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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**HOUSE BILL**

**No. 2678** Session of  
2008

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INTRODUCED BY COX, JUNE 26, 2008

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 26, 2008

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AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to grant and convey to Heritage  
3 Building Group, Inc., and the Municipal Authority of the  
4 Township of South Heidelberg, and/or their assigns, six  
5 permanent sanitary sewer easements and two temporary  
6 construction easements, situate in South Heidelberg Township  
7 and Lower Heidelberg Township, Berks County.

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

10 Section 1. The Department of General Services, with the  
11 approval of the Governor, is hereby authorized on behalf of the  
12 Commonwealth of Pennsylvania to grant and convey to Heritage  
13 Building Group, Inc., and the Municipal Authority of the  
14 Township of South Heidelberg, and/or their assigns, six sanitary  
15 sewer easements and two temporary construction easements,  
16 through the lands of Wernersville State Hospital, situate in  
17 South Heidelberg Township and Lower Heidelberg Township, Berks  
18 County, under such terms and conditions to be established in an  
19 Easement Agreement with the Department of General Services.

20 Section 2. The property to be conveyed consists of six

1 permanent sanitary sewer easements and two temporary  
2 construction easements, bounded and more particularly described  
3 as follows:

4 SANITARY SEWER EASEMENT NO. 1

5 BEGINNING AT A POINT on the Southwesterly right-of-way of the  
6 Philadelphia and Reading Railroad (Lebanon Valley Branch,  
7 variable width right-of-way), said point being distant along the  
8 arc of a circle curving to the right, having a radius of  
9 5,772.65 feet, a central angle of 00 degrees 29 minutes 27  
10 seconds, an arc length of 49.45 feet, a chord bearing North 56  
11 degrees 24 minutes 51 seconds West and a chord distance of 49.45  
12 feet from the Westerly right-of-way line of Point Road (a.k.a.  
13 T-374, 33 foot wide right-of-way) and from said point of  
14 beginning running, Thence;

15 The following two courses and distances along a line running  
16 through Parcel 7365, lands now or formerly the Commonwealth of  
17 Pennsylvania (Wernersville State Hospital):

- 18 1. South 33 degrees 58 minutes 48 seconds West, a distance of  
19 17.92 feet to a point, Thence;
- 20 2. South 52 degrees 40 minutes 40 seconds East, a distance of  
21 59.02 feet to a point on the westerly right-of-way of Point  
22 Road, Thence;
- 23 3. Along the Westerly right-of-way line of Point Road, along the  
24 arc of a circle curving to the left, having a radius of  
25 581.57 feet, a central angle of 03 degrees 28 minutes 52  
26 seconds, an arc length of 35.34 feet, a chord bearing South  
27 05 degrees 26 minutes 21 seconds West and a chord distance of  
28 35.33 feet to a point, Thence;

29 The following two courses and distances along a line running  
30 through Parcel 7365:

- 1 1. North 52 degrees 40 minutes 40 seconds West, a distance of  
2 105.98 feet to a point, Thence;
- 3 2. North 33 degrees 58 minutes 48 seconds East, a distance of  
4 46.22 feet to a point on the Southwesterly right-of-way line  
5 of the Philadelphia and Reading Railroad, Thence;
- 6 3. Along the Southwesterly right-of-way of the Philadelphia and  
7 Reading Railroad, along the arc of a circle curving to the  
8 left, having a radius of 5,772.65 feet, a central angle of 00  
9 degrees 17 minutes 52 seconds, an arc length of 30.00 feet, a  
10 chord bearing South 56 degrees 01 minutes 12 seconds East and  
11 a chord distance of 30.00 feet to the point and place of  
12 beginning.

13           Containing 3,430 square feet of 0.079 acres.

14                           SANITARY SEWER EASEMENT NO. 2

15       BEGINNING AT A POINT on the Northeasterly right-of-way line  
16 of the Philadelphia and Reading Railroad (Lebanon Valley Branch,  
17 variable width right-of-way), said point being distant along the  
18 arc of a circle curving to the right, having a radius of  
19 5,686.65 feet, a central angle of 00 degrees 11 minutes 44  
20 seconds, an arc length of 19.42 feet, a chord bearing North 56  
21 degrees 16 minutes 08 seconds West and a chord distance of 19.42  
22 feet from the intersection with the Westerly right-of-way line  
23 of Point Road (a.k.a T-374, 33 foot wide right-of-way) and from  
24 said point of beginning running, Thence;

- 25 1. Along the Northeasterly right-of-way line of the Philadelphia  
26 and Reading Railroad, along the arc of a circle curving to  
27 the right, having a radius of 5,686.65 feet, a central angle  
28 of 00 degrees 18 minutes 08 seconds, an arc length of 30.00  
29 feet, a chord bearing North 56 degrees 01 minutes 12 seconds  
30 West and a chord distance of 30.00 feet to a point, Thence;

- 1 2. Along a line running through Parcel 7365, lands now or  
2 formerly the Commonwealth of Pennsylvania (Wernersville State  
3 Hospital), North 33 degrees 58 minutes 48 seconds East, a  
4 distance of 40.12 feet to a point on the Westerly right-of-  
5 way line of Point Road, Thence;
- 6 3. Along the Westerly right-of-way line of Point Road, South 17  
7 degrees 00 minutes 27 seconds East, a distance of 38.61 feet  
8 to a point, Thence;
- 9 4. Along a line running through Parcel 7365, South 33 degrees 58  
10 minutes 48 seconds West, a distance of 15.81 feet to the  
11 point and place of beginning.

12 Containing 839 square feet or 0.019 acres.

13 SANITARY SEWER EASEMENT NO. 3

14 BEGINNING AT A POINT on the Easterly right-of-way line of  
15 Point Road (a.k.a. T-374, 33 foot wide right-of-way), said point  
16 being distant the following two courses and distances from the  
17 intersection with the Northeasterly right-of-way line of the  
18 Philadelphia and Reading Railroad (Lebanon Valley Branch,  
19 variable width right-of-way) and from said point of beginning  
20 running, Thence;

21 The following two courses and distances along the easterly  
22 right-of-way line of Point Road:

- 23 A. Along the arc of a circle curving to the left, having a  
24 radius of 71.50 feet, a central angle of 15 degrees 50  
25 minutes 55 seconds, an arc length of 19.78 feet, a chord  
26 bearing North 09 degrees 05 minutes 00 seconds West and a  
27 chord distance of 19.71 feet to a point of tangency, Thence;
- 28 B. North 17 degrees 00 minutes 27 seconds West, a distance of  
29 68.80 feet to the true point of beginning and from said point  
30 of beginning running, Thence;

1 The following two courses and distances along the Easterly  
2 right-of-way line of Point Road.

3 1. North 17 degrees 00 minutes 27 seconds West, a distance of  
4 89.46 feet to a point, Thence;

5 2. Along the arc of a circle curving to the right, having a  
6 radius of 351.34 feet, a central angle of 14 degrees 05  
7 minutes 51 seconds, an arc length of 86.45 feet, a chord  
8 bearing North 06 degrees 53 minutes 26 seconds West and a  
9 chord distance of 86.23 feet to a point, Thence;

10 3. Along a line running through Parcel 7365, lands now or  
11 formerly the Commonwealth of Pennsylvania (Wernersville State  
12 Hospital), North 27 degrees 35 minutes 27 seconds East, a  
13 distance of 282.13 feet to a point on the Easterly right-of-  
14 way line of Point Road, Thence;

15 The following two courses and distances along the Easterly  
16 right-of-way line of Point Road:

17 1. Along the arc of a circle curving to the right, having a  
18 radius of 651.62 feet, a central angle of 03 degrees 05  
19 minutes 48 seconds, an arc length of 35.22 feet, a chord  
20 bearing North 55 degrees 26 minutes 23 seconds East and a  
21 chord distance of 35.21 feet to a point, Thence;

22 2. Along the arc of a circle curving to the left, having a  
23 radius of 1,461.02 feet, a central angle of 04 degrees 20  
24 minutes 32 seconds, an arc length of 110.72 feet, a chord  
25 bearing North 53 degrees 16 minutes 25 seconds East and a  
26 chord distance of 110.69 feet to a point, Thence;

27 The following four courses and distances along the line running  
28 through Parcel 7365:

29 1. South 48 degrees 09 minutes 50 seconds West, a distance of  
30 97.96 feet to a point, Thence;

- 1 2. South 27 degrees 35 minutes 27 seconds West, a distance of
- 2 342.21 feet to a point, Thence;
- 3 3. South 10 degrees 40 minutes 14 seconds East, a distance of
- 4 133.47 feet to a point, Thence;
- 5 4. South 33 degrees 58 minutes 48 seconds West, a distance of
- 6 9.14 feet to the point and place of beginning.

7 Containing 12,036 square feet or 0.276 acres.

8 SANITARY SEWER EASEMENT NO. 4

9 BEGINNING AT THE INTERSECTION of Northeasterly right-of-way  
10 line of West Penn Avenue (a.k.a. U.S. Route 422, a.k.a. L.R.  
11 149, 100 foot wide right-of-way) and the Westerly right-of-way  
12 line of Point Road (a.k.a. T-374, 33 foot wide right-of-way, 50  
13 foot wide right-of-way per tax map), and from said point of  
14 beginning running, Thence;

- 15 1. Along the Northeasterly right-of-way line of West Penn
- 16 Avenue, North 61 degrees 49 minutes 45 seconds West, a
- 17 distance of 245.21 feet to a point, Thence;

18 The following six courses and distances along a line running  
19 through Parcel 4351, lands now or formerly the Commonwealth of  
20 Pennsylvania (Wernersville State Hospital):

- 21 1. North 58 degrees 29 minutes 08 seconds East, a distance of
- 22 34.75 feet to a point, Thence;
- 23 2. South 61 degrees 49 minutes 45 seconds East, a distance of
- 24 212.45 feet to a point, Thence;
- 25 3. North 41 degrees 30 minutes 00 seconds East, a distance of
- 26 328.00 feet to a point, Thence;
- 27 4. North 43 degrees 17 minutes 44 seconds East, a distance of
- 28 198.85 feet to a point, Thence;
- 29 5. North 39 degrees 26 minutes 55 seconds East, a distance of
- 30 181.02 feet to a point, Thence;

- 1 6. North 46 degrees 50 minutes 16 seconds East, a distance of  
2 29.63 feet to a point on the Southwesterly side of an  
3 existing 20 foot wide sanitary sewer easement, Thence;  
4 7. Along a line running through Parcel 3451 and along an  
5 existing 20 foot wide sanitary sewer easement, South 11  
6 degrees 37 minutes 57 seconds West, a distance of 54.76 feet  
7 to a point on the Westerly right-of-way line of Point Road,  
8 Thence;

9 The following two courses and distances along the Westerly  
10 right-of-way line of Point Road:

- 11 1. South 42 degrees 48 minutes 36 seconds West, a distance of  
12 503.06 feet to a point, Thence;  
13 2. South 40 degrees 34 minutes 12 seconds West, a distance of  
14 212.45 feet to the point and place of beginning.

15 Containing 22,492 square feet or 0.52 acres.

16 SANITARY SEWER EASEMENT NO. 5

17 BEGINNING AT A POINT on the dividing line between Parcel  
18 7365, lands now or formerly the Commonwealth of Pennsylvania  
19 (Wernersville State Hospital) and Parcel 5933, lands now or  
20 formerly Heritage-Springdale, L.P., said point being distant the  
21 following two courses and distances from the intersection of  
22 Northwesterly ultimate right-of-way line of Furnace Road (a.k.a.  
23 L.R. 06068, a.k.a. T-382, 33 foot wide legal right-of-way) with  
24 the dividing line between Parcel 5933 and Parcel 1856, lands now  
25 or formerly Admixtures, Inc.:

- 26 A. Along the dividing line between Parcel 5933 and Parcel 1856,  
27 North 42 degrees 19 minutes 56 seconds West, a distance of  
28 521.88 feet to a point, Thence;  
29 B. Along the dividing line between Parcel 7365 and Parcel 5933,  
30 South 42 degrees 18 minutes 49 seconds West, a distance of

1 91.53 feet to the true point and place of beginning, and from  
2 said point of beginning running, Thence;

3 1. Along the dividing line between Parcel 7365 and Parcel 5933,  
4 South 42 degrees 18 minutes 49 seconds West, a distance of  
5 30.04 feet to a point, Thence;

6 The following five courses and distances along a line running  
7 through Parcel 7356:

8 1. North 50 degrees 32 minutes 03 seconds West, a distance of  
9 388.71 feet to a point, Thence;

10 2. North 54 degrees 37 minutes 43 seconds West, a distance of  
11 400.26 feet to a point; Thence,

12 3. North 48 degrees 32 minutes 34 seconds West, a distance of  
13 401.15 feet to a point, Thence;

14 4. North 45 degrees 49 minutes 06 seconds West, a distance of  
15 394.96 feet to a point, Thence;

16 5. North 52 degrees 40 minutes 40 seconds West, a distance of  
17 15.10 feet to a point on the Easterly right-of-way line of  
18 Point Road (a.k.a. T-374, 33 foot wide right-of-way), Thence;

19 6. Along the Easterly right-of-way line of Point Road, along the  
20 arc of circle curving to the right, having a radius of 548.57  
21 feet, a central angle of 03 degrees 46 minutes 58 seconds, an  
22 arc length of 36.22 feet, a chord bearing North 03 degrees 15  
23 minutes 57 seconds East, and a chord distance of 36.21 feet  
24 to a point, Thence;

25 The following five courses and distances along a line running  
26 through Parcel 7356:

27 1. South 52 degrees 40 minutes 40 seconds East, a distance of  
28 37.18 feet to a point, Thence;

29 2. South 45 degrees 49 minutes 06 seconds East, a distance of  
30 396.04 feet to a point, Thence;



- 1 3. South 48 degrees 32 minutes 34 seconds East, a distance of
- 2 398.85 feet to a point, Thence;
- 3 4. South 54 degrees 37 minutes 43 seconds East, a distance of
- 4 399.74 feet to a point, Thence;
- 5 5. South 50 degrees 32 minutes 03 seconds East, a distance of
- 6 391.27 feet to a point and place of beginning.

7 Containing 48,356 square feet or 1.110 acres.

8 SANITARY SEWER EASEMENT NO. 6

9 BEGINNING AT A POINT on the Westerly right-of-way line of  
10 Point Road (a.k.a. T-374, 33 foot wide right-of-way, 50 foot  
11 wide right-of-way per tax map) said point being distant the  
12 following two courses and distances from the intersection of the  
13 Westerly right-of-way line of Point road with the Northeasterly  
14 right-of-way line of West Penn Avenue (a.k.a. U.S. Route 422,  
15 a.k.a. L.R.149, 100 foot wide right-of-way):

16 The following two courses and distances along the Westerly  
17 right-of-way line of Point Road:

- 18 A. North 40 degrees 34 minutes 12 seconds East, a distance
- 19 212.45 feet to a point, Thence;
- 20 B. North 42 degrees 48 minutes 36 seconds East, a distance of
- 21 503.06 feet to the true point and place and beginning and
- 22 from said point of beginning running, Thence;

23 The following two courses and distances along the Northerly end  
24 of a variable width sanitary sewer easement running through  
25 parcel 3451, lands now or formerly the Commonwealth of  
26 Pennsylvania (Wernersville State Hospital):

- 27 1. North 11 degrees 37 minutes 57 seconds East, a distance of
- 28 54.76 feet to a point, Thence;
- 29 2. South 46 degrees 50 minutes 16 seconds West, a distance of
- 30 8.67 feet to a point, Thence;

1 The following four courses and distances along a line running  
2 through parcel 3451:

3 1. North 11 degrees 37 minutes 57 seconds East, a distance of  
4 280.61 feet to a point, Thence;

5 2. North 17 degrees 56 minutes 15 seconds East, a distance of  
6 206.27 feet to a point, Thence;

7 3. North 41 degrees 07 minutes 38 seconds East, a distance of  
8 255.31 feet to a point, Thence;

9 4. North 12 degrees 51 minutes 16 seconds West, a distance of  
10 143.30 feet to a point, Thence;

11 5. Along the dividing line between parcel 3451 and parcel 9003,  
12 lands now or formerly Moore and along the Southerly end of a  
13 20 foot wide sanitary easement, South 45 degrees 34 minutes  
14 28 seconds East, a distance of 55.50 feet to a point, Thence;

15 The following four courses and distances along a line running  
16 through parcel 3451:

17 1. South 12 degrees 51 minutes 16 seconds East, a distance of  
18 111.88 feet to a point, Thence;

19 2. South 41 degrees 07 minutes 38 seconds West, a distance of  
20 264.43 feet to a point, Thence;

21 3. South 17 degrees 56 minutes 15 seconds West, a distance of  
22 198.46 feet to a point, Thence;

23 4. South 11 degrees 37 minutes 57 seconds West, a distance of  
24 285.32 feet to a point on the Westerly right-of-way line of  
25 Point Road, Thence;

26 5. Along the Westerly right-of-way line of Point Road, South 42  
27 degrees 48 minutes 36 seconds West, a distance of 48.29 feet  
28 to the point and place of beginning.

29 Containing 26,746 feet or 0.614 acre.

30 TEMPORARY CONSTRUCTION EASEMENT NO. 1

1 BEGINNING AT A POINT on the Easterly right-of-way line of  
2 Point Road (a.k.a. T-374, 33 foot wide right-of-way), said point  
3 being distant the following two courses and distances from the  
4 intersection of the Easterly right-of-way line of Point Road and  
5 the Northeasterly right-of-way line of the Philadelphia and  
6 Reading Railroad (Lebanon Valley Branch, variable width right-  
7 of-way).

8 The following two courses and distances along the Easterly  
9 right-of-way line of Point Road:

- 10 A. Along the arc of a circle curving to the left, having a  
11 radius of 71.50 feet, a central angle of 15 degrees 50  
12 minutes 55 seconds, an arc length of 19.78 feet, a chord  
13 bearing North 09 degrees 05 minutes 00 seconds West and a  
14 chord distance of 19.71 feet to a point of tangency, Thence;  
15 B. North 17 degrees 00 minutes 27 seconds West, a distance of  
16 39.85 feet to the true point and place of beginning and from  
17 said point of beginning running, Thence;  
18 1. Along the Easterly right-of-way line of Point Road, North 17  
19 degrees 00 minutes 27 seconds West, a distance of 96.52 feet  
20 to a point, Thence;

21 The following three courses and distances along a line running  
22 through Parcel 7365 lands now or formerly the Commonwealth of  
23 Pennsylvania (Wernersville State Hospital)

- 24 1. North 33 degrees 58 minutes 48 seconds East, a distance of  
25 25.29 feet to a point, Thence;  
26 2. South 56 degrees 01 minutes 12 seconds East, a distance of  
27 75.00 feet to a point, Thence;  
28 3. South 33 degrees 58 minutes 48 seconds West, a distance of  
29 86.05 feet to the point and place of beginning.

30 Containing 4,175 square feet or 0.096 acres.

1 TEMPORARY CONSTRUCTION EASEMENT NO. 2

2 BEGINNING AT A POINT on the Northeasterly right-of-way of  
3 West Penn Avenue (a.k.a. U.S. Route 422, A.K.A. L.R. 149, 100  
4 foot wide right-of-way) at the intersection of the dividing line  
5 between Parcel 3451, lands now or formerly the Commonwealth of  
6 Pennsylvania (Wernersville State Hospital) and Parcel 9003,  
7 lands now or formerly Moore, and from said point of beginning  
8 running, Thence;

9 1. Along the dividing line between Parcel 3451 and Parcel 9003,  
10 North 42 degrees 15 minutes 15 seconds East, a distance of  
11 77.89 feet to a point, Thence;

12 The following three courses and distances along a line running  
13 through Parcel 3451:

14 1. South 31 degrees 30 minutes 52 seconds East, a distance of  
15 57.95 feet to a point, thence;

16 2. South 58 degrees 29 minutes 08 seconds West, a distance of  
17 53.63 feet to a point on the Northeasterly right-of-way line  
18 of West Penn Avenue, Thence;

19 3. Along the Northeasterly right-of-way line of West Penn  
20 Avenue, North 61 degrees 49 minutes 45 seconds West, a  
21 distance of 41.91 feet to the point and place of beginning.

22 Containing 3,137 square feet or

23 0.072 acres.

24 Section 3. The conveyance shall be made under and subject to  
25 all lawful and enforceable easements, servitudes and rights of  
26 others, including but not confined to streets, roadways and  
27 rights of any telephone, telegraph, water, electric, gas or  
28 pipeline companies, as well as under and subject to any subject  
29 to any lawful and enforceable estates or tenancies vested in  
30 third persons appearing of record, for any portion of the land

1 or improvements erected thereon.

2 Section 4. This act shall not be construed to convey any  
3 excess sewage capacity available at Wernersville State Hospital.  
4 It is the intent of the General Assembly that the Commonwealth  
5 retain the current sewer capacity for current and future  
6 Commonwealth operations at Wernersville State Hospital.

7 Section 5. The Easement Agreement shall be in form and  
8 substance acceptable to the Department of General Services and  
9 shall be executed by the Secretary of General Services in the  
10 name of the Commonwealth of Pennsylvania.

11 Section 6. Costs and fees incidental to this conveyance  
12 shall be borne by the Grantee.

13 Section 7. In the event that an Easement Agreement is not  
14 executed within 1 year from the effective date of this Act, the  
15 authorization contained herein shall be null and void.

16 Section 8. This act shall take effect immediately.