

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 740 Session of
2007

INTRODUCED BY CORMAN, APRIL 9, 2007

REFERRED TO STATE GOVERNMENT, APRIL 9, 2007

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to grant and convey to Centre
3 County, certain lands situate in Benner Township, Centre
4 County; and authorizing the Department of General Services,
5 with the approval of the Governor, to grant and convey, at a
6 price determined through competitive bidding, certain lands
7 situate in Benner Township, Centre County.

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

10 Section 1. Conveyance to Centre County in Benner Township,
11 Centre County, Pennsylvania.

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 Centre
15 County certain land and improvements situate in Benner Township,
16 Centre County for \$1 and under terms and conditions to be
17 established in an Agreement of Sale with the Department of
18 General Services.

19 (b) Description.--The property to be conveyed pursuant to
20 subsection (a) consists of one parcel of land totaling 13.2646

1 acres and improvements thereon bounded and more particularly
2 described as follows:

3 PARCEL 3

4 ALL THAT CERTAIN PARCEL or tract of land situated in Benner
5 Township, Centre County, Pennsylvania, shown as "Parcel 3" on
6 plans prepared by Sweetland Engineering and Associates, Inc.
7 entitled "Proposed Plan for Disposition of Commonwealth Real
8 Property at the State Correctional Institution at Rockview",
9 drawing numbers E-3179 through E-3184, dated 23 May, 2006, and
10 as shown on the attached "Parcel Exhibit Plan", drawing number
11 A-1439, being more fully bounded and described as follows:

12 BEGINNING at point number 158 in the eastern right-of-way line
13 of Benner Pike, SR0150 in the southern line of lands now or
14 formerly of G. M. McCrossin, Inc., U.P.I. No.12-003-144F, at the
15 northwestern corner of the herein described parcel;

16 THENCE along lands now or formerly of G. M. McCrossin, Inc.,
17 U.P.I. No.12-003-144F, points 158 to 159, along lands now or
18 formerly of Rogers, U.P.I. No.12-003-130 points 159 to 160,
19 along land now or formerly of Centre County U.P.I. No.12-003-212
20 points 160 to 161, and concluding along the eastern right-of-way
21 line of the Benner Pike, SR0150 points 161 through 163 to 158,
22 the following courses expressed in units of the Pennsylvania
23 State Plane Coordinate System, North American Datum of 1983,
24 United State Survey Feet:

25 Line 158-159: N 46-49-50 E Length: 589.45

26 Line 159-160: S 47-10-10 E Length: 1006.15

27 Line 160-161: S 77-05-54 W Length: 1057.29

28 Curve 161-162: Length: 185.86 Radius: 6965.55

29 Delta: -1-31-44 Tangent: 92.94

30 Chord: 185.86 Course: N 14-22-02 W

1 Line 162-163: N 15-07-54 W Length: 85.74

2 Line 163-158: N 15-07-54 W Length: 263.12

3 to the point of Beginning.

4 CONTAINING: 577,808 sq.ft. or 13.2646 acres of land, gross area,
5 be the same more or less.

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

14 (d) Land use restriction.--The deed of conveyance shall
15 contain the following restrictive covenant: "Under and subject
16 to a condition that the land conveyed herein shall be used
17 solely by Centre County for municipal purposes authorized by the
18 act of August 9, 1955 (P.L.323, No.130), known as The County
19 Code, and for no other purpose. Should the Grantee attempt to
20 convey the property, or utilize it for any other purpose, the
21 property shall immediately revert to the Grantor."

22 (e) Gaming facility restriction.--Any conveyance authorized
23 under this section shall be made under and subject to the
24 condition, which shall be contained in the deed of conveyance,
25 that no portion of the property conveyed shall be used as a
26 licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to
27 definitions), or any other similar type of facility authorized
28 under State law. The condition shall be a covenant running with
29 the land and shall be binding upon the Grantee, its successors
30 and assigns. Should the Grantee, its successors or assigns,

1 permit any portion of the property authorized to be conveyed in
2 this act to be used in violation of this subsection, the title
3 shall immediately revert to and revest in the Grantor.

4 (f) Execution.--The deed of conveyance shall be by Special
5 Warranty Deed and shall be executed by the Secretary of General
6 Services in the name of the Commonwealth of Pennsylvania.

7 (g) Cost and fees.--Costs and fees incidental to this
8 conveyance shall be borne by the Grantee.

9 (h) Nonconveyance.--In the event that this conveyance is not
10 executed within 12 months of the effective date of this section,
11 the authority contained in this section shall expire.

12 Section 2. Conveyance to the highest responsible bidder of
13 three parcels of property located in Benner
14 Township, Centre County, Pennsylvania.

15 (a) Authorization.--The Department of General Services, with
16 the approval of the Governor, is hereby authorized on behalf of
17 the Commonwealth of Pennsylvania to grant and convey, at a price
18 to be determined through competitive bidding, three parcels of
19 land and improvements situate in Benner Township, Centre County.
20 The parcels of property contained in this section may be offered
21 for sale either together or separately.

22 (b) Description.--The property to be conveyed pursuant to
23 subsection (a) consists of three parcels totaling 46.482-acres
24 and improvements thereon bounded and more particularly described
25 as follows:

26 PARCEL 4.1

27 ALL THAT CERTAIN PARCEL or tract of land situated in Benner
28 Township, Centre county, Pennsylvania, shown as "Parcel 4.1" on
29 plans prepared by Sweetland Engineering and Associates, Inc.
30 entitled "Proposed Plan for Disposition of Commonwealth Real

1 Property at the State Correctional Institution at Rockview",
2 drawing numbers E-3179 through E-3184, dated 23 May, 2006, and
3 as shown on the attached "Parcel Exhibit Plan", drawing number
4 A-1440, being more fully bounded and described as follows:
5 BEGINNING at point number 175 at the intersection of the eastern
6 right-of-way line of the Benner Pike, SR0150 with the southern
7 right-of-way line of Rishel Hill Road, T-532 and the northern
8 corner of the herein described parcel;
9 THENCE along the southern right-of-way line of Rishel Hill Road,
10 T-532 points 175 through 177, along Parcel 5 points 177 through
11 179, along the northern right-of-way line for limited access of
12 SR6026 section C03 points 179 through 183, and concluding along
13 the eastern right-of-way line of the Benner Pike SR0150 point
14 183 to 175 the following courses expressed in units of the
15 Pennsylvania State Plan Coordinate System, North American Datum
16 of 1983, United States Survey Feet:
17 Line 175-176: S 73-17-38 E Length: 458.65
18 Curve 176-177: Length: 431.68 Radius: 555.87
19 Delta: -44-29-43 Tangent: 227.39
20 Chord: 420.92 Course: N 84-27-31 E
21 Line 177-178: S 31-54-57 E Length: 266.44
22 Line 178-179: S 25-53-10 E Length: 285.86
23 Curve 179-180: Length: 217.87 Radius: 11379.16
24 Delta: 1-05-49 Tangent: 108.94
25 Chord: 217.87 Course: S 61-25-37 W
26 Line 180-181: S 61-58-32 W Length: 478.19
27 Curve 181-182: Length: 147.26 Radius: 280.00
28 Delta: 30-08-00 Tangent: 75.38
29 Chord: 145.57 Course: S 77-02-32 W
30 Line 182-183: N 87-53-28 W Length: 330.60

1 Curve 183-175: Length: 925.36 Radius: 6945.55

2 Delta: -7-38-01 Tangent: 463.37

3 Chord: 924.68 Course: N 02-22-04 W

4 to the point of Beginning.

5 CONTAINING: 728,894 sq.ft. or 16.7331 acres of land, gross area,
6 be the same more or less.

7 Parcel 4.2

8 ALL THAT CERTAIN PARCEL or tract of land situated in Benner
9 Township, Centre county, Pennsylvania, shown as "Parcel 4.2" on
10 plans prepared by Sweetland Engineering and Associates, Inc.
11 entitled "Proposed Plan for Disposition of Commonwealth Real
12 Property at the State Correctional Institution at Rockview",
13 drawing numbers E-3179 through E-3184, dated 23 May, 2006, and
14 as shown on the attached "Parcel Exhibit Plan", drawing number
15 A-1441, being more fully bounded and described as follows:

16 BEGINNING at point number 168 at the intersection of the
17 southern right-of-way line of Rishel Hill, Road T-532 with the
18 western line of lands now or formerly of Rogers, U.P.I. No.12-
19 003-130, at the northeastern corner of the herein described
20 parcel;

21 THENCE along lands now or formerly of Rogers, U.P.I. No.12-003-
22 130 points 168 to 169, along the northern right-of-way line for
23 limited access of SR6026 section C03 points 169 through 173,
24 along Parcel 5 the proposed right-of-way from Rishel Hill Road
25 to SR6026 points 173 to 174 to 164, along the southern right-of-
26 way line of Rishel Hill, Road T-532 points 164 through 168, the
27 following courses expressed in units of the Pennsylvania State
28 Plane Coordinate System, North American Datum of 1983, United
29 State Survey Feet:

30 Line 168-169: S 47-10-10 E Length: 903.85

1 Line 169-170: S 64-43-55 W Length: 96.13
2 Line 170-171: S 58-28-32 W Length: 200.00
3 Line 171-172: S 56-06-30 W Length: 363.15
4 Curve 172-173: Length: 337.06 Radius: 11379.16
5 Delta: 1-41-50 Tangent: 168.54
6 Chord: 337.05 Course: S 59-19-27 W
7 Line 173-174: N 37-49-20 W Length: 291.79
8 Line 174-164: N 31-54-58 W Length: 266.44
9 Curve 164-165: Length: 218.51 Radius: 555.87
10 Delta: -22-31-23 Tangent: 110.69
11 Chord: 217.11 Course: N 42-41-47 E
12 Line 165-166: N 31-26-05 E Length: 140.94
13 Line 166-167: N 20-07-30 E Length: 50.99
14 Curve 167-168: Length: 441.52 Radius: 1980.79
15 Delta: 12-46-16 Tangent: 221.68
16 Chord: 440.60 Course: N 37-22-01 E
17 to the point of Beginning.
18 CONTAINING: 656,835 sq.ft. or 15.0789 acres of land, gross area,
19 be the same more or less.

20 Parcel 19
21 ALL THAT CERTAIN parcel of land situated in Benner Township,
22 Centre County, Pennsylvania shown as Lot 3 on a plan prepared by
23 Sweetland Engineering and Associates, Inc. entitled "4 Lot
24 Subdivision of Lands of the Commonwealth of Pennsylvania for
25 Centre County Correctional Facility", drawing numbers E-2491 and
26 E-2492 dated 02/06/03, revised to 03/31/03, and recorded in the
27 Recorder's Office of Centre County in Plat Book Volume 68 at
28 pages 126 and 127 on 06/05/03, being part of lands now or
29 formerly of the Commonwealth of Pennsylvania (SCI-Rockview),
30 Record Book 142, Page 39, described as follows:

1 BEGINNING at a 3/4 inch re-bar, in the northeast corner of Lot
2 3;

3 THENCE along the western side of a variable width right-of-way
4 of the Benner Pike (SR0150) the following (3) courses;

5 1. S 15 degrees, 07 minutes, 54 seconds E, 400.76
6 feet to a 3/4 inch re-bar, a point of
7 curvature, THENCE;

8 2. tangent to the previous course, by the arc of a
9 curve to the right, having a radius of
10 6815.55 feet, a central angle of 7 degrees, 19
11 minutes, 34 seconds, a chord bearing
12 and distance of S 11 degrees, 28 minutes,
13 07 seconds E, 870.88 feet, and an arc length
14 of 871.47 feet, to a 3/4 inch re-bar, THENCE;

15 3. not tangent to the previous course, S 32
16 degrees, 39 minutes, 16 seconds W, 78.44 feet,
17 to a 3/4 inch re-bar;

18 THENCE along the northern side of the 33 foot right-of-way of
19 Paradise Road (SR3004) the following (3) courses;

20 1. N 73 degrees, 17 minutes, 38 seconds W, 296.22
21 feet, to a 3/4 inch re-bar, a point of curvature,
22 THENCE;

23 2. tangent to the previous course, by the arc of a
24 curve right, having a radius of 583.50 feet, a
25 central angle of 53 degrees, 49 minutes, 24 seconds,
26 a chord bearing and distance of N 46 degrees,
27 22 minutes, 56 seconds W, 528.20 feet, and an
28 arc length of 548.14 feet, to a 3/4 inch re-bar
29 a point of tangency, THENCE;

30 3. N 19 degrees, 28 minutes, 14 seconds W, 343.99

1 feet, to a 3/4 inch re-bar;
2 THENCE along the southern side of lands now or formerly Spring-
3 Benner-Walker Joint Authority, Deed Book 427, Page 540, and also
4 along the southern side of lands now or formerly of Harry K.
5 Sickler, Record Book 947, Page 879, N 54 degrees, 25 minutes, 12
6 seconds E, 439.49 feet to a 3/4 inch re-bar, the point of
7 BEGINNING.

8 CONTAINING 14.67 acres of land more or less.

9 UNDER AND SUBJECT to a required drainage easement per SR6026
10 section C03 plans, as the southeast corner of the property, as
11 shown on the above mentioned plan.

12 UNDER AND SUBJECT to an 8.5 foot wide reserved right-of-way for
13 future dedication, along Paradise Road and parallel with the
14 boundary of Lot 3, as shown on the above mentioned plan.

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

23 (d) Execution.--The deed of conveyance shall be by Special
24 Warranty Deed and shall be executed by the Secretary of General
25 Services in the name of the Commonwealth of Pennsylvania.

26 Section 3. Reservation and grant of easements.

27 To effectuate this act, the Department of General Services is
28 hereby authorized, on behalf of the Commonwealth of
29 Pennsylvania, to reserve or grant any such easements on the
30 property known as the State Correctional Institution at Rockview

1 as the Secretary of the Department of General Services shall
2 determine are appropriate or desirable, including, without
3 limitation, for access and utility service.

4 Section 4. Costs and fees.

5 All costs and fees incurred by the Department of General
6 Services in selling the property described in sections 1 and 2
7 shall be paid from the purchase price and that amount shall be
8 an executively authorized augmentation to the appropriation from
9 which the costs and fees were paid by the Department of General
10 Services. The balance of the proceeds of the sale shall be
11 deposited in the General Fund.

12 Section 5. Effective date.

13 This act shall take effect immediately.