

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 2670 Session of  
2008

INTRODUCED BY KENNEY, JUNE 25, 2008

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
SEPTEMBER 16, 2008

## AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to convey a certain easement in the  
3 City of Philadelphia; AUTHORIZING AND DIRECTING THE  
4 DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF THE  
5 GOVERNOR, TO GRANT AND CONVEY TO THE PHILADELPHIA REGIONAL  
6 PORT AUTHORITY CERTAIN LANDS SITUATE IN THE 39TH WARD OF THE  
7 CITY OF PHILADELPHIA; AND REPEALING AN ACT RELATING TO  
8 OWNERSHIP OF SUBMERGED LANDS. <—

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

11 Section 1. Conveyance in the City of Philadelphia.

12 (a) Authorization.--The Department of General Services, with  
13 the approval of the Governor, is hereby authorized on behalf of  
14 the Commonwealth of Pennsylvania to grant and convey to the City  
15 of Philadelphia, or its assigns, an easement for sanitary sewer  
16 purposes, across lands of the Commonwealth of Pennsylvania  
17 situate in the City of Philadelphia, Commonwealth of  
18 Pennsylvania, for one dollar.

19 (b) Description of easement.--The easement to be conveyed  
20 pursuant to this section is more particularly described as

1 follows:

2 ALL THAT CERTAIN right-of-way or easement of land situate in the  
3 city of Philadelphia, and Commonwealth of Pennsylvania as shown  
4 on a plan entitled "Sanitary Right-of-Way Plan", prepared by  
5 Langan Engineering & Environmental Services, Inc., dated  
6 10/10/07 and being more fully bounded and described as follows:

7 BEGINNING at the point on the southerly line of lands now or  
8 formerly of the Commonwealth of Pennsylvania, said point being  
9 measured the following 3 courses from the intersection of the  
10 northeasterly right-of-way line of Southampton Road (60 feet  
11 wide) and the southeasterly right-of-way line of Carter Road;  
12 thence,

13 a) Along the southeasterly right-of-way line of Carter Road,  
14 North 41 degrees 04 minutes 22 seconds East, a distance of  
15 1403.310 feet; thence,

16 b) Still along the same, North 46 degrees 06 minutes 32 seconds  
17 East, a distance of 928.552 feet; thence,

18 c) Leaving said line of Carter Road and extending along the  
19 line of lands now or formerly of the Commonwealth of  
20 Pennsylvania, South 43 degrees 53 minutes 28 seconds East, a  
21 distance of 332.934 feet to the point of beginning; thence,

22 1. North 11 degrees 12 minutes 07 seconds East, a distance  
23 of 89.980 feet to a point; thence,

24 2. South 78 degrees 47 minutes 53 seconds East, a distance  
25 of 50.000 feet to a point; thence,

26 3. South 11 degrees 12 minutes 07 seconds West, a distance  
27 of 124.869 feet to a point; thence,

28 4. North 43 degrees 53 minutes 28 seconds West a distance of  
29 60.970 feet to the first mentioned point and place of BEGINNING.

30 Encompassing an area of 5,371 square feet or 0.123 acres of

1 land, more or less.

2 (c) Conditions of conveyance.--The conveyance shall be made  
3 under and subject to all lawful and enforceable easements,  
4 servitudes and rights of others, including, but not limited to,  
5 streets, roadways and rights of any telephone, telegraph, water,  
6 electric, gas or pipeline companies, as well as under and  
7 subject to any lawful and enforceable estates or tenancies  
8 vested in third persons appearing of record, for any portion of  
9 the land or improvements erected thereon.

10 (d) Deed of easement.--The deed of easement shall contain  
11 such terms and conditions as shall be acceptable to the  
12 Department of General Services and shall be approved as provided  
13 by law and shall be executed by the Secretary of General  
14 Services in the name of the Commonwealth of Pennsylvania.

15 (e) Costs and fees.--Costs and fees incidental to this  
16 conveyance shall be borne by the grantee and paid to the  
17 Department of General Services.

18 SECTION 2. LAND CONSISTING OF 16.89 ACRES IN THE CITY OF  
19 PHILADELPHIA.

<—

20 (A) LEGISLATIVE FINDINGS.--THE GENERAL ASSEMBLY FINDS AND  
21 DECLARES AS FOLLOWS:

22 (1) THE COMMONWEALTH IN THE ACT OF FEBRUARY 10, 1863  
23 (P.L.24, NO.28), ENTITLED "AN ACT CEDING TO THE UNITED STATES  
24 OF AMERICA THE RIGHT OF EXCLUSIVE LEGISLATION OVER LEAGUE  
25 ISLAND, IN THE DELAWARE RIVER, IN THE COUNTY OF  
26 PHILADELPHIA," CONSENTED TO THE PURCHASE AND ACQUISITION OF  
27 THE TITLE BY THE UNITED STATES OF THE CERTAIN ISLAND LOCATED  
28 IN THE DELAWARE RIVER, SITUATED IN THE 39TH WARD IN THE CITY  
29 OF PHILADELPHIA, PHILADELPHIA COUNTY, KNOWN AS "LEAGUE  
30 ISLAND," AND GRANTED LEGISLATIVE AND JURISDICTION OVER ALL OF

1 THE INLAND CHANNEL OR WATERWAY, UNTO THE LOW WATER MARK ON  
2 THE NORTHERLY SHORE THEREOF.

3 (2) THE UNITED STATES, THROUGH THE DEPARTMENT OF THE  
4 NAVY AND BY QUIT CLAIM DEED, DISPOSED OF ITS INTEREST AND  
5 TITLE TO THE PROPERTY KNOWN AS THE FORMER UNITED STATES NAVY  
6 BASE SITUATED IN THE 39TH WARD IN THE CITY OF PHILADELPHIA,  
7 PHILADELPHIA COUNTY TO THE PHILADELPHIA INDUSTRIAL  
8 DEVELOPMENT CORPORATION, AND A PORTION OF THAT PROPERTY IS  
9 KNOWN AS "LEAGUE ISLAND."

10 (3) IN 2004 THE COMMONWEALTH, THROUGH THE DEPARTMENT OF  
11 GENERAL SERVICES BY QUIT CLAIM DEED, DISPOSED OF ITS  
12 INTERESTS AND TITLE TO THE PROPERTY COMMONLY KNOWN AS PARCEL  
13 9A AND A PORTION OF THE FORMER NAVAL BASE TO THE PHILADELPHIA  
14 REGIONAL PORT AUTHORITY.

15 (4) PART OF THE CONVEYANCE OF THE DEPARTMENT OF THE  
16 NAVY'S TITLE AND INTERESTS TO THE PROPERTY KNOWN AS THE  
17 FORMER UNITED STATES NAVY BASE SITUATED IN THE 39TH WARD IN  
18 THE CITY OF PHILADELPHIA, PHILADELPHIA COUNTY TO THE  
19 PENNSYLVANIA AUTHORITY FOR INDUSTRIAL DEVELOPMENT WAS FOR THE  
20 OPEN WATER BETWEEN WHAT WAS THE CONSOLIDATED RAIL CORPORATION  
21 PORTION OF THE NAVAL BASE AND WHAT WAS KNOWN AS "LEAGUE  
22 ISLAND."

23 (5) THE COMMONWEALTH STILL MAINTAINS ITS TITLE AND  
24 INTERESTS IN PROPERTY AREAS OF THIS OPEN WATER, BETWEEN WHAT  
25 WAS THE CONSOLIDATED RAIL CORPORATION PORTION OF THE NAVAL  
26 BASE AND WHAT WAS KNOWN AS "LEAGUE ISLAND."

27 (6) THE GENERAL ASSEMBLY INTENDS TO CONVEY THE RIGHTS  
28 AND INTERESTS TO THE PHILADELPHIA REGIONAL PORT AUTHORITY FOR  
29 THE PROPERTY AREAS OF THIS OPEN WATER BETWEEN WHAT WAS THE  
30 CONSOLIDATED RAIL CORPORATION PORTION OF THE NAVAL BASE AND

WHAT WAS KNOWN AS "LEAGUE ISLAND."

(B) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF THE GOVERNOR, IS HEREBY AUTHORIZED AND DIRECTED ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA TO GRANT AND CONVEY TO THE PHILADELPHIA REGIONAL PORT AUTHORITY, FOR \$1, CERTAIN LANDS SITUATE IN THE 39TH WARD OF THE CITY OF PHILADELPHIA DESCRIBED IN SUBSECTION (C).

(C) DESCRIPTION.--THE LANDS TO BE CONVEYED PURSUANT TO SUBSECTION (B) CONSIST OF 16.89 ACRES MORE OR PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT CERTAIN TRACT, PIECE OR PARCEL OF LAND SITUATE IN THE 39TH WARD OF THE CITY OF PHILADELPHIA, COMMONWEALTH OF PENNSYLVANIA, DESCRIBED AS FOLLOWS TO WIT:

PARCEL NO. 1

BEGINNING AT A POINT ON THE BULKHEAD LINE OF THE DELAWARE RIVER, APPROVED BY THE SECRETARY OF WAR, SEPTEMBER 10, 1940, SAID POINT BEING LOCATED THE TWO (2) FOLLOWING COURSES AND DISTANCES FROM THE INTERSECTION OF THE SOUTHERLY SIDE OF PACKER AVENUE (148 FEET WIDE) AND THE SAID EASTERLY SIDE OF CHRISTOPHER COLUMBUS BOULEVARD (250 FEET WIDE); (1) THENCE EXTENDING S 14 DEGREES 30 MINUTES 00.0 SECONDS W ALONG THE EASTERLY SIDE OF CHRISTOPHER COLUMBUS BOULEVARD (FORMERLY DELAWARE AVENUE), THE DISTANCE OF 3,601.940 FEET TO A POINT; (2) THENCE EXTENDING S 75 DEGREES 30 MINUTES 00.0 SECONDS E ALONG A LINE THE DISTANCE OF 580.759 FEET TO SAID POINT OF BEGINNING.

(1) THENCE EXTENDING FROM SAID POINT OF BEGINNING S 75 DEGREES 30 MINUTES 00.0 SECONDS E THE DISTANCE OF 438.331 FEET TO A POINT ON THE PIERHEAD LINE OF THE DELAWARE RIVER APPROVED BY THE SECRETARY OF WAR, SEPTEMBER 10, 1940;

1       (2)   THENCE CONTINUING ALONG SAID LINE S 75 DEGREES 30  
2           MINUTES 00.0 SECONDS E THE DISTANCE OF 100.000 FEET TO A  
3           POINT;  
4       (3)   THENCE EXTENDING ALONG A LINE S 29 DEGREES 01 MINUTE 18  
5           SECONDS W THE DISTANCE OF 567.735 FEET TO A POINT;  
6       (4)   THENCE EXTENDING ALONG A LINE N 75 DEGREES 58 MINUTES  
7           58.9 SECONDS W THE DISTANCE OF 100.000 FEET TO A POINT ON  
8           THE PIERHEAD LINE OF THE DELAWARE RIVER APPROVED BY THE  
9           SECRETARY OF WAR, SEPTEMBER 10, 1940;  
10      (5)   THENCE CONTINUING ALONG SAID LINE N 75 DEGREES 58  
11          MINUTES 58.9 00.0 SECONDS W THE DISTANCE OF 565.227 FEET  
12          TO A POINT ON THE BULKHEAD LINE OF THE DELAWARE RIVER,  
13          APPROVED BY THE SECRETARY OF WAR, SEPTEMBER 10, 1940;  
14      (6)   THENCE EXTENDING ALONG SAID BULKHEAD LINE OF THE  
15          DELAWARE RIVER, APPROVED BY THE SECRETARY OF WAR,  
16          SEPTEMBER 10, 1940 N 40 DEGREES 23 MINUTES 05 SECONDS E  
17          THE DISTANCE OF 617.039 FEET TO THE POINT OF BEGINNING.  
18   CONTAINING WITHIN SAID METES AND BOUNDS, 7.62 ACRES OF LAND  
19   BEING THE SAME, MORE OR LESS.  
20   PARCEL NO. 2  
21   BEGINNING AT A POINT ON THE BULKHEAD LINE OF THE DELAWARE RIVER,  
22   APPROVED BY THE SECRETARY OF WAR, SEPTEMBER 10, 1940, SAID POINT  
23   BEING LOCATED THE THREE (3) FOLLOWING COURSES AND DISTANCES FROM  
24   THE INTERSECTION OF THE SOUTHERLY SIDE OF PACKER AVENUE (148  
25   FEET WIDE) AND THE SAID EASTERLY SIDE OF CHRISTOPHER COLUMBUS  
26   BOULEVARD 250 FEET WIDE; (1)   THENCE EXTENDING S 14 DEGREES 30  
27   MINUTES 00.0 SECONDS W ALONG THE EASTERLY SIDE OF CHRISTOPHER  
28   COLUMBUS BOULEVARD (FORMERLY DELAWARE AVENUE), THE DISTANCE OF  
29   3,601.940 FEET TO A POINT; (2)   THENCE EXTENDING S 75 DEGREES 30  
30   MINUTES 00.0 SECONDS E ALONG A LINE THE DISTANCE OF 580.759 FEET

1 TO A POINT ON THE BULKHEAD LINE OF THE DELAWARE RIVER, APPROVED  
2 BY THE SECRETARY OF WAR, SEPTEMBER 10, 1940; (3) THENCE  
3 EXTENDING ALONG SAID BULKHEAD LINE OF THE DELAWARE RIVER,  
4 APPROVED BY THE SECRETARY OF WAR, SEPTEMBER 10, 1940 S 40  
5 DEGREES 23 MINUTES 05 SECONDS W THE DISTANCE OF 617.039 FEET TO  
6 THE SAID POINT OF BEGINNING;

7 (1) THENCE EXTENDING FROM SAID POINT OF BEGINNING ALONG A  
8 LINE S 75 DEGREES 58 MINUTES 58.9 SECONDS E THE DISTANCE  
9 OF 565.227 FEET TO A POINT ON THE PIERHEAD LINE OF THE  
10 DELAWARE RIVER APPROVED BY THE SECRETARY OF WAR,  
11 SEPTEMBER 10, 1940;

12 (2) THENCE, CONTINUING ALONG SAID LINE S 75 DEGREES 58  
13 MINUTES 58.9 SECONDS E THE DISTANCE OF 100.000 FEET TO A  
14 POINT;

15 (3) THENCE EXTENDING ALONG A LINE S 28 DEGREES 57 MINUTES 13  
16 SECONDS W THE DISTANCE OF 573.207 FEET TO A POINT;

17 (4) THENCE EXTENDING ALONG A LINE N 76 DEGREES 03 MINUTES 40  
18 SECONDS W THE DISTANCE OF 100.000 FEET TO A POINT ON THE  
19 PIERHEAD LINE OF THE DELAWARE RIVER APPROVED BY THE  
20 SECRETARY OF WAR, SEPTEMBER 10, 1940;

21 (5) THENCE CONTINUING ALONG SAID LINE N 76 DEGREES 03  
22 MINUTES 40 SECONDS W THE DISTANCE OF 691.822 FEET TO A  
23 POINT ON THE BULKHEAD LINE OF THE DELAWARE RIVER,  
24 APPROVED BY THE SECRETARY OF WAR, SEPTEMBER 10, 1940;

25 (6) THENCE EXTENDING ALONG SAID BULKHEAD LINE OF THE  
26 DELAWARE RIVER, APPROVED BY THE SECRETARY OF WAR,  
27 SEPTEMBER 10, 1940 N 40 DEGREES 23 MINUTES 05 SECONDS E  
28 THE DISTANCE OF 618.514 FEET TO THE POINT OF BEGINNING.

29 CONTAINING WITHIN SAID METES AND BOUNDS, 9.27 ACRES OF LAND  
30 BEING THE SAME, MORE OR LESS.

1 (D) EASEMENTS.--THE CONVEYANCE SHALL BE MADE UNDER AND  
2 SUBJECT TO ALL LAWFUL AND ENFORCEABLE EASEMENTS, SERVITUDES AND  
3 RIGHTS OF OTHERS, INCLUDING BUT NOT CONFINED TO STREETS,  
4 ROADWAYS AND RIGHTS OF ANY TELEPHONE, TELEGRAPH, WATER,  
5 ELECTRIC, GAS OR PIPELINE COMPANIES, AS WELL AS UNDER AND  
6 SUBJECT TO ANY LAWFUL AND ENFORCEABLE ESTATES OR TENANCIES  
7 VESTED IN THIRD PERSONS APPEARING OF RECORD, FOR ANY PORTION OF  
8 THE LAND OR IMPROVEMENTS ERECTED THEREON.

9 (E) DEED.--

10 (1) THE DEED OF CONVEYANCE SHALL CONTAIN A CLAUSE THAT  
11 THE LANDS CONVEYED IN THIS SECTION SHALL BE USED ONLY FOR  
12 MARITIME PURPOSES BY THE GRANTEE, OR ITS SUCCESSOR IN  
13 INTEREST OR ITS LESSEES, CONCESSIONAIRES, LICENSEES OR  
14 ASSIGNEES PERMITTED BY THE COMMONWEALTH. SHOULD THE GRANTEE,  
15 OR ITS SUCCESSORS IN INTEREST, ALLOW THE LANDS CONVEYED TO BE  
16 USED FOR ANY OTHER PURPOSE OR ATTEMPT TO CONVEY OR TRANSFER  
17 THE LANDS, THE TITLE SHALL IMMEDIATELY REVERT TO AND REVEST  
18 IN THE GRANTOR. THE TERM "MARITIME PURPOSES" SHALL MEAN  
19 ACTIVITIES RELATED TO THE HANDLING, IMPORT, EXPORT AND OR  
20 TRANSPORT OF CARGO OR THE TRANSPORT OF PASSENGERS WITHIN AND  
21 THROUGH THE PORT OF PHILADELPHIA BUT THE TERM SHALL NOT MEAN  
22 ACTIVITIES RELATED TO GAMBLING OR GAMING.

23 (2) THE DEED OF CONVEYANCE SHALL CONTAIN A CLAUSE THAT  
24 IF THE PHILADELPHIA REGIONAL PORT AUTHORITY OR ITS SUCCESSORS  
25 IN INTEREST CEASES TO EXIST, THE LANDS CONVEYED IN THIS  
26 SECTION SHALL IMMEDIATELY REVERT TO AND REVEST IN THE  
27 GRANTOR, UNLESS A SUCCESSOR AUTHORITY HAS BEEN FORMED TO  
28 CONTINUE THE COMMONWEALTH'S GOVERNANCE OF REGIONAL PORT  
29 ACTIVITIES ALONG THE DELAWARE RIVER.

30 (F) DEED EXECUTION.--THE DEED OF CONVEYANCE AUTHORIZED BY



1 THIS SECTION SHALL BE APPROVED AS PROVIDED BY LAW AND SHALL BE  
2 EXECUTED BY THE SECRETARY OF GENERAL SERVICES IN THE NAME OF THE  
3 COMMONWEALTH OF PENNSYLVANIA.

4 (G) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THIS  
5 CONVEYANCE SHALL BE BORNE BY THE GRANTEE.

6 SECTION 3. LAND CONSISTING OF 305 ACRES IN THE CITY OF  
7 PHILADELPHIA.

8 (A) LEGISLATIVE FINDINGS.--THE GENERAL ASSEMBLY FINDS AND  
9 DECLARES AS FOLLOWS:

10 (1) THE COMMONWEALTH IN THE ACT OF FEBRUARY 10, 1863  
11 (P.L.24, NO.28), ENTITLED "AN ACT CEDING TO THE UNITED STATES  
12 OF AMERICA THE RIGHT OF EXCLUSIVE LEGISLATION OVER LEAGUE  
13 ISLAND, IN THE DELAWARE RIVER, IN THE COUNTY OF  
14 PHILADELPHIA," CONSENTED TO THE PURCHASE AND ACQUISITION OF  
15 THE TITLE BY THE UNITED STATES OF THE CERTAIN ISLAND LOCATED  
16 IN THE DELAWARE RIVER, SITUATED IN THE 39TH WARD IN THE CITY  
17 OF PHILADELPHIA, PHILADELPHIA COUNTY, KNOWN AS "LEAGUE  
18 ISLAND," AND GRANTED LEGISLATIVE AND JURISDICTION OVER ALL OF  
19 THE INLAND CHANNEL OR WATERWAY, UNTO THE LOW WATER MARK ON  
20 THE NORTHERLY SHORE THEREOF.

21 (2) THE UNITED STATES, THROUGH THE DEPARTMENT OF THE  
22 NAVY AND BY QUIT CLAIM DEED, DISPOSED OF ITS INTEREST AND  
23 TITLE TO THE PROPERTY KNOWN AS THE FORMER UNITED STATES NAVY  
24 BASE SITUATED IN THE 39TH WARD IN THE CITY OF PHILADELPHIA,  
25 PHILADELPHIA COUNTY TO THE PHILADELPHIA INDUSTRIAL  
26 DEVELOPMENT CORPORATION, AND A PORTION OF THAT PROPERTY IS  
27 KNOWN AS "LEAGUE ISLAND."

28 (3) IN 2004 THE COMMONWEALTH, THROUGH THE DEPARTMENT OF  
29 GENERAL SERVICES BY QUIT CLAIM DEED, DISPOSED OF ITS  
30 INTERESTS AND TITLE TO THE PROPERTY COMMONLY KNOWN AS PARCEL

1 9A AND A PORTION OF THE FORMER NAVAL BASE TO THE PHILADELPHIA  
2 REGIONAL PORT AUTHORITY.

3 (4) PART OF THE CONVEYANCE OF THE DEPARTMENT OF THE  
4 NAVY'S TITLE AND INTERESTS TO THE PROPERTY KNOWN AS THE  
5 FORMER UNITED STATES NAVY BASE SITUATED IN THE 39TH WARD IN  
6 THE CITY OF PHILADELPHIA, PHILADELPHIA COUNTY TO THE  
7 PENNSYLVANIA AUTHORITY FOR INDUSTRIAL DEVELOPMENT WAS FOR THE  
8 OPEN WATER BETWEEN WHAT WAS THE CONSOLIDATED RAIL CORPORATION  
9 PORTION OF THE NAVAL BASE AND WHAT WAS KNOWN AS "LEAGUE  
10 ISLAND."

11 (5) THE COMMONWEALTH STILL MAINTAINS ITS TITLE AND  
12 INTERESTS IN PROPERTY AREAS OF THIS OPEN WATER, BETWEEN WHAT  
13 WAS THE CONSOLIDATED RAIL CORPORATION PORTION OF THE NAVAL  
14 BASE AND WHAT WAS KNOWN AS "LEAGUE ISLAND."

15 (6) THE GENERAL ASSEMBLY INTENDS TO CONVEY THE RIGHTS  
16 AND INTERESTS TO THE PHILADELPHIA REGIONAL PORT AUTHORITY FOR  
17 THE PROPERTY AREAS OF THIS OPEN WATER BETWEEN WHAT WAS THE  
18 CONSOLIDATED RAIL CORPORATION PORTION OF THE NAVAL BASE AND  
19 WHAT WAS KNOWN AS "LEAGUE ISLAND."

20 (B) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH  
21 THE APPROVAL OF THE GOVERNOR, IS HEREBY AUTHORIZED AND DIRECTED  
22 ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA TO GRANT AND  
23 CONVEY TO THE PHILADELPHIA REGIONAL PORT AUTHORITY, FOR \$1,  
24 CERTAIN LANDS SITUATE IN THE 39TH WARD OF THE CITY OF  
25 PHILADELPHIA DESCRIBED IN SUBSECTION (C).

26 (C) DESCRIPTION.--THE LANDS TO BE CONVEYED PURSUANT TO  
27 SUBSECTION (B) CONSIST OF 305 ACRES MORE PARTICULARLY DESCRIBED  
28 AS FOLLOWS:

29 ALL THAT CERTAIN LAND LOCATED IN THE CITY OF PHILADELPHIA,  
30 COMMONWEALTH OF PENNSYLVANIA, THAT IS RIVER-BED THAT WAS MADE

1 FAST LAND BY HAVING FILL PLACED UPON IT, A GENERAL DESCRIPTION  
2 BASED UPON PAPER SURVEY AS FOLLOWS TO WIT:

3 BEGINNING AT A POINT NEAR THE BULKHEAD LINE OF THE DELAWARE  
4 RIVER, AS ESTABLISHED BY THE SECRETARY OF WAR, SEPTEMBER 10,  
5 1940, A COMMON CORNER FOR LANDS NOW OR FORMERLY OF CONSOLIDATED  
6 RAIL CORPORATION, AND PARCEL 9, THE SAID POINT BEING MEASURED  
7 THE NINE (9) FOLLOWING COURSES AND DISTANCES FROM THE  
8 INTERSECTION OF THE EASTERLY SIDE OF BROAD STREET (AT 300 FEET  
9 WIDE) WITH THE SOUTHWESTERLY SIDE OF PATTISON AVENUE (AT 120  
10 FEET WIDE):

- 11 1. SOUTHWESTERLY ALONG THE EASTERLY SIDE OF BROAD STREET,  
12 2,527.57 FEET TO A POINT;
- 13 2. SOUTHEASTERLY AT RIGHT ANGLES TO SAID BROAD STREET, 37  
14 FEET TO A DRILL HOLE SET, A CORNER FOR THE SAID LANDS  
15 NOW OR FORMERLY OF CONSOLIDATED RAIL CORPORATION;  
16 (COURSES 3 THROUGH 8 ALONG THE SOUTHERLY SIDE OF LANDS  
17 NOW OR FORMERLY OF CONSOLIDATED RAIL CORPORATION);
- 18 3. SOUTH 75 DEGREES 30 MINUTES 00 SECONDS EAST, 3.00 FEET  
19 TO A DRILL HOLE SET;
- 20 4. SOUTH 76 DEGREES 31 MINUTES 21 SECONDS EAST 229.54 FEET  
21 TO AN IRON PIN SET;
- 22 5. SOUTH 68 DEGREES 33 MINUTES 21 SECONDS EAST, 284.65 FEET  
23 TO AN IRON PIN SET;
- 24 6. SOUTH 63 DEGREES 50 MINUTES 26 SECONDS EAST, 341 FEET TO  
25 AN IRON PIN SET;
- 26 7. SOUTHEASTERLY BY A CURVE TO THE LEFT HAVING A RADIUS OF  
27 2,287.44 FEET, AND AN ARC LENGTH OF 730.03 FEET TO AN  
28 IRON PIN SET, SAID POINT BEING DISTANT BY A CHORD OF  
29 SOUTH 72 DEGREES 59 MINUTES 00 SECONDS EAST 726.93 FEET  
30 FROM THE LAST DESCRIBED POINT;

1 8. SOUTH 82 DEGREES 07 MINUTES 34 SECONDS EAST 1,741.91  
2 FEET TO A POINT; AND  
3 9. SOUTH 76 DEGREES 03 MINUTES 40 SECONDS EAST, 6093.91  
4 FEET TO THE SAID POINT OF BEGINNING;  
5 THENCE FROM SAID POINT OF BEGINNING, THE TWENTY FIVE (25)  
6 FOLLOWING DESCRIBED COURSES AND DISTANCES:  
7 1. SOUTH 76 DEGREES 3 MINUTES 40 SECONDS EAST, 50 FEET TO  
8 THE POINT AND PLACE OF BEGINNING;  
9 2. SOUTH 40 DEGREES 23 MINUTES 05 SECONDS WEST, 1,627.95  
10 FEET ALONG THE BULKHEAD LINE OF THE DELAWARE RIVER;  
11 3. SOUTH 58 DEGREES 07 MINUTES 17 SECONDS WEST, 1,737.34  
12 FEET ALONG THE BULKHEAD LINE OF THE DELAWARE RIVER;  
13 4. SOUTH 78 DEGREES 26 MINUTES 04 SECONDS WEST, 1,099.52  
14 FEET ALONG THE BULKHEAD LINE OF THE DELAWARE RIVER;  
15 5. SOUTH 78 DEGREES 27 MINUTES 42 SECONDS WEST, 2,645  
16 FEET ALONG THE BULKHEAD LINE OF THE DELAWARE RIVER;  
17 6. NORTH 86 DEGREES 01 MINUTES 55 SECONDS WEST, 300 FEET  
18 ALONG THE BULKHEAD LINE OF THE DELAWARE RIVER;  
19 7. NORTH 10 DEGREES 18 MINUTES 40 SECONDS WEST, 960 FEET  
20 TO THE BULKHEAD LINE OF THE DELAWARE RIVER;  
21 8. NORTH 72 DEGREES 11 MINUTES 20 SECONDS EAST, 1,650 FEET;  
22 9. NORTH 12 DEGREES 11 MINUTES 20 SECONDS EAST, 150 FEET,  
23 10. NORTH 48 DEGREES 41 MINUTES 20 SECONDS EAST, 1,005 FEET;  
24 11. NORTH 81 DEGREES 33 MINUTES 40 SECONDS WEST, 1,580 FEET;  
25 12. NORTH 76 DEGREES 33 MINUTES 40 SECONDS WEST, 1,040 FEET;  
26 13. NORTH 72 DEGREES 33 MINUTES 40 SECONDS WEST, 2,375 FEET;  
27 14. NORTH 89 DEGREES 18 MINUTES 40 SECONDS WEST, 500 FEET;  
28 15. NORTH 83 DEGREES 48 MINUTES 40 SECONDS WEST, 475 FEET;  
29 16. NORTH 13 DEGREES 11 MINUTES 20 SECONDS EAST, 550 FEET;  
30 17. NORTH 87 DEGREES 41 MINUTES 20 SECONDS EAST, 420 FEET

1 18. SOUTH 65 DEGREES 18 MINUTES 40 SECONDS EAST, 2,170 FEET;  
2 19. SOUTH 66 DEGREES 48 MINUTES 40 SECONDS EAST, 2,120 FEET;  
3 20. SOUTH 82 DEGREES 18 MINUTES 40 SECONDS EAST, 910 FEET;  
4 21. SOUTH 75 DEGREES 03 MINUTES 40 SECONDS EAST, 920 FEET;  
5 22. SOUTH 84 DEGREES 33 MINUTES 40 SECONDS EAST, 1,470 FEET;  
6 23. SOUTH 66 DEGREES 33 MINUTES 40 SECONDS EAST, 340 FEET;  
7 24. NORTH 73 DEGREES 56 MINUTES 20 SECONDS EAST, 470 FEET;  
8 25. NORTH 60 DEGREES 56 MINUTES 20 SECONDS EAST, 1,240 FEET;  
9 CONTAINING 305 ACRES OF LAND.

10 (D) EASEMENTS.--THE CONVEYANCE SHALL BE MADE UNDER AND  
11 SUBJECT TO ALL LAWFUL AND ENFORCEABLE EASEMENTS, SERVITUDES AND  
12 RIGHTS OF OTHERS, INCLUDING BUT NOT CONFINED TO STREETS,  
13 ROADWAYS AND RIGHTS OF ANY TELEPHONE, TELEGRAPH, WATER,  
14 ELECTRIC, GAS OR PIPELINE COMPANIES, AS WELL AS UNDER AND  
15 SUBJECT TO ANY LAWFUL AND ENFORCEABLE ESTATES OR TENANCIES  
16 VESTED IN THIRD PERSONS APPEARING OF RECORD, FOR ANY PORTION OF  
17 THE LAND OR IMPROVEMENTS ERECTED THEREON.

18 (E) DEED.--

19 (1) THE DEED OF CONVEYANCE SHALL CONTAIN A CLAUSE THAT  
20 THE LANDS CONVEYED HEREIN SHALL BE USED ONLY FOR MARITIME  
21 PURPOSES BY THE GRANTEE, OR ITS SUCCESSOR IN INTEREST. SHOULD  
22 THE GRANTEE, OR ITS SUCCESSOR IN INTEREST, ALLOW THE LANDS  
23 CONVEYED TO BE USED FOR ANY OTHER PURPOSE OR ATTEMPT TO  
24 CONVEY OR TRANSFER THE LANDS, THE TITLE SHALL IMMEDIATELY  
25 REVERT TO AND REVEST IN THE GRANTOR. THE TERM "MARITIME  
26 PURPOSES" SHALL MEAN ACTIVITIES DIRECTLY RELATED TO THE  
27 HANDLING OF CARGO FOR IMPORT OR EXPORT OR THE TRANSPORT OF  
28 PASSENGERS THROUGH THE PORT OF PHILADELPHIA BUT THE TERM  
29 SHALL NOT MEAN ACTIVITIES RELATED TO GAMBLING OR GAMING.

30 (2) THE DEED OF CONVEYANCE SHALL CONTAIN A CLAUSE THAT

1 IF THE PHILADELPHIA REGIONAL PORT AUTHORITY OR ITS SUCCESSOR  
2 IN INTEREST CEASE TO EXIST, THE LANDS CONVEYED HEREIN SHALL  
3 IMMEDIATELY REVERT TO AND REVEST IN THE GRANTOR, UNLESS A  
4 SUCCESSOR AUTHORITY HAS BEEN FORMED TO CONTINUE THE  
5 COMMONWEALTH'S GOVERNANCE OF REGIONAL PORT ACTIVITIES ALONG  
6 THE DELAWARE RIVER.

7 (F) LAND USE RESTRICTION.--ALL DEEDS OR LEASES AUTHORIZED OR  
8 REFERRED TO UNDER THIS SECTION SHALL BE MADE UNDER AND SUBJECT  
9 TO THE CONDITION, WHICH SHALL BE CONTAINED IN THE DEED OR LEASE  
10 DOCUMENTS, THAT NO PORTION OF THE PARCELS SHALL BE USED AS A  
11 LICENSED FACILITY AS DEFINED IN 4 PA.C.S. § 1103 (RELATING TO  
12 DEFINITIONS) OR ANY OTHER SIMILAR TYPE OF FACILITY AUTHORIZED  
13 UNDER THE LAWS OF THIS COMMONWEALTH. THIS CONDITION SHALL BE A  
14 COVENANT RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE  
15 DEED OR LEASE OR SUBLESSEES AND THEIR RESPECTIVE SUCCESSORS AND  
16 ASSIGNS. SHOULD ANY PORTION OF ANY PARCEL AUTHORIZED FOR  
17 CONVEYANCE UNDER THIS SECTION BE USED IN VIOLATION OF THIS  
18 SUBSECTION, THE TITLE SHALL IMMEDIATELY REVERT TO AND REVEST IN  
19 THE GRANTOR.

20 (G) DEED EXECUTION.--THE DEED OF CONVEYANCE AUTHORIZED BY  
21 THIS SECTION SHALL BE APPROVED AS PROVIDED BY LAW AND SHALL BE  
22 EXECUTED BY THE SECRETARY OF GENERAL SERVICES IN THE NAME OF THE  
23 COMMONWEALTH OF PENNSYLVANIA.

24 (H) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THIS  
25 CONVEYANCE SHALL BE BORNE BY THE GRANTEE.

26 SECTION 4. REPEALS.

27 REPEALS ARE AS FOLLOWS:

28 (1) THE GENERAL ASSEMBLY DECLARES THAT THE REPEAL UNDER  
29 PARAGRAPH (2) IS NECESSARY TO EFFECTUATE THE ADDITION OF  
30 SECTIONS 2 AND 3 OF THIS ACT.

1           (2) THE ACT OF JUNE 8, 1907 (P.L.488, NO.321), ENTITLED  
2       "A SUPPLEMENT TO AN ACT, ENTITLED 'AN ACT TO PROVIDE FOR THE  
3       BETTER GOVERNMENT OF CITIES OF THE FIRST CLASS IN THIS  
4       COMMONWEALTH,' APPROVED THE FIRST DAY OF JUNE, ONE THOUSAND  
5       EIGHT HUNDRED AND EIGHTY-FIVE; CREATING A DEPARTMENT OF  
6       WHARVES, DOCKS, AND FERRIES, FOR THE IMPROVEMENT, REGULATION,  
7       AND SUPERVISION OF THE CONSTRUCTION, EXTENSION, ALTERATION,  
8       MAINTENANCE, AND USE OF WHARVES, PIERS, BULKHEADS, DOCKS,  
9       SLIPS, BASINS, FERRIES, HARBORS, AND HARBOR STRUCTURES, IN  
10      CITIES OF THE FIRST CLASS; AND PROVIDING FOR THE MAKING AND  
11      ENFORCEMENT OF RULES AND REGULATIONS, AND FIXING CERTAIN  
12      PENALTIES FOR VIOLATION THEREOF; AND PROVIDING FOR THE  
13      ACQUISITION OF PROPERTY BY SAID CITIES, BY PURCHASE AND BY  
14      CONDEMNATION, FOR CERTAIN PURPOSES," IS REPEALED.

15 Section 2 5. Effective date.

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16       This act shall take effect immediately.