
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 348 Session of
2007

INTRODUCED BY ROSS, FEBRUARY 9, 2007

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 9, 2007

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to enter into an agreement or other
3 legal instrument with Chester County to alter use
4 restrictions and reversionary covenants on real estate
5 conveyed to Chester County, situate in Newlin and West
6 Bradford Townships; and making inconsistent repeals.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Chester County parcel No. 1.

10 (a) Authorization.--The Department of General Services, with
11 the approval of the Governor, is hereby authorized on behalf of
12 the Commonwealth of Pennsylvania to enter into an agreement or
13 other legal instrument with Chester County to execute a deed to
14 alter a use restriction and reversionary covenant placed on
15 lands conveyed to Chester County under section 2 of the act of
16 December 11, 1986 (P.L.1508, No.163), entitled, as amended, "An
17 act authorizing and directing the Department of General
18 Services, with the approval of the Governor, to convey to
19 Emsworth Borough 7.5 acres of land, more or less, situate in

1 Kilbuck Township, Allegheny County, Pennsylvania; authorizing
2 and directing the Department of General Services, with the
3 approval of the Governor and the Department of Agriculture, to
4 convey to the County of Chester 230.693 acres of land, more or
5 less, situate in Newlin and West Bradford Townships, Chester
6 County, Pennsylvania; authorizing the Department of General
7 Services, with the approval of the Governor and the Department
8 of Public Welfare, to convey to North Penn Comprehensive Health
9 Services 8.7 acres of land, more or less, situate in the Borough
10 of Blossburg, Tioga County, Pennsylvania; authorizing and
11 directing the Department of General Services, with the approval
12 of the Governor and the Department of Environmental Resources,
13 to convey to Gilbert Collussy, Lena M. Collussy, James T.
14 Dresher and Virginia M. Dresher, a tract of land situate in
15 North Shenango Township, Crawford County, Pennsylvania, in
16 exchange for a tract of land in the same township, and for other
17 consideration; authorizing and directing the Department of
18 General Services, with the approval of the Governor and the
19 Departments of Environmental Resources and Transportation, to
20 convey to the Mid-State Regional Airport Authority a tract of
21 land situate in Rush Township, Centre County, Pennsylvania; and
22 authorizing the Department of General Services, with the
23 approval of the Governor and the Secretary of Public Welfare, to
24 sell and convey to West Bradford Township a tract of land
25 situate in West Bradford Township, Chester County." The
26 agreement or other legal instrument shall provide that the deed
27 contain a clause that the lands conveyed shall be used for
28 recreation, open space or agricultural purposes and that the
29 existing improvements upon the lands may be renovated and
30 utilized for county and local government programs and services

1 and, if at any time the county or its successor in function
2 conveys all or a portion of the property not conveyed to West
3 Bradford Township under the authority of section 5.1 of the act
4 of December 11, 1986 (P.L.1508, No.163) to any entity other than
5 the Natural Lands Trust, Inc., or permits the property to be
6 used for any purpose other than those specified in this section,
7 and subject to the additional condition that, notwithstanding
8 the foregoing provisions, no portion of the property conveyed
9 shall be used as a licensed facility, as defined in 4 Pa.C.S. §
10 1103 (relating to definitions), or any other similar type of
11 facility authorized under State law, the title to the property
12 shall immediately revert to and revest in the Commonwealth of
13 Pennsylvania. All conditions of this section shall be covenants
14 running with the land and shall be binding upon the grantee, its
15 successors and assigns. The deed of conveyance from Chester
16 County to Natural Lands Trust, Inc., shall (1) contain a clause
17 permitting Chester County to retain a conservation easement with
18 the Natural Lands Trust, Inc., consistent with the uses
19 specified in this section; (2) contain a clause that the lands
20 conveyed shall be used for recreation, open space or
21 agricultural purposes, and if at any time Natural Lands Trust,
22 Inc., conveys or authorizes or permits the property to be used
23 for any purpose other than those in this section, the title to
24 the property shall immediately revert to Chester County under
25 and subject to the terms and conditions of the conservation
26 easement retained by Chester County.

27 (b) Costs and fees.--Costs and fees incidental to altering
28 the use restriction and reversionary covenant under this section
29 shall be borne by the grantee.

30 Section 2. Chester County parcel No. 2.

1 (a) Authorization.--The Department of General Services, with
2 the approval of the Governor, is hereby authorized on behalf of
3 the Commonwealth of Pennsylvania to enter into an agreement or
4 other legal instrument with Chester County to execute a deed to
5 alter a use restriction and reversionary covenant placed on
6 lands conveyed to Chester County under the act of January 15,
7 1988 (P.L.10, No.5), entitled "An act authorizing and directing
8 the Department of General Services, with the approval of the
9 Governor, to convey to Chester County a tract of land situate in
10 Newlin Township, Chester County, Pennsylvania." The agreement or
11 other legal instrument shall provide that the deed contain a
12 clause that the lands conveyed shall be used for park, open
13 space or conservancy purposes and that the existing improvements
14 may be renovated and, if at any time Chester County or its
15 successor in function conveys the property to any entity other
16 than the Natural Lands Trust, Inc., and subject to the
17 additional condition that, notwithstanding the foregoing
18 provisions, no portion of the property conveyed shall be used as
19 a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to
20 definitions), or any other similar type of facility authorized
21 under State law, the title to the property shall immediately
22 revert to the Commonwealth of Pennsylvania. All conditions of
23 this section shall be covenants running with the land and shall
24 be binding upon the Grantee, its successors and assigns. The
25 deed of conveyance from Chester County to Natural Lands Trust,
26 Inc., shall (1) contain a clause permitting Chester County to
27 retain a conservation easement with the Natural Lands Trust,
28 Inc., consistent with the uses specified in this section; (2)
29 contain a clause that the lands conveyed shall be used for park,
30 open space or conservancy purposes and if at any time Natural

1 Lands Trust, Inc., conveys or authorizes or permits the property
2 to be used for any purposes other than those in this section,
3 the title to the property shall immediately revert to Chester
4 County under and subject to the terms and conditions of the
5 conservation easement retained by Chester County.

6 (b) Costs and fees.--Costs and fees incidental to altering
7 the use restriction and reversionary covenant under this section
8 shall be borne by the grantee.

9 Section 3. Inconsistent repeals.

10 The following acts and parts of act are repealed to the
11 extent specified:

12 (1) Section 2(b) of the act of December 11, 1986
13 (P.L.1508, No.163), entitled, as amended, "An act authorizing
14 and directing the Department of General Services, with the
15 approval of the Governor, to convey to Emsworth Borough 7.5
16 acres of land, more or less, situate in Kilbuck Township,
17 Allegheny County, Pennsylvania; authorizing and directing the
18 Department of General Services, with the approval of the
19 Governor and the Department of Agriculture, to convey to the
20 County of Chester 230.693 acres of land, more or less,
21 situate in Newlin and West Bradford Townships, Chester
22 County, Pennsylvania; authorizing the Department of General
23 Services, with the approval of the Governor and the
24 Department of Public Welfare, to convey to North Penn
25 Comprehensive Health Services 8.7 acres of land, more or
26 less, situate in the Borough of Blossburg, Tioga County,
27 Pennsylvania; authorizing and directing the Department of
28 General Services, with the approval of the Governor and the
29 Department of Environmental Resources, to convey to Gilbert
30 Collussy, Lena M. Collussy, James T. Dresher and Virginia M.

1 Dresher, a tract of land situate in North Shenango Township,
2 Crawford County, Pennsylvania, in exchange for a tract of
3 land in the same township, and for other consideration;
4 authorizing and directing the Department of General Services,
5 with the approval of the Governor and the Departments of
6 Environmental Resources and Transportation, to convey to the
7 Mid-State Regional Airport Authority a tract of land situate
8 in Rush Township, Centre County, Pennsylvania; and
9 authorizing the Department of General Services, with the
10 approval of the Governor and the Secretary of Public Welfare,
11 to sell and convey to West Bradford Township a tract of land
12 situate in West Bradford Township, Chester County," insofar
13 as it is inconsistent with section 1.

14 (2) The act of January 15, 1988 (P.L.10, No.5), entitled
15 "An act authorizing and directing the Department of General
16 Services, with the approval of the Governor, to convey to
17 Chester County a tract of land situate in Newlin Township,
18 Chester County, Pennsylvania," insofar as is it inconsistent
19 with section 2.

20 Section 4. Expiration.

21 In the event that the conveyances from Chester County to the
22 Natural Lands Trust, Inc., under sections 1 and 2 are not
23 executed within 60 months of the effective date of this section,
24 the authorization to alter the deed restriction under section 1
25 or 2, as applicable, shall expire.

26 Section 5. Effective date.

27 This act shall take effect immediately.