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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 657**      Session of  
2007

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INTRODUCED BY BASTIAN, CALTAGIRONE, CAPPELLI, CREIGHTON, DALEY,  
DENLINGER, FABRIZIO, FLECK, HALUSKA, HENNESSEY, HERSHEY,  
HESS, KILLION, KOTIK, MARSICO, McILHATTAN, MILLARD, MUSTIO,  
PHILLIPS, PYLE, RAPP, ROHRER, STERN AND THOMAS, MARCH 6, 2007

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 6, 2007

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AN ACT

1 Authorizing and directing the Department of General Services,  
2 with the approval of the Governor, to grant and convey to  
3 Somerset County certain lands situated in Somerset Township,  
4 Somerset County.

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

7 Section 1. Coneyance of lands in Somerset Township, Somerset  
8 County.

9 The Department of General Services, with the approval of the  
10 Governor, is hereby authorized and directed on behalf of the  
11 Commonwealth of Pennsylvania to grant and convey to the County  
12 of Somerset certain land situated in Somerset Township, Somerset  
13 County, for \$290,000.

14 Section 2. Description of land.

15 The property to be conveyed pursuant to section 1 consists of  
16 approximately 108.122-acres +/- and more particularly described  
17 as follows:

18 BEGINNING at an existing concrete monument (found), a common

1 corner of the parcel herein described and lands of now or  
2 formerly Gregory A. Maust and on line along lands now or  
3 formerly of Donald Gene and Mary Elizabeth Snyder, thence along  
4 the line of lands now or formerly of Donald Gene and Mary  
5 Elizabeth Snyder, South 74 degrees 29 minutes 51 seconds West a  
6 distance of 1260.20 feet to an existing concrete monument  
7 (found); thence along the same North 69 degrees 54 minutes 10  
8 seconds West a distance of 845.12 feet to an existing concrete  
9 monument (found); then along the same, South 31 degrees 06  
10 minutes 41 seconds West a distance of 90.39 feet to an existing  
11 concrete monument (found) on the north right of way line of  
12 lands now or formerly of the Pennsylvania Turnpike Commission;  
13 thence along said right of way line, North 66 degrees 09 minutes  
14 13 seconds West a distance of 1300.93 feet to a set iron  
15 pin/cap, a common corner on the north right of way line of lands  
16 now or formerly of the Pennsylvania Turnpike Commission and the  
17 east right of way line of State Route 219; thence along the east  
18 right of way line of said State Route 219, North 24 degrees 09  
19 minutes 48 seconds East a distance of 935.02 feet to a set iron  
20 pin/cap; thence along same, North 27 degrees 03 minutes 27  
21 seconds East a distance of 751.38 feet, passing through a set  
22 iron pin/cap at 640.00 feet, to a point at the centerline of  
23 State Route 31 (Glades Pike); thence along centerline of said  
24 road, South 82 degrees 14 minutes 10 seconds East a distance of  
25 239.33 feet to a point; thence by an arc to the right along the  
26 centerline of said road having a radius of 2864.93 feet and an  
27 arc distance of 497.52 feet to a point; thence along centerline  
28 of said road, South 72 degrees 17 minutes 10 seconds East a  
29 distance of 1168.95 feet to a point, a common corner with lands  
30 now or formerly of the Borough of Somerset; thence along lands

1 now or formerly of the Borough of Somerset, South 04 degrees 41  
2 minutes 00 seconds East a distance of 197.99 feet to an existing  
3 bent 3/4 inch rebar (found); thence along same by an arc to the  
4 left having a radius of 160.00 feet and an arc distance of  
5 164.41 feet to a set iron pin/cap; thence along same, South 63  
6 degrees 33 minutes 31 seconds East a distance of 224.06 feet to  
7 an existing iron pin/cap (found) on line in common with lands  
8 now or formerly of Robert E. and Naomi J. Sheeler; thence along  
9 lands now or formerly of Robert E. and Naomi J. Sheeler, now or  
10 formerly of Arnold W. and Susan K. Berkebile and now or formerly  
11 of Gregory A. Maust, South 20 degrees 48 minutes 07 seconds East  
12 a distance of 1069.20 feet, passing through an existing iron  
13 pin/cap at 42.26 feet and an existing iron pin/cap at 588.21  
14 feet, to an existing concrete monument, the place of BEGINNING.

15 Containing 108.122-acres more or less.

16 Section 3. Easements.

17 The conveyance shall be made under and subject to all lawful  
18 and enforceable easements, servitudes and rights of others,  
19 including, but not confined to, streets, roadways and rights of  
20 any telephone, telegraph, water, electric, gas or pipeline  
21 companies, as well as under and subject to any lawful and  
22 enforceable estates or tenancies vested in third persons  
23 appearing of record, for any portion of the land or improvements  
24 erected thereon.

25 Section 4. Restrictions.

26 Any conveyance authorized under this act shall be made under  
27 and subject to the condition, which shall be contained in the  
28 deed of conveyance, that no portion of the property conveyed  
29 shall be used as a licensed facility, as defined in 4 Pa.C.S. §  
30 1103 (relating to definitions), or any other similar type of

1 facility authorized under the laws of this Commonwealth. The  
2 condition shall be a covenant running with the land and shall be  
3 binding upon the Grantee, its successors and assigns. Should the  
4 grantee, its successors or assigns, permit any portion of the  
5 property authorized to be conveyed in this act to be used in  
6 violation of this section, the title shall immediately revert to  
7 and revest in the grantor.

8 Section 5. Special Warranty Deed.

9 The deed of conveyance shall be by Special Warranty Deed and  
10 shall be executed by the Secretary of General Services in the  
11 name of the Commonwealth of Pennsylvania.

12 Section 6. Costs and fees.

13 Costs and fees incidental to this conveyance shall be borne  
14 by the grantee.

15 Section 7. Other costs and fees.

16 All costs and fees incurred by the Department of Corrections  
17 in replacing a storage building located on the property to be  
18 conveyed herein, shall be paid from the purchase price and that  
19 amount shall be an executively authorized augmentation to the  
20 appropriation from which the costs and fees were paid by the  
21 Department of Corrections. The balance of the proceeds of the  
22 sale shall be deposited in the General Fund.

23 Section 8. Effective date.

24 This act shall take effect immediately.