCEL OF LAND SHOWN AS EXISTING PARCEL NO. 2 ON AN ADDITION LOT SUBDIVISION PREPARED BY LARSON DESIGN GROUP, DATED NOVEMBER 9, 1997, AND RECORDED IN THE UNION COUNTY RECORDER OF DEEDS OFFICE IN PLAT BOOK 19, PAGE 54.

CONTAINING 64.428 ACRES.

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

(D) GENERAL LAND USE RESTRICTION. THE CONVEYANCE SHALL BE UNDER AND SUBJECT TO THE CONDITION, WHICH SHALL BE CONTAINED IN THE DEED, THAT NO PORTION OF THE PROPERTY BEING CONVEYED SHALL BE USED AS A LICENSED FACILITY, AS THAT TERM IS DEFINED IN 4 PA.C.S. § 1103 (RELATING TO DEFINITIONS) OR FOR ANY OTHER SIMILAR TYPE OF FACILITY AUTHORIZED UNDER STATE LAW. THE CONDITION SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS. IF A GRANTEE, ITS SUCCESSORS OR ASSIGNS PERMIT THE PROPERTY

1 ~~AUTHORIZED TO BE CONVEYED IN THIS SECTION, OR ANY PORTION OF THE~~
2 ~~PROPERTY, TO BE USED IN VIOLATION OF THIS SUBSECTION, THE TITLE~~
3 ~~SHALL IMMEDIATELY REVERT TO AND REVEST IN THE GRANTOR.~~

4 ~~(E) AGRICULTURAL RESTRICTION. THAT PORTION OF THE LAND AS~~
5 ~~DESCRIBED IN TRACT 3 OF SUBSECTION (B) THAT IS CURRENTLY SUBJECT~~
6 ~~TO THE PROVISIONS OF THE ACT OF JUNE 18, 1982 (P.L.549, NO.159),~~
7 ~~ENTITLED, "AN ACT PROVIDING FOR THE ADMINISTRATION OF CERTAIN~~
8 ~~COMMONWEALTH FARMLAND WITHIN THE DEPARTMENT OF AGRICULTURE,"~~
9 ~~SHALL CONTINUE TO BE SUBJECT TO THE RESTRICTIONS PROVIDED FOR IN~~
10 ~~THAT ACT AND A RESTRICTIVE COVENANT LIMITING THE USES OF THE~~
11 ~~PROPERTY TO AGRICULTURAL AND OPEN SPACE USES SHALL BE PLACED IN~~
12 ~~THE DEED.~~

13 ~~(F) PROCEEDS.—~~

14 ~~(1) EXCEPT AS PROVIDED IN PARAGRAPH (2), THE PROCEEDS OF~~
15 ~~THE CONVEYANCE SHALL BE PAID INTO THE STATE TREASURY AND~~
16 ~~DEPOSITED IN THE GENERAL FUND.~~

17 ~~(2) THE PORTION OF THE PROCEEDS OF THE CONVEYANCE~~
18 ~~ATTRIBUTED TO THE PROPERTY DESCRIBED IN TRACT 3 OF SUBSECTION~~
19 ~~(B), WHICH PORTION SHALL BE DETERMINED BY AN INDEPENDENT~~
20 ~~APPRAISAL, SHALL BE DEPOSITED INTO THE AGRICULTURAL~~
21 ~~CONSERVATION EASEMENT PURCHASE FUND.~~

22 ~~(G) APPROVAL. THE DEED OF CONVEYANCE SHALL BE APPROVED AS~~
23 ~~PROVIDED BY LAW AND SHALL BE EXECUTED BY THE SECRETARY OF~~
24 ~~GENERAL SERVICES IN THE NAME OF THE COMMONWEALTH OF~~
25 ~~PENNSYLVANIA.~~

26 ~~(H) COSTS. COSTS AND FEES INCIDENTAL TO THE CONVEYANCE~~
27 ~~SHALL BE BORNE BY THE GRANTEE.~~

28 ~~(I) ALTERNATE DISPOSAL. IN THE EVENT THAT THE CONVEYANCE~~
29 ~~UNDER THIS SECTION IS NOT EXECUTED WITHIN ONE YEAR OF THE~~
30 ~~EFFECTIVE DATE OF THIS SECTION, THE PROPERTY MAY BE DISPOSED OF~~

1 ~~IN ACCORDANCE WITH SECTION 2406 A OF THE ACT OF APRIL 9, 1929~~
2 ~~(P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.~~

3 ~~SECTION 3. SECTION 2 OF THE ACT OF DECEMBER 19, 1997~~
4 ~~(P.L.623, NO.66), ENTITLED "AN ACT AUTHORIZING AND DIRECTING THE~~
5 ~~DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF THE~~
6 ~~GOVERNOR, TO GRANT AND CONVEY TO THE CITY OF MCKEESPORT A TRACT~~
7 ~~OF LAND SITUATE IN THE SEVENTH WARD, CITY OF MCKEESPORT,~~
8 ~~ALLEGHENY COUNTY, AND TO SELL AND CONVEY TO SMITHFIELD TOWNSHIP~~
9 ~~CERTAIN LAND SITUATE IN THE TOWNSHIP OF SMITHFIELD, HUNTINGDON~~
10 ~~COUNTY; AND AUTHORIZING AND DIRECTING THE DEPARTMENT OF GENERAL~~
11 ~~SERVICES, WITH THE APPROVAL OF THE GOVERNOR, TO CONVEY TRACTS OF~~
12 ~~LAND AND BUILDINGS, CONSISTING OF A PORTION OF THE FORMER~~
13 ~~LAURELTON CENTER, LOCATED IN HARTLEY TOWNSHIP, UNION COUNTY,~~
14 ~~PENNSYLVANIA," IS REPEALED AS FOLLOWS:~~

15 ~~{SECTION 2. (A) THE DEPARTMENT OF GENERAL SERVICES, WITH~~
16 ~~THE APPROVAL OF THE GOVERNOR, IS HEREBY AUTHORIZED AND DIRECTED~~
17 ~~ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA TO GRANT AND~~
18 ~~CONVEY THE FOLLOWING DESCRIBED TRACTS OF LAND AND THE~~
19 ~~IMPROVEMENTS ERECTED THEREON:~~

20 ~~ALL THOSE CERTAIN TRACTS OR PARCELS OF LAND, WITH~~
21 ~~IMPROVEMENTS THEREON ERECTED, SITUATE IN HARTLEY TOWNSHIP, UNION~~
22 ~~COUNTY, PENNSYLVANIA, MORE PARTICULARLY BOUNDED AND DESCRIBED AS~~
23 ~~FOLLOWS:~~

24 ~~TRACT 1~~

25 ~~BEGINNING AT AN EXISTING STEEL PIN AND STONES LOCATED ON OR~~
26 ~~NEAR THE NORTHERN RIGHT OF WAY OF S.R. 0045 AND ON THE~~
27 ~~JURISDICTIONAL DIVISION LINE BETWEEN LANDS OF THE COMMONWEALTH~~
28 ~~OF PENNSYLVANIA, BUREAU OF FORESTRY AND LANDS OF THE~~
29 ~~COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF PUBLIC WELFARE.~~

30 ~~THENCE ALONG LANDS OF THE COMMONWEALTH OF PENNSYLVANIA,~~

1 ~~BUREAU OF FORESTRY BY THE FOUR FOLLOWING COURSES AND DISTANCES:~~

2 ~~1. NORTH 22 DEGREES 29 MINUTES 55 SECONDS EAST, 3685.15~~
3 ~~FEET, TO AN EXISTING WITNESSED STONE PILE;~~

4 ~~2. NORTH 74 DEGREES 47 MINUTES 54 SECONDS EAST, 831.53 FEET,~~
5 ~~TO AN EXISTING WITNESSED STONE PILE;~~

6 ~~3. SOUTH 75 DEGREES 02 MINUTES 58 SECONDS EAST, 143.22 FEET,~~
7 ~~TO A POINT EAST OF STONY RUN ROAD;~~

8 ~~4. SOUTH 25 DEGREES 32 MINUTES 58 SECONDS EAST, 1472.86~~
9 ~~FEET, TO AN EXISTING WITNESSED STONE PILE EAST OF STONY RUN~~
10 ~~ROAD;~~

11 ~~5. THENCE ALONG LANDS OF WILLIAM G. RODGERS AND LANDS OF W.~~
12 ~~JAMES BEAMESDERFER AND CRAIG A. BEAMESDERFER AND CROSSING STONY~~
13 ~~RUN ROAD, SOUTH 75 DEGREES 56 MINUTES 43 SECONDS WEST, 221.73~~
14 ~~FEET, TO AN EXISTING STONE PILE;~~

15 ~~6. THENCE ALONG LANDS W. OF JAMES BEAMESDERFER AND CRAIG A.~~
16 ~~BEAMESDERFER AND LANDS OF EILEEN R. WIAND AND LISA L. MATTERN,~~
17 ~~SOUTH 20 DEGREES 40 MINUTES 20 SECONDS EAST, 1491.80 FEET, TO AN~~
18 ~~EXISTING WITNESSED STONE PILE;~~

19 ~~7. THENCE ALONG LANDS OF EILEEN R. WIAND AND LISA L.~~
20 ~~MATTERN, NORTH 65 DEGREES 52 MINUTES 26 SECONDS EAST, 319.07~~
21 ~~FEET, TO A POINT IN THE CENTER OF STONY RUN ROAD.~~

22 ~~THENCE ALONG THE CENTER OF STONY RUN ROAD AND LANDS OF THE~~
23 ~~COMMONWEALTH OF PENNSYLVANIA, BUREAU OF FORESTRY, BY THE EIGHT~~
24 ~~FOLLOWING COURSES AND DISTANCES:~~

25 ~~1. SOUTH 33 DEGREES 57 MINUTES 45 SECONDS EAST, 570.05 FEET,~~
26 ~~TO POINT IN THE CENTER OF STONY RUN ROAD;~~

27 ~~2. SOUTH 33 DEGREES 07 MINUTES 08 SECONDS EAST, 653.60 FEET,~~
28 ~~TO POINT IN THE CENTER OF STONY RUN ROAD;~~

29 ~~3. SOUTH 30 DEGREES 01 MINUTE 39 SECONDS EAST, 122.79 FEET,~~
30 ~~TO POINT IN THE CENTER OF STONY RUN ROAD;~~

1 4. ~~SOUTH 21 DEGREES 25 MINUTES 18 SECONDS EAST, 74.09 FEET,~~
2 ~~TO POINT IN THE CENTER OF STONY RUN ROAD;~~

3 5. ~~SOUTH 07 DEGREES 41 MINUTES 59 SECONDS EAST, 91.09 FEET,~~
4 ~~TO POINT IN THE CENTER OF STONY RUN ROAD;~~

5 6. ~~SOUTH 04 DEGREES 55 MINUTES 47 SECONDS WEST, 109.33 FEET,~~
6 ~~TO POINT IN THE CENTER OF STONY RUN ROAD;~~

7 7. ~~SOUTH 09 DEGREES 10 MINUTES 51 SECONDS WEST, 414.31 FEET,~~
8 ~~TO POINT IN THE CENTER OF STONY RUN ROAD;~~

9 8. ~~SOUTH 09 DEGREES 14 MINUTES 46 SECONDS WEST, 603.60 FEET,~~
10 ~~TO POINT ON THE NORTHERN RIGHT OF WAY OF S.R. 0045.~~

11 ~~THENCE ALONG THE NORTHERN RIGHT OF WAY S.R. 0045 BY THE 13~~
12 ~~FOLLOWING COURSES AND DISTANCES:~~

13 1. ~~NORTH 70 DEGREES 20 MINUTES 12 SECONDS WEST, 263.53 FEET,~~
14 ~~TO A POINT;~~

15 2. ~~NORTH 19 DEGREES 39 MINUTES 48 SECONDS EAST, 5.00 FEET,~~
16 ~~TO A POINT;~~

17 3. ~~NORTH 70 DEGREES 20 MINUTES 12 SECONDS WEST, 150.00 FEET,~~
18 ~~TO A POINT;~~

19 4. ~~SOUTH 19 DEGREES 39 MINUTES 48 SECONDS WEST, 5.00 FEET,~~
20 ~~TO A POINT;~~

21 5. ~~NORTH 70 DEGREES 20 MINUTES 12 SECONDS WEST, 250.29 FEET,~~
22 ~~TO A POINT;~~

23 6. ~~NORTH 71 DEGREES 27 MINUTES 12 SECONDS WEST, 359.32 FEET,~~
24 ~~TO A POINT;~~

25 7. ~~NORTH 70 DEGREES 18 MINUTES 12 SECONDS WEST, 700.74 FEET,~~
26 ~~TO A POINT;~~

27 8. ~~NORTH 70 DEGREES 42 MINUTES 12 SECONDS WEST, 1288.90~~
28 ~~FEET, TO A POINT;~~

29 9. ~~NORTH 19 DEGREES 17 MINUTES 48 SECONDS EAST, 5.00 FEET,~~
30 ~~TO A POINT;~~

1 ~~10. NORTH 70 DEGREES 42 MINUTES 12 SECONDS WEST, 1145.04~~
2 ~~FEET, TO A POINT;~~

3 ~~11. BY A CURVE TO THE LEFT HAVING A RADIUS OF 3854.70 FEET,~~
4 ~~AN ARC LENGTH OF 5.01 FEET AND A CENTRAL ANGLE OF 00 DEGREES 04~~
5 ~~MINUTES 28 SECONDS AND A CHORD OF NORTH 70 DEGREES 44 MINUTES 26~~
6 ~~SECONDS WEST, 5.01 INCHES;~~

7 ~~12. SOUTH 19 DEGREES 13 MINUTES 20 SECONDS WEST, 5.00 FEET,~~
8 ~~TO A POINT;~~

9 ~~13. BY A CURVE TO THE RIGHT HAVING A RADIUS OF 3849.70 FEET,~~
10 ~~AN ARC LENGTH OF 277.72 INCHES AND A CENTRAL ANGLE OF 04 DEGREES~~
11 ~~08 MINUTES 00 SECONDS AND A CHORD OF NORTH 72 DEGREES 50 MINUTES~~
12 ~~40 SECONDS WEST, 277.66 FEET, TO AN EXISTING STEEL PIN AND~~
13 ~~STONES, THE POINT AND PLACE OF BEGINNING.~~

14 ~~TRACT 1 CONTAINING 266.428 ACRES AS ABOVE DESCRIBED.~~

15 ~~TRACT 2~~

16 ~~BEGINNING AT AN EXISTING STEEL PIN LOCATED APPROXIMATELY 2850~~
17 ~~FEET EAST OF THE INTERSECTION OF S.R. 0045 AND S.R. 0235 AND~~
18 ~~BEING ON OR NEAR THE SOUTHERN RIGHT OF WAY LINE OF S.R. 0045 AND~~
19 ~~ON THE DIVISION LINE BETWEEN LANDS OF THE COMMONWEALTH OF~~
20 ~~PENNSYLVANIA AND LANDS OF ARLON E. WALLACE AND CRYSTAL A.~~
21 ~~HEETER.~~

22 ~~1. THENCE ALONG LANDS OF ARLON E. WALLACE AND CRYSTAL A.~~
23 ~~HEETER AND LANDS OF BRADLEY F. WALTER AND ANGELIA WALTER, SOUTH~~
24 ~~08 DEGREES 15 MINUTES 05 SECONDS WEST, 1253.61 FEET, TO AN~~
25 ~~EXISTING TWIN OAK TREE;~~

26 ~~2. THENCE ALONG LANDS OF RAYMOND HOOVER AND WILMA HOOVER,~~
27 ~~NORTH 79 DEGREES 40 MINUTES 38 SECONDS WEST, 859.47 FEET, TO AN~~
28 ~~EXISTING STEEL PIN;~~

29 ~~3. THENCE ALONG LANDS OF RICHARD J. HARVEY AND JANET L.~~
30 ~~HARVEY AND LANDS OF MONTANA L. SCHLEGEL AND JANICE M. SCHLEGEL,~~

1 ~~NORTH 18 DEGREES 33 MINUTES 56 SECONDS WEST, 840.74 FEET, TO AN~~
2 ~~EXISTING STEEL PIN;~~

3 ~~4. THENCE ALONG LANDS OF MONTANA L. SCHLEGEL AND JANICE M.~~
4 ~~SCHLEGEL, SOUTH 72 DEGREES 46 MINUTES 49 SECONDS WEST, 762.09~~
5 ~~FEET, TO A POINT ON THE EASTERN RIGHT OF WAY OF S.R. 0235.~~

6 ~~THENCE ALONG THE EASTERN RIGHT OF WAY OF S.R. 0235 BY THE~~
7 ~~FOUR FOLLOWING COURSES AND DISTANCES:~~

8 ~~1. NORTH 26 DEGREES 19 MINUTES 18 SECONDS WEST, 731.70 FEET,~~
9 ~~TO A POINT;~~

10 ~~2. BY A CURVE TO THE RIGHT HAVING A RADIUS OF 2844.79 FEET,~~
11 ~~AN ARC LENGTH OF 354.94 FEET, AND A CENTRAL ANGLE OF 07 DEGREES~~
12 ~~08 MINUTES 55 SECONDS, AND A CHORD OF NORTH 22 DEGREES 44~~
13 ~~MINUTES 50 SECONDS WEST, 354.71 FEET TO A POINT;~~

14 ~~3. NORTH 19 DEGREES 10 MINUTES 23 SECONDS WEST, 478.05 FEET~~
15 ~~TO A POINT;~~

16 ~~4. BY A CURVE TO THE RIGHT HAVING A RADIUS OF 35 FEET, AN~~
17 ~~ARC LENGTH OF 78.70 FEET, AND A CENTRAL ANGLE OF 128 DEGREES 50~~
18 ~~MINUTES 11 SECONDS, AND A CHORD OF NORTH 45 DEGREES 14 MINUTES~~
19 ~~43 SECONDS EAST, 63.14 FEET TO A POINT ON THE SOUTHERN RIGHT OF~~
20 ~~WAY OF S.R. 0045.~~

21 ~~THENCE ALONG THE SOUTHERN RIGHT OF WAY OF S.R. 0045 BY THE~~
22 ~~THREE FOLLOWING COURSES AND DISTANCES:~~

23 ~~1. SOUTH 70 DEGREES 20 MINUTES 12 SECONDS EAST, 1020.05~~
24 ~~FEET, TO A POINT;~~

25 ~~2. SOUTH 69 DEGREES 40 MINUTES 12 SECONDS EAST, 1556.28~~
26 ~~FEET, TO A POINT;~~

27 ~~3. BY A CURVE TO THE RIGHT HAVING A RADIUS OF 1318.45 FEET,~~
28 ~~AN ARC LENGTH OF 192.46 FEET, AND A CENTRAL ANGLE OF 08 DEGREES~~
29 ~~21 MINUTES 49 SECONDS, AND A CHORD OF SOUTH 65 DEGREES 29~~
30 ~~MINUTES 18 SECONDS EAST, 192.28 FEET TO AN EXISTING STEEL PIN,~~

1 ~~THE POINT AND PLACE OF BEGINNING.~~

2 ~~TRACT 2 CONTAINING 64.428 ACRES AS ABOVE DESCRIBED.~~

3 ~~TRACT 3~~

4 ~~BEGINNING AT AN EXISTING STEEL PIN LOCATED APPROXIMATELY 1180~~
5 ~~FEET WEST OF THE INTERSECTION OF S.R. 0045 AND S.R. 0235 AND~~
6 ~~BEING ON OR NEAR THE SOUTHERN RIGHT OF WAY OF S.R. 0045 AND ON~~
7 ~~THE JURISDICTIONAL DIVISION LINE BETWEEN LANDS OF THE~~
8 ~~COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF CONSERVATION AND~~
9 ~~NATURAL RESOURCES, AND LANDS OF THE COMMONWEALTH OF~~
10 ~~PENNSYLVANIA, DEPARTMENT OF PUBLIC WELFARE.~~

11 ~~THENCE ALONG LANDS OF THE COMMONWEALTH OF PENNSYLVANIA,~~
12 ~~DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, BY THE 12~~
13 ~~COURSES AND DISTANCES:~~

14 ~~1. SOUTH 19 DEGREES 12 MINUTES 21 SECONDS WEST, 198.88 FEET~~
15 ~~TO AN EXISTING STEEL PIN;~~

16 ~~2. SOUTH 67 DEGREES 09 MINUTES 50 SECONDS EAST, 127.12 FEET~~
17 ~~TO A POINT;~~

18 ~~3. SOUTH 28 DEGREES 08 MINUTES 01 SECOND EAST, 256.88 FEET~~
19 ~~TO A POINT;~~

20 ~~4. SOUTH 150 DEGREES 52 MINUTES 30 SECONDS WEST, 191.06 FEET~~
21 ~~TO AN EXISTING STEEL PIN;~~

22 ~~5. SOUTH 40 DEGREES 31 MINUTES 46 SECONDS EAST, 230.04 FEET~~
23 ~~TO AN EXISTING STEEL PIN;~~

24 ~~6. SOUTH 71 DEGREES 04 MINUTES 15 SECONDS WEST, 186.38 FEET~~
25 ~~TO AN EXISTING STEEL PIN;~~

26 ~~7. SOUTH 84 DEGREES 43 MINUTES 54 SECONDS WEST, 300.50 FEET~~
27 ~~TO AN EXISTING STEEL PIN;~~

28 ~~8. NORTH 68 DEGREES 29 MINUTES 54 SECONDS WEST, 173.17 FEET~~
29 ~~TO AN EXISTING STEEL PIN;~~

30 ~~9. NORTH 04 DEGREES 18 MINUTES 51 SECONDS EAST, 692.26 FEET~~

1 ~~TO AN EXISTING STEEL PIN;~~
2 ~~10. NORTH 30 DEGREES 23 MINUTES 16 SECONDS WEST, 123.70 FEET~~
3 ~~TO AN EXISTING STEEL PIN;~~
4 ~~11. NORTH 13 DEGREES 21 MINUTES 43 SECONDS WEST, 206.87 FEET~~
5 ~~TO AN EXISTING STEEL PIN;~~
6 ~~12. SOUTH 70 DEGREES 42 MINUTES 12 SECONDS EAST, 94.27 FEET~~
7 ~~TO AN EXISTING STEEL PIN;~~
8 ~~13. THENCE ALONG THE SOUTHERN RIGHT OF WAY OF S.R. 0045,~~
9 ~~SOUTH 70 DEGREES 18 MINUTES 12 SECONDS EAST, 356.77 FEET TO AN~~
10 ~~EXISTING STEEL PIN, THE POINT AND PLACE OF BEGINNING.~~

11 ~~TRACT 3 CONTAINING 9.832 ACRES AS ABOVE DESCRIBED.~~

12 ~~(B) THE THREE TRACTS UNDER THIS SECTION OR PARTS THEREOF MAY~~
13 ~~BE OFFERED TOGETHER OR SEPARATELY.~~

14 ~~(C) NOTWITHSTANDING ARTICLE XXIV A OF THE ACT OF APRIL 9,~~
15 ~~1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF~~
16 ~~1929, THE DEPARTMENT OF GENERAL SERVICES SHALL, THROUGH SEALED~~
17 ~~BIDS, AUCTION OR REQUEST FOR PROPOSAL, SELECT THE PURCHASER OF~~
18 ~~THE TRACTS AND SELL THE PROPERTY UNDER THIS SECTION. ACCEPTANCE~~
19 ~~OF AN OFFER SHALL BE SUBJECT TO A MINIMUM PRICE REQUIREMENT AS~~
20 ~~ESTABLISHED BY THE DEPARTMENT WHICH SHALL BE WITHIN A RANGE OF~~
21 ~~FAIR MARKET VALUE AS ESTABLISHED THROUGH INDEPENDENT APPRAISAL.~~
22 ~~PROPOSALS SUBMITTED IN RESPONSE TO A REQUEST FOR PROPOSAL MUST~~
23 ~~DEMONSTRATE A VALUE TO THE COMMONWEALTH EQUIVALENT, TO THE FAIR~~
24 ~~MARKET VALUE RANGE AS ESTABLISHED BY THE DEPARTMENT THROUGH~~
25 ~~INDEPENDENT APPRAISAL. IN ESTABLISHING THE VALUE EQUIVALENT THE~~
26 ~~DEPARTMENT SHALL CONSIDER THE FOLLOWING FACTORS: ACTUAL MONETARY~~
27 ~~CONSIDERATION, CREATION OF CONSTRUCTION JOBS, CREATION OF~~
28 ~~PERMANENT JOBS, EXPANSION OF LOCAL TAX BASE, ECONOMIC GROWTH,~~
29 ~~COMMUNITY DEVELOPMENT, HIGHEST AND BEST USE AND PUBLIC PURPOSE.~~

30 ~~(D) THE CONVEYANCES SHALL BE MADE UNDER AND SUBJECT TO ALL~~

1 ~~EASEMENTS, SERVITUDES AND RIGHTS OF OTHERS, INCLUDING, BUT NOT~~
2 ~~CONFINED TO, STREETS, ROADWAYS AND RIGHTS OF TELEPHONE,~~
3 ~~TELEGRAPH, WATER, ELECTRIC, SEWER, GAS OR PIPELINE COMPANIES, AS~~
4 ~~WELL AS UNDER AND SUBJECT TO ANY INTEREST, ESTATES OR TENANCIES~~
5 ~~VESTED IN THEIR PERSONS, WHETHER OR NOT APPEARING OF RECORD, FOR~~
6 ~~ANY PORTION OF LAND OR IMPROVEMENTS ERECTED THEREON.~~

7 ~~(E) THE DEEDS OF CONVEYANCE SHALL BE APPROVED AS PROVIDED BY~~
8 ~~LAW AND SHALL BE EXECUTED BY THE SECRETARY OF GENERAL SERVICES~~
9 ~~IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.~~

10 ~~(F) COSTS AND FEES INCIDENTAL TO THE CONVEYANCE UNDER~~
11 ~~SUBSECTION (A) SHALL BE BORNE BY THE GRANTEE.~~

12 ~~(G) THE COSTS AND FEES INCURRED BY THE DEPARTMENT OF GENERAL~~
13 ~~SERVICES FOR PREPARING THE PROPERTY UNDER SUBSECTION (B) FOR~~
14 ~~SALE, INCLUDING, BUT NOT LIMITED TO, ENVIRONMENTAL ASSESSMENTS,~~
15 ~~MARKETING SERVICES, TITLE SEARCHES, ADVERTISING, APPRAISALS,~~
16 ~~AUCTIONEER FEES AND SURVEYS, AND BY THE DEPARTMENT OF PUBLIC~~
17 ~~WELFARE FOR PROTECTING AND SECURING THE PROPERTY SHALL BE~~
18 ~~DEDUCTED FROM THE PURCHASE PRICE, AND THAT AMOUNT SHALL BE AN~~
19 ~~EXECUTIVELY AUTHORIZED AUGMENTATION TO THE APPROPRIATION FROM~~
20 ~~WHICH THE COSTS AND FEES WERE PAID BY THE DEPARTMENTS, WITH~~
21 ~~PRIORITY REIMBURSEMENTS BEING MADE TO GENERAL SERVICES AND THEN~~
22 ~~PUBLIC WELFARE.~~

23 ~~(H) THAT PORTION OF THE CONVEYANCE AUTHORIZED BY SUBSECTION~~
24 ~~(B) CURRENTLY SUBJECT TO THE PROVISION OF THE ACT OF JUNE 18,~~
25 ~~1982 (P.L.549, NO.159), ENTITLED "AN ACT PROVIDING FOR THE~~
26 ~~ADMINISTRATION OF CERTAIN COMMONWEALTH FARMLAND WITHIN THE~~
27 ~~DEPARTMENT OF AGRICULTURE," SHALL CONTINUE TO BE SUBJECT TO THE~~
28 ~~RESTRICTIONS PROVIDED FOR IN THAT ACT AND A RESTRICTIVE COVENANT~~
29 ~~LIMITING THE USES OF SUCH PROPERTY TO AGRICULTURAL/OPEN SPACE~~
30 ~~USES SHALL BE PLACED IN THE DEED.]~~

1 ~~SECTION 4. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.~~

2 SECTION 2. LAND WITHIN THE DELAWARE RIVER BED. ←

3 (A) AUTHORIZATION.--THE COMMONWEALTH OWNS THE LANDS WITHIN
4 THE BED OF THE DELAWARE RIVER, A PORTION OF WHICH LANDS ARE
5 LOCATED IN THE 5TH WARD OF THE CITY OF PHILADELPHIA, AND
6 INCLUDES LANDS COMMONLY KNOWN AS PIER 25 NORTH AND THE BOAT SLIP
7 LOCATED SOUTH OF PIER 25 NORTH. THE DEPARTMENT OF GENERAL
8 SERVICES, WITH THE CONCURRENCE OF THE DEPARTMENT OF
9 ENVIRONMENTAL PROTECTION, ACTING ON BEHALF OF THE COMMONWEALTH
10 IS HEREBY AUTHORIZED TO LEASE, FOR SUCH CONSIDERATION AS SHALL
11 BE AGREED UPON BY THE PARTIES, TO PIER 25 NORTH ASSOCIATES
12 LIMITED PARTNERSHIP FOR AN INITIAL TERM OF 99 YEARS, TWO TRACTS
13 OF LAND WITHIN THE BED OF THE DELAWARE RIVER IN THE CITY OF
14 PHILADELPHIA, AND TO EXTEND THE PERIOD FOR ALL OR ANY PORTION OF
15 THE LEASED PREMISES FOR AN ADDITIONAL TERM OF UP TO 99 YEARS.

16 (B) DESCRIPTION OF PROPERTY.--THE LAND TO BE LEASED IS MORE
17 PARTICULARLY DESCRIBED AS FOLLOWS:

18 TRACT 1 - BEGINNING AT A POINT ON THE BULKHEAD LINE OF THE
19 DELAWARE RIVER AS APPROVED BY THE SECRETARY OF WAR ON SEPTEMBER
20 10, 1940, WHICH POINT IS LOCATED THE FOLLOWING THREE COURSES AND
21 DISTANCES FROM THE POINT OF INTERSECTION OF THE EASTERLY LINE OF
22 CHRISTOPHER COLUMBUS BOULEVARD (150 FEET WIDE) WITH THE
23 SOUTHERLY LINE OF FORMER WILLOW STREET PRODUCED: SOUTH 27
24 DEGREES 52 MINUTES WEST 119 FEET 8 7/8 INCHES TO POINT; SOUTH 74
25 DEGREES 44 MINUTES 00 SECONDS EAST 23 FEET 10 5/8 INCHES TO A
26 POINT;
27 THENCE NORTH 22 DEGREES 01 MINUTE 33 SECONDS EAST 178 FEET 10
28 1/4 INCHES TO THE POINT OF BEGINNING; THENCE FROM SAID POINT OF
29 BEGINNING SOUTH 73 DEGREES 55 MINUTES 50 SECONDS EAST 506 FEET 0
30 3/8 INCHES TO A POINT ON THE PIERHEAD LINE OF THE DELAWARE RIVER

1 AS APPROVED BY THE SECRETARY OF WAR ON SEPTEMBER 10, 1940;
2 THENCE EXTENDING ALONG THE PIERHEAD LINE OF THE DELAWARE RIVER
3 THE FOLLOWING TWO COURSES AND DISTANCES; SOUTH 29 DEGREES 05
4 MINUTES 21 SECONDS WEST 54 FEET 10 3/8 INCHES TO A POINT; SOUTH
5 19 DEGREES 41 MINUTES 36 SECONDS WEST 43 FEET 0 1/2 INCHES TO A
6 POINT; THENCE NORTH 74 DEGREES 58 MINUTES 31 SECONDS WEST 502
7 FEET 0 5/8 INCHES TO A POINT ON THE BULKHEAD LINE OF THE
8 DELAWARE RIVER; THENCE EXTENDING ALONG THE BULKHEAD LINE OF THE
9 DELAWARE RIVER NORTH 22 DEGREES 01 MINUTE 33 SECONDS EAST 106
10 FEET 6 1/4 INCHES TO THE POINT AND PLACE OF BEGINNING.
11 BEING KNOWN AS PIER 25 NORTH.

12 TRACT 2 - BEGINNING AT A POINT ON THE BULKHEAD LINE OF THE
13 DELAWARE RIVER AS APPROVED BY THE SECRETARY OF WAR ON SEPTEMBER
14 10, 1940, WHICH POINT IS LOCATED THE FOLLOWING THREE COURSES AND
15 DISTANCES FROM THE POINT OF INTERSECTION OF THE EASTERLY LINE OF
16 CHRISTOPHER COLUMBUS BOULEVARD (150 FEET WIDE) WITH THE
17 SOUTHERLY LINE OF FORMER WILLOW STREET PRODUCED: SOUTH 27
18 DEGREES 52 MINUTES WEST 119 FEET 8 7/8 INCHES TO A POINT; SOUTH
19 74 DEGREES 44 MINUTES 00 SECONDS EAST 23 FEET 10 5/8 INCHES TO A
20 POINT;
21 THENCE NORTH 22 DEGREES 01 MINUTE 33 SECONDS EAST 72 FEET 4
22 INCHES TO A POINT OF BEGINNING; THENCE FROM SAID POINT OF
23 BEGINNING SOUTH 74 DEGREES 58 MINUTES 31 SECONDS EAST 502 FEET 0
24 5/8 INCHES TO A POINT ON THE PIERHEAD LINE OF THE DELAWARE RIVER
25 AS APPROVED BY THE SECRETARY OF WAR ON SEPTEMBER 10, 1940;
26 THENCE EXTENDING ALONG THE PIERHEAD LINE OF THE DELAWARE RIVER
27 SOUTH 19 DEGREES 41 MINUTES 36 SECONDS WEST 74 FEET 2 INCHES TO
28 A POINT; THENCE NORTH 74 DEGREES 44 MINUTES 00 SECONDS WEST 504
29 FEET 10 INCHES TO A POINT ON THE BULKHEAD LINE OF THE DELAWARE
30 RIVER; THENCE EXTENDING ALONG THE BULKHEAD LINE OF THE DELAWARE

1 RIVER NORTH 22 DEGREES 01 MINUTE 33 SECONDS EAST 72 FEET 4
2 INCHES TO THE POINT AND PLACE OF BEGINNING.
3 BEING KNOWN AS BOAT SLIP LOCATED SOUTH OF PIER 25 NORTH.

4 (C) LEASE AGREEMENT.--THE LEASE AND ANY OTHER DOCUMENTS
5 HEREBY CONTEMPLATED SHALL BE APPROVED BY THE ATTORNEY GENERAL
6 AND SHALL BE EXECUTED BY THE DEPARTMENT OF GENERAL SERVICES WITH
7 THE APPROVAL OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, IN
8 THE NAME OF THE COMMONWEALTH. THE LEASE SHALL GRANT THE LESSEE
9 THE RIGHT TO ASSIGN THE LEASE OR SUBLEASE OR PERMIT THE SUBLEASE
10 OF THE ABOVE-DESCRIBED PREMISES FOR THE PURPOSES OF DEVELOPMENT,
11 CONSISTENT WITH PUBLIC AND MARITIME USES, FOR RESIDENTIAL,
12 OFFICE, COMMERCIAL, CONDOMINIUM, HOTEL, MARINA OR OTHER USES.

13 (D) SUBLEASE.--THE DEPARTMENT OF GENERAL SERVICES, WITH THE
14 CONCURRENCE OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION,
15 ACTING ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA, IS ALSO
16 SPECIFICALLY AUTHORIZED TO ENTER INTO ONE OR MORE NONDISTURBANCE
17 AGREEMENTS WITH ANY SUBLESSEE OF THE PREMISES DESCRIBED IN THIS
18 ACT PURSUANT TO WHICH THE COMMONWEALTH WILL AGREE THAT, IF THE
19 COMMONWEALTH SUCCEEDS TO THE INTEREST OF THE SUBLESSOR UNDER THE
20 SUBLEASE, IT WILL NOT TERMINATE THE SUBLEASE UNLESS THE
21 SUBLESSEE IS IN DEFAULT.

22 (E) LAND USE RESTRICTION.--ALL LEASES AUTHORIZED OR REFERRED
23 TO UNDER THIS ACT SHALL BE MADE UNDER AND SUBJECT TO THE
24 CONDITION, WHICH SHALL BE CONTAINED IN THE LEASE DOCUMENTS, THAT
25 NO PORTION OF THE PARCELS SHALL BE USED AS A LICENSED FACILITY
26 AS DEFINED IN 4 PA.C.S. § 1103 (RELATING TO DEFINITIONS) OR ANY
27 OTHER SIMILAR TYPE OF FACILITY AUTHORIZED UNDER THE LAWS OF THIS
28 COMMONWEALTH. THE CONDITION SHALL BE A COVENANT RUNNING WITH THE
29 LAND AND SHALL BE BINDING UPON THE LESSEE AND SUBLESSEES AND
30 THEIR RESPECTIVE SUCCESSORS AND ASSIGNS. SHOULD ANY PORTION OF

1 ANY PARCEL AUTHORIZED TO BE LEASED UNDER THIS ACT BE USED IN
2 VIOLATION OF THIS SUBSECTION, THE LEASE SHALL TERMINATE
3 IMMEDIATELY.

4 (F) IMPROVEMENTS.--

5 (1) THE DEPARTMENT OF GENERAL SERVICES, WITH THE
6 APPROVAL OF THE ATTORNEY GENERAL, IS HEREBY AUTHORIZED TO
7 EXECUTE, ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA, ANY
8 DECLARATION OR OTHER DOCUMENT NECESSARY TO SUBMIT THESE
9 PREMISES OR ANY PORTION THEREOF AND ANY IMPROVEMENTS THEREON
10 TO THE PROVISIONS OF 68 PA.C.S. PT. II SUBPT. B (RELATING TO
11 CONDOMINIUMS) AS A LEASEHOLD CONDOMINIUM.

12 (2) (I) DEVELOPMENT OF THE PARCELS AUTHORIZED TO BE
13 LEASED IN THIS ACT SHALL BE CONSISTENT WITH PUBLIC AND
14 MARITIME USES.

15 (II) THE LESSEE, ALL SUBLESSEES AND THEIR RESPECTIVE
16 SUCCESSORS AND ASSIGNS, SHALL PROVIDE AND MAINTAIN AT
17 LEAST THE FOLLOWING FREE PUBLIC ACCESS TO THE RIVERFRONT
18 FOR FISHING AND OTHER RECREATIONAL ACTIVITIES AND FREE
19 PUBLIC PARKING IN CONNECTION WITH SUCH ACCESS:

20 (A) PUBLIC WALKWAYS ON THE RIVERFRONT, INCLUDING
21 WATER EDGE PROMENADES THAT PROVIDE FREE PUBLIC ACCESS
22 TO THE WATER AND ALLOW FOR PASSIVE AND ACTIVE
23 RECREATIONAL ACTIVITIES YEAR-ROUND AND SIGNAGE
24 INDICATING THE WALKWAYS ARE OPEN TO THE GENERAL
25 PUBLIC.

26 (B) A FREE PUBLIC PARK AREA ALONG THE PUBLIC
27 WALKWAY NEAR THE WATER.

28 (C) A MINIMUM OF TEN FREE PUBLIC PARKING SPACES
29 AVAILABLE AT ALL TIMES LOCATED PROXIMATE TO THE
30 PUBLIC WALKWAY NEAR THE WATER EDGE AND SIGNAGE

1 INDICATING THE FREE PUBLIC PARKING

2 (III) SHOULD THE LESSEE, ANY SUBLESSEE OR ANY OF
3 THEIR RESPECTIVE SUCCESSORS OR ASSIGNS, WISH TO MODIFY
4 THE PUBLIC ACCESS AND PARKING REQUIRED UNDER THIS
5 SUBPARAGRAPH, IT MUST OBTAIN THE PRIOR WRITTEN APPROVAL
6 OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE
7 DEPARTMENT OF GENERAL SERVICES, WHICH APPROVAL SHALL NOT
8 BE UNREASONABLY WITHHELD. THE PUBLIC ACCESS AND PUBLIC
9 PARKING SHALL BE CONSTRUCTED CONCURRENTLY WITH THE FIRST
10 IMPROVEMENTS TO THE PARCELS.

11 (IV) BEFORE ANY FILL IS PLACED OR ANY STRUCTURE IS
12 ERECTED UPON, IN OR OVER THOSE PORTIONS OF THE PARCELS
13 WHICH ARE UNDER WATER ON THE EFFECTIVE DATE OF THIS
14 SECTION, THE PERSON PLACING SUCH FILL OR ERECTING SUCH
15 STRUCTURE SHALL COMPLY WITH THE RELEVANT PROVISIONS OF
16 THE ACT OF NOVEMBER 26, 1978 (P.L.1375, NO.325), KNOWN AS
17 THE DAM SAFETY AND ENCROACHMENTS ACT, WHICH MAY REQUIRE
18 FURTHER MEASURES TO PROVIDE FOR PUBLIC ACCESS AND USE OF
19 THE LAND AND ADJACENT WATER.

20 (V) THESE CONDITIONS SHALL BE COVENANTS THAT RUN
21 WITH THE LAND AND SHALL BE BINDING UPON THE LESSEE, ANY
22 SUBLESSEE AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS.
23 SHOULD THE LESSEE, ANY SUBLESSEE OR ANY OF THEIR
24 RESPECTIVE SUCCESSORS OR ASSIGNS, PERMIT THE PARCELS
25 AUTHORIZED TO BE LEASED UNDER THIS ACT, OR ANY PORTION
26 THEREOF, TO BE USED IN A MANNER INCONSISTENT WITH THE
27 CONDITIONS CONTAINED IN THIS SUBSECTION, ALL RIGHTS AND
28 INTERESTS IN THE LEASE AUTHORIZED BY THIS ACT SHALL
29 TERMINATE IMMEDIATELY.

30 (G) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THE LEASE

1 AUTHORIZED BY THIS SECTION SHALL BE BORNE BY THE LESSEE.

2 (H) SUNSET PROVISION.--IN THE EVENT THAT THE LEASE
3 AUTHORIZED BY THIS SECTION DOES NOT OCCUR WITHIN 18 MONTHS
4 FOLLOWING THE EFFECTIVE DATE OF THIS SECTION, THE AUTHORITY
5 CONTAINED IN THIS SECTION SHALL BE VOID.

6 SECTION 3. DANVILLE BOROUGH, MONTOUR COUNTY.

7 (A) AUTHORIZATION AND DESCRIPTION.--THE DEPARTMENT OF
8 TRANSPORTATION, WITH THE APPROVAL OF THE GOVERNOR, IS HEREBY
9 AUTHORIZED ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA TO
10 GRANT AND CONVEY TO MONTOUR COUNTY THE FOLLOWING TRACTS OF LAND
11 SITUATE IN THE BOROUGH OF DANVILLE, MONTOUR COUNTY,
12 PENNSYLVANIA, FOR CONSIDERATION IN THE AMOUNT OF \$5,500:

13 TRACT NO. 1

14 ALL THAT CERTAIN TRACT OR PIECE OF GROUND, LOCATED ON THE
15 NORTHERN SIDE OF WEST FRONT STREET, SITUATE IN THE BOROUGH OF
16 DANVILLE, COUNTY OF MONTOUR AND COMMONWEALTH OF PENNSYLVANIA,
17 BEING MORE FULLY BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:
18 BEGINNING AT A POINT, SAID POINT LOCATED AT THE CORNER OF THE
19 NORTHERN RIGHT-OF-WAY LINE OF WEST FRONT STREET AND THE WESTERN
20 RIGHT-OF-WAY LINE OF ROONEY AVENUE (20 FEET WIDE), THENCE ALONG
21 THE RIGHT-OF-WAY LINE OF FRONT STREET BY A CURVE TO THE RIGHT,
22 HAVING A RADIUS OF 1871.19 FEET, A DISTANCE OF 104.66 FEET TO A
23 POINT, THENCE ALONG THE SAME BY A CURVE TO THE RIGHT, HAVING A
24 RADIUS OF 45.33 FEET, A DISTANCE OF 52.25 FEET TO A POINT, SAID
25 POINT LOCATED ON THE RIGHT-OF-WAY LINE FOR S.R. 6054, THENCE
26 ALONG THE SAME LINE PERPENDICULAR (BEARING NORTH 63 DEGREES, 50
27 MINUTES, 32 SECONDS WEST) TO SR 6054, A DISTANCE OF 6.08 FEET TO
28 A POINT ON THE RIGHT-OF-WAY LINE FOR S.R. 6054 (49 FEET WIDE),
29 THENCE ALONG THE SAME NORTH 26 DEGREES 9 MINUTES 28 SECONDS
30 EAST, A DISTANCE OF 95.80 FEET TO A POINT ON THE CORNER OF S.R.

1 6054 AND FRIENDSHIP ALLEY (20 FEET WIDE), THENCE ALONG THE
2 RIGHT-OF-WAY LINE OF FRIENDSHIP ALLEY (20 FEET WIDE), SOUTH 63
3 DEGREES 13 MINUTES 58 SECONDS EAST, A DISTANCE OF 51.87 FEET TO
4 A POINT, A CORNER OF FRIENDSHIP ALLEY AND THE LANDS OF SCOTT E.
5 JORDAN, THENCE ALONG THE LANDS OF SCOTT E. JORDAN, SOUTH 26
6 DEGREES 54 MINUTES 14 SECONDS WEST, A DISTANCE OF 49.79 FEET,
7 THENCE ALONG THE SAME SOUTH 63 DEGREES 6 MINUTES 26 SECONDS
8 EAST, A DISTANCE OF 99.28 FEET TO A POINT ON THE RIGHT-OF-WAY
9 LINE OF ROONEY AVENUE, THENCE ALONG THE SAME SOUTH 27 DEGREES 14
10 MINUTES 0 SECONDS WEST, A DISTANCE OF 82.86 FEET TO THE PLACE OF
11 BEGINNING.

12 EXCEPTING AND RESERVING UNTO SCOTT E. JORDAN A 25-FOOT ACCESS
13 EASEMENT CONTAINING 2,480.43 SQUARE FEET OF LAND.

14 CONTAINING IN AREA 13,881 SQUARE FEET OF LAND.

15 TRACT NO. 2

16 ALL THAT CERTAIN TRACT OR PIECE OF GROUND, LOCATED ON THE
17 NORTHERN SIDE OF WEST FRONT STREET, AS SHOWN ON A PLAN, AND
18 RECORDED IN DEED BOOK 197, PAGE 434, MONTOUR COUNTY RECORDS,
19 SITUATE IN THE BOROUGH OF DANVILLE, COUNTY OF MONTOUR AND
20 COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY BOUNDED AND
21 DESCRIBED AS FOLLOWS, TO WIT:

22 BEGINNING AT A POINT, SAID POINT LOCATED AT THE CORNER OF THE
23 EASTERN RIGHT-OF-WAY LINE OF ROONEY AVENUE (20 FEET WIDE) AND
24 THE NORTHERN RIGHT-OF-WAY LINE OF WEST FRONT STREET, THENCE
25 ALONG THE RIGHT-OF-WAY LINE OF ROONEY AVENUE, NORTH 27 DEGREES,
26 10 MINUTES, 7 SECONDS EAST, A DISTANCE OF 49.20 FEET TO A POINT,
27 A CORNER OF ROONEY AVENUE, THENCE ALONG SAME, SOUTH 65 DEGREES,
28 46 MINUTES, 31 SECONDS EAST, A DISTANCE OF 53.39 FEET, THENCE
29 ALONG SAME, NORTH 24 DEGREES, 13 MINUTES, 28 SECONDS EAST, A
30 DISTANCE OF 3.95 FEET, THENCE ALONG SAME, SOUTH 65 DEGREES, 41

1 MINUTES, 16 SECONDS EAST, A DISTANCE OF 99.93 FEET, TO A POINT,
2 SAID POINT LOCATED ON THE WESTERN RIGHT-OF-WAY LINE FOR MILL
3 STREET (60 FEET WIDE), THENCE ALONG THE SAME SOUTH 25 DEGREES,
4 50 MINUTES, 21 SECONDS WEST, A DISTANCE OF 32.22 FEET TO A
5 POINT, THENCE ALONG THE SAME BY A CURVE TO THE RIGHT, HAVING A
6 RADIUS OF 50.33 FEET, A DISTANCE OF 34.06 FEET TO A POINT, SAID
7 POINT LOCATED AT THE NORTHERN RIGHT-OF-WAY LINE FOR FRONT
8 STREET, THENCE ALONG SAME, SOUTH 67 DEGREES, 41 MINUTES, 47
9 SECONDS WEST, A DISTANCE OF 25.04 FEET, THENCE ALONG SAME, SOUTH
10 63 DEGREES, 56 MINUTES, 30 SECONDS WEST, A DISTANCE OF 39.21
11 FEET, THENCE ALONG THE SAME BY A CURVE TO THE RIGHT, HAVING A
12 RADIUS OF 1871.19 FEET, A DISTANCE OF 68.16 FEET TO THE PLACE OF
13 BEGINNING.

14 CONTAINING IN AREA 8,218 SQUARE FEET OF LAND.

15 (B) EASEMENTS AND INTERESTS.--THE CONVEYANCE SHALL BE MADE
16 UNDER AND SUBJECT TO ALL EASEMENTS, SERVITUDES AND RIGHTS OF
17 OTHERS, INCLUDING, BUT NOT CONFINED TO, STREETS, ROADWAYS AND
18 RIGHTS OF ANY TELEPHONE, TELEGRAPH, WATER, ELECTRIC, SEWER, GAS
19 OR PIPELINE COMPANIES, AS WELL AS UNDER AND SUBJECT TO ANY
20 INTEREST, ESTATES OR TENANCIES VESTED IN THIRD PERSONS, WHETHER
21 OR NOT APPEARING OF RECORD, FOR ANY PORTION OF THE LAND OR
22 IMPROVEMENTS ERECTED THEREON.

23 (C) RESTRICTIONS.--THE CONVEYANCE SHALL BE UNDER AND SUBJECT
24 TO THE FOLLOWING CONDITIONS, WHICH SHALL BE CONTAINED IN THE
25 DEED OF CONVEYANCE:

26 (1) NO PORTION OF THE PROPERTY SHALL BE FURTHER CONVEYED
27 EXCEPT TO ANOTHER PUBLIC AGENCY. FOR PURPOSES OF THIS
28 PARAGRAPH, "PUBLIC AGENCY" SHALL MEAN AN AGENCY OF FEDERAL,
29 STATE OR LOCAL GOVERNMENT OR A MUNICIPAL AUTHORITY.

30 (2) THE PROPERTY SHALL BE USED FOR NONPROPRIETARY

1 GOVERNMENTAL OR PUBLIC PURPOSES ONLY.

2 (3) IF AT ANY TIME THE PROPERTY OR ANY PORTION OF THE
3 PROPERTY IS CONVEYED IN VIOLATION OF THE PROVISIONS OF
4 PARAGRAPH (1) OR USED IN VIOLATION OF THE PROVISIONS OF
5 PARAGRAPH (2), THE TITLE TO THE PROPERTY SHALL IMMEDIATELY
6 REVERT TO AND REVEST IN THE COMMONWEALTH OF PENNSYLVANIA.

7 (4) THESE CONDITIONS SHALL BE COVENANTS RUNNING WITH THE
8 LAND AND SHALL BE BINDING UPON MONTOUR COUNTY, ITS SUCCESSORS
9 AND ASSIGNS.

10 (D) EXECUTION.--THE DEED OF CONVEYANCE SHALL BE APPROVED AS
11 PROVIDED BY LAW AND SHALL BE EXECUTED BY THE SECRETARY OF
12 TRANSPORTATION IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

13 (E) COSTS.--COSTS AND FEES INCIDENTAL TO THIS CONVEYANCE
14 SHALL BE BORNE BY THE GRANTEE.

15 SECTION 4. EFFECTIVE DATE.

16 THIS ACT SHALL TAKE EFFECT IMMEDIATELY.