

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2275 Session of  
2010

INTRODUCED BY PEIFER, MARCH 5, 2010

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 5, 2010

AN ACT

1 Authorizing the Department of Conservation and Natural  
2 Resources, with the approval of the Governor, to grant and  
3 convey to the Canaan Bible Chapel certain lands situate in  
4 South Canaan Township, Wayne County, in exchange for certain  
5 property in South Canaan Township, Wayne County, to be  
6 conveyed by the Canaan Bible Chapel to the Commonwealth of  
7 Pennsylvania.

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

10 Section 1. Conveyance in South Canaan Township, Wayne County.

11 (a) Authorization.--The Department of Conservation and  
12 Natural Resources, with the approval of the Governor, is hereby  
13 authorized on behalf of the Commonwealth of Pennsylvania to  
14 grant and convey to the Canaan Bible Chapel certain lands  
15 situate in South Canaan Township, Wayne County, in exchange for  
16 certain property to be conveyed to the Commonwealth of  
17 Pennsylvania under subsection (c).

18 (b) Description of property to be transferred to Canaan  
19 Bible Chapel.--The property to be conveyed under subsection (a)  
20 consists of 9.92 acres and is more particularly described as  
21 follows:

1 Commencing at a point in the center of Hemlock Road, said  
2 point being where lands of the DCNR and those of Canaan Bible  
3 Chapel have a common corner on the said Road, said point being  
4 the POINT OF BEGINNING; thence along the center of the said  
5 Hemlock Road, North 52°20'08" East, a distance of 50.07' (50.070  
6 Feet) to a point on the said Road common to other lands of said  
7 Canaan Bible Chapel; thence along the same, South 41°11'02"  
8 East, a distance of 616.35' (616.347 Feet) to an iron pin for  
9 corner where lands of the DCNR and a parcel of said Canaan Bible  
10 Chapel have a common corner; thence along a parcel to be  
11 conveyed to the DCNR, South 41°11'02" East, a distance of  
12 225.00' (225.000 Feet) to an iron pin set for corner; thence  
13 through the lands of the DCNR, South 45°48'20" West, a distance  
14 of 1079.36' (1079.362 Feet) to an iron pin in a corner of a  
15 parcel owned by PPL, being an electrical substation for the  
16 same; thence North 02°59'17" West, a distance of 237.51'  
17 (237.510 Feet) along the same to an iron pin for corner; thence  
18 still by the same, South 81°00'00" West, a distance of 295.15'  
19 (295.150 Feet) to the center of State Route 0296; thence along  
20 the center of the said Road, North 21°20'35" West, a distance of  
21 182.01' (182.010 Feet); thence still by the same, North  
22 22°56'02" West, a distance of 109.11' (109.110 Feet); thence  
23 still by the center of the said Road, North 24°05'00" West, a  
24 distance of 141.27' (141.270 Feet); thence still along the said  
25 Road, North 25°23'54" West, a distance of 110.25' (110.250 Feet)  
26 to a point; thence still along the said Road, North 27°15'00"  
27 West, a distance of 77.08' (77.080 Feet) to a point; thence  
28 still along the center of said Route 0296, North 28°10'26" West,  
29 a distance of 18.05' (18.050 Feet) to the intersection of said  
30 State Route 0296 and said Hemlock Road; thence along the center

1 of said Hemlock Road, North 51°20'01" East, a distance of  
2 175.01' (175.010 Feet) to a point on the said Road common to the  
3 lands of the DCNR and Canaan Bible Chapel; thence along the  
4 lands of said Canaan Bible Chapel, South 40°39'52" East, a  
5 distance of 678.81' (678.810 Feet) to an iron pin for corner;  
6 thence still by the same, North 52°20'08" East, a distance of  
7 767.30' (767.300 Feet) to an iron pin set for corner; thence  
8 along the lands of the same, North 40°39'52" West, a distance of  
9 682.50' (682.500 Feet) to the POINT OF BEGINNING.

10 Containing 9.92 Acres (9.92 Acres), more or less.

11 (c) Conveyance of property to Commonwealth.--The Department  
12 of Conservation and Natural Resources, with the approval of the  
13 Governor, is hereby authorized on behalf of the Commonwealth of  
14 Pennsylvania to receive from the Canaan Bible Chapel certain  
15 lands situate in South Canaan Township, Wayne County, in  
16 exchange for the property to be conveyed to the Canaan Bible  
17 Chapel under subsection (a).

18 (d) Description of property to be transferred to the  
19 Commonwealth.--The property to be conveyed under subsection (c)  
20 consists of 20.11 acres and is more particularly described as  
21 follows:

22 Commencing at a point in the center of Hemlock Road, said  
23 point being where lands of the DCNR and those now or formerly of  
24 Sheeley have a common corner on the said Road, said point being  
25 the POINT OF BEGINNING; thence along the lands of said Sheeley,  
26 S.E.42°00'45", a distance of 596.32' (596.323 ') to an iron pin  
27 for corner; thence still by the same, N.E.49°20'34", a distance  
28 of 314.42' (314.422 ') to an iron pin set in a stone wall, being  
29 the line of lands of Jas. O'Neill; thence along the lands of  
30 said O'Neill, S.E.42°17'29", a distance of 883.86' (883.864 ')

1 to an iron pin set for corner at the line of lands of the DCNR;  
2 thence along the same, S.W.51°52'42", a distance of 992.78'  
3 (992.780 ') to an iron pin set for corner; thence still along  
4 the line of lands of the DCNR, N.W.41°11'02", a distance of  
5 839.62' (839.623 ') to an iron pin set for corner; thence  
6 through the lands of said Canaan Bible Chapel, N.E.49°27'14", a  
7 distance of 609.92' (609.915 ') to an iron pin set for corner;  
8 thence still through the lands of said Canaan Bible Chapel,  
9 N.W.42°00'45", a distance of 599.06' (599.056 ') to the center  
10 of said Hemlock Road; thence along the same, N.E.51°06'57", a  
11 distance of 50.07' (50.075 ') to the POINT OF BEGINNING.

12 Containing 20.11 Acres.

13 (e) Conditions.--The conveyances described in this section  
14 shall be made concurrently and under and subject to all lawful  
15 and enforceable easements, servitudes and rights of others,  
16 including, but not limited to, streets, roadways and any rights  
17 of any telephone, telegraph, water, electric, gas or pipeline  
18 companies, as well as under and subject to any lawful and  
19 enforceable estates or tenancies vested in third persons  
20 appearing of record, for any portion of the land or improvements  
21 erected on the land.

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

1 property authorized to be conveyed in this section to be used in  
2 violation of this section, the title shall immediately revert to  
3 and revest in the grantor.

4 (g) Deed of conveyance.--The deed for the conveyance of the  
5 property in accordance with subsections (a) and (e) shall be a  
6 special warranty deed and shall be properly executed by the  
7 Secretary of Conservation and Natural Resources in the name of  
8 the Commonwealth.

9 (h) Costs and fees.--The costs and fees incidental to the  
10 conveyances contained in this section shall be borne by the  
11 Canaan Bible Chapel.

12 Section 2. Effective date.

13 This act shall take effect immediately.