
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 862 Session of
2009

INTRODUCED BY CORMAN, MAY 11, 2009

REFERRED TO STATE GOVERNMENT, MAY 11, 2009

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, authorizing certain lands in Centre
3 County to be conveyed.

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

6 Section 1. Conveyances in Benner Township, Centre County,
7 Pennsylvania.

8 (a) Authorization.--The Department of General Services, with
9 the approval of the Governor, is hereby authorized on behalf of
10 the Commonwealth of Pennsylvania to grant and convey to the
11 Centre County Industrial Development Corporation certain lands,
12 being a portion of the Rockview State Correctional Institution,
13 situate in Benner Township, Centre County in exchange for Centre
14 County Industrial Development Corporation conveying certain
15 lands to the Commonwealth of Pennsylvania, acting by and through
16 the Department of General Services, for the purpose of adding
17 the same to the existing lands of the Rockview State
18 Correctional Institution.

19 (b) Description for conveyance to development corporation.--

1 The property to be conveyed to the Centre County Industrial
2 Development Corporation, pursuant to subsection (a), consists of
3 0.348-acres and any improvements thereon bounded and more
4 particularly described as follows:

5 All that certain tract of land situated in Benner Township,
6 Centre County, PA, being a Lot Addition, as shown on a plan
7 entitled, "Lot Addition and Replot Plan, Final Plan - Benner
8 Commerce Park Lot Addition and Replots of Lands of the Centre
9 County Industrial Development Corporation and the Commonwealth
10 of Pennsylvania - Replot of Lot 5BR (of Plat Book 81, Page 168)
11 into Lot 5BRR and Lots 4A & 4B (of Plat Book 78, Page 12) into
12 Lots 4AR & 4BR, Legal Exhibit, Blow-Up" dated February 5, 2009,
13 by PennTerra Engineering, Inc., State College, PA, being bounded
14 and described as follows:

15 Beginning at a point, lying in a southerly R/W line of Rishel
16 Hill Road (T-532, 70'R/W) and lying in a northerly R/W line of
17 Proposed Venture Drive (60'R/W); thence traversing through
18 Proposed Venture Drive, S31°54'58"E, 26.86 feet to a point,
19 lying in an easterly line of said R/W and lying in a westerly
20 line of Lot 4AR; thence along said lot, along a curve to the
21 left, having a chord bearing of S17°50'25"E, a chord distance of
22 26.48 feet, a radius of 50.00 feet and an arc length of 26.80
23 feet to a point; thence continuing along said lot, along a curve
24 to the left, having a chord bearing of S37°20'53"E, a chord
25 distance of 68.04 feet, a radius of 470.00 feet and an arc
26 length of 68.10 feet to a point, lying in a westerly line of
27 said lot and in an easterly R/W line of Proposed Venture Drive
28 (60'R/W); thence traversing through said R/W, S31°54'58"E,
29 146.15 feet to a point; thence continuing through said R/W,
30 S25°53'10"E, 62.33 feet to a point, lying in a westerly line of

1 Proposed Venture Drive and lying in an easterly line of Lot No
2 4BR; thence along said lot, the following bearings and
3 distances: N47°38'06"W, 148.34 feet to an iron pin; thence along
4 a curve to the right, having a chord bearing of N39°13'29"W, a
5 chord distance of 155.04 feet, a radius of 530.00 feet and an
6 arc length of 155.59 feet to an iron pin; thence along a curve
7 to the left, having a chord bearing of N68°52'58"W, a chord
8 distance of 61.66 feet, a radius of 50.00 feet and an arc length
9 of 66.44 feet to an iron pin, being a northerly corner of Lot No
10 4BR and lying in a southerly R/W line of Rishel Hill Road
11 (T-532, 70'R/W); thence along said R/W, along a curve to the
12 left, having a chord bearing of N67°37'48"E, a chord distance of
13 104.99 feet, a radius of 555.87 feet and an arc length of 105.15
14 feet to a point, being the place of beginning, containing 0.348
15 acres.

16 (c) Description for conveyance to Commonwealth.--The
17 property to be conveyed to the Commonwealth of Pennsylvania,
18 acting by and through the Department of General Services, by the
19 Centre County Industrial Development Corporation, pursuant to
20 subsection (a) consists of two tracts of land totaling 0.760-
21 acres and any improvements thereon bounded and more particularly
22 described as follows:

23 Tract 1

24 All that certain tract of land situated in Benner Township,
25 Centre County, PA, being a lot addition to Lot 4A, as shown on a
26 plan entitled, "Lot Addition and Replot Plan, Final Plan -
27 Benner Commerce Park Lot Addition and Replots of Lands of the
28 Centre County Industrial Development Corporation and the
29 Commonwealth of Pennsylvania - Replot of Lot 5BR (of Plat Book
30 81, Page 168) into Lot 5BRR and Lots 4A & 4B (of Plat Book 78,

1 Page 12) into Lots 4AR & 4BR, Legal Exhibit, Blow-Up" dated
2 February 5, 2009, by PennTerra Engineering, Inc., State College,
3 PA, being bounded and described as follows:

4 Beginning at a point, lying in a southerly R/W line of Rishel
5 Hill Road (T-532, 70'R/W) and lying in a northerly line of Tax
6 Parcel 12-3-215 (Lot 4A); thence traversing through said lot,
7 S31°54'58"E, 266.44 feet to a point; thence S37°49'20"E, 291.79
8 feet to a point, lying in a southerly line of said Tax Parcel
9 and in a northerly R/W line of U.S. 0220/Future I-99 (Variable
10 R/W); thence along said R/W, along a curve to the right, having
11 a chord bearing of S60°16'05"W, a chord distance of 37.88 feet,
12 a radius of 11379.16 feet and an arc length of 37.88 feet to an
13 iron pin, lying in a northerly line of said R/W and being an
14 easterly corner of Proposed Venture Drive (60' R/W); thence
15 along said R/W, the following bearings and distances:
16 N31°45'22"W, 93.01 feet to an iron pin; thence along a curve to
17 the left, having a chord bearing of N39°41'44"W, a chord
18 distance of 146.42 feet, a radius of 530.00 feet and an arc
19 length of 146.89 feet to an iron pin; thence N47°38'06"W, 153.52
20 feet to an iron pin; thence along a curve to the right, having a
21 chord bearing of N44°34'01"W, a chord distance of 50.31 feet, a
22 radius of 470.00 feet and an arc length of 50.34 feet to a
23 point, lying in an easterly line of said R/W and in a westerly
24 line of Lot 4A; thence traversing through Lot 4A N31°54'58"W,
25 93.42 feet to a point, lying in a westerly line of said lot and
26 lying in an easterly R/W line of Proposed Venture Drive
27 (60'R/W); thence along said R/W, along a curve to the right,
28 having a chord bearing of N27°37'58"E, a chord distance of 50.18
29 feet, a radius of 50.00 feet and an arc length of 52.56 feet to
30 an iron pin, being an easterly corner of said R/W and lying in a

1 southerly R/W line of Rishel Hill Road (T-532, 70' R/W); thence
2 along Rishel Hill Road, along a curve to the left, having a
3 chord bearing of N55°51'12"E, a chord distance of 36.77 feet, a
4 radius of 555.87 feet and an arc length of 36.78 feet to a
5 point, being the place of beginning, containing 0.622 acres.

6 Tract 2

7 All that certain tract of land situated in Benner Township,
8 Centre County, PA, being a Lot Addition, as shown on a plan
9 entitled, "Lot Addition and Replot Plan, Final Plan - Benner
10 Commerce Park Lot Addition and Replots of Lands of the Centre
11 County Industrial Development Corporation and the Commonwealth
12 of Pennsylvania - Replot of Lot 5BR (of Plat Book 81, Page 168)
13 into Lot 5BRR and Lots 4A & 4B (of Plat Book 78, Page 12) into
14 Lots 4AR & 4BR, Legal Exhibit, Blow-Up" dated February 5, 2009,
15 by PennTerra Engineering, Inc., State College, PA, being bounded
16 and described as follows:

17 Beginning at a point, lying in an easterly line of Former Lot
18 4B and lying in a westerly line of proposed Venture Drive (60'
19 R/W); thence along said R/W, S47°38'06"E, 5.18 feet to an iron
20 pin; thence continuing along said R/W, along a curve to the
21 right, having a chord bearing of S39°41'44"E, a chord distance
22 of 129.84 feet, a radius of 470.00 feet and an arc length of
23 130.26 feet to a point; thence continuing along said R/W
24 S31°45'22"E, 90.63 feet to an iron pin, being a southerly corner
25 of said R/W and lying in a northerly line of U.S. 0220/Future
26 I-99 (Variable R/W); thence along the U.S. 0220/Future I-99 R/W,
27 along a curve to the right, having a chord bearing of
28 S60°46'20"W, a chord distance of 42.25 feet, a radius of
29 11379.16 feet and an arc length of 42.25 feet to an iron pin,
30 lying in a northerly line of said R/W and being an easterly

1 corner of Former Lot No. 4B; thence along said lot N25°53'10"W,
2 223.52 feet to a point, being the place of beginning, containing
3 0.138 acres.

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

12 (e) Restriction.--The conveyance authorized by subsection
13 (b) of this act shall be made under and subject to the
14 condition, which shall be contained in the deed of conveyance,
15 that no portion of the property conveyed shall be used as a
16 licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to
17 definitions), or any other similar type of facility authorized
18 under State law. The condition shall be a covenant running with
19 the land and shall be binding upon the Grantee, and its
20 successors. Should the Grantee, or its successors, permit any
21 portion of the property authorized to be conveyed in this act to
22 be used in violation of this subsection, the title shall
23 immediately revert to and revest in the Grantor.

24 (f) Execution.--The deeds of conveyance shall be by Special
25 Warranty Deed and shall be properly executed by the respective
26 entities.

27 (g) Costs.--The Centre County Industrial Development
28 Corporation shall bear all costs associated with the land
29 conveyances authorized by this section.

30 (h) Expiration.--In the event that the conveyances are not

1 executed within one year of the effective date of this section,
2 the authority contained under this section shall expire.

3 Section 2. Conveyance to the highest responsible bidder of
4 three parcels of property located in Benner Township,
5 Centre County, Pennsylvania.

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

13 (b) Description.--The property to be conveyed pursuant to
14 subsection (a) consists of three parcels totaling 46.73-acres
15 and improvements thereon bounded and more particularly described
16 as follows:

17 Lot 4BR

18 All that certain tract of land situated in Benner Township,
19 Centre County, PA, being Lot 4BR, as shown on a plan entitled,
20 "Lot Addition and Replot Plan, Final Plan - Benner Commerce Park
21 Lot Addition and Replots of Lands of the Centre County
22 Industrial Development Corporation and the Commonwealth of
23 Pennsylvania - Replot of Lot 5BR (of Plat Book 81, Page 168)
24 into Lot 5BRR and Lots 4A & 4B (of Plat Book 78, Page 12) into
25 Lots 4AR & 4BR, Legal Exhibit, Blow-Up" dated February 5, 2009,
26 by PennTerra Engineering, Inc., State College, PA, being bounded
27 and described as follows:

28 Beginning at an iron pin, lying in a southerly R/W line of
29 Rishel Hill Road (T-532, 70' R/W) and being a westerly corner of
30 Venture Drive (Proposed 60' R/W); thence along said Proposed

1 Venture Drive, the following bearings and distances: along a
2 curve to the right, having a chord bearing of $S68^{\circ}52'58''E$, a
3 chord distance of 61.66 feet, a radius of 50.00 feet and an arc
4 length of 66.44 feet to an iron pin; thence along a curve to the
5 left, having a chord bearing of $S39^{\circ}13'29''E$, a chord distance of
6 155.04 feet, a radius of 530.00 feet and an arc length of 155.59
7 feet to an iron pin; thence $S47^{\circ}38'06''E$, 153.52 feet to an iron
8 pin; thence along a curve to the right, having a chord bearing
9 of $S39^{\circ}41'44''E$, a chord distance of 129.84 feet, a radius of
10 470.00 feet and an arc length of 130.26 feet to an iron pin;
11 thence $S31^{\circ}45'22''E$, 90.63 feet to an iron pin, being a southerly
12 corner of said R/W and lying in a northerly R/W line of U.S.
13 0220/Future I-99 (Variable R/W); thence along said R/W the
14 following bearings and distances: along a curve to the right,
15 having a chord bearing of $S61^{\circ}19'14''W$, a chord distance of
16 260.13 feet, a radius of 11379.16 feet and an arc length of
17 260.13 feet to an iron pin; thence $S61^{\circ}58'32''W$, 478.19 feet to
18 an iron pin; thence along a curve to the right, having a chord
19 bearing of $S77^{\circ}02'31''W$, a chord distance of 145.57 feet, a
20 radius of 280.00 feet and an arc length of 147.26 feet to an
21 iron pin; thence $N87^{\circ}53'30''W$, 330.60 feet to an iron pin, lying
22 in a northerly line of said R/W and being an easterly corner of
23 Benner Pike (S.R. 0150, Variable R/W); thence along the Benner
24 Pike R/W, along a curve to the left, having a chord bearing of
25 $N01^{\circ}50'29''W$, a chord distance of 797.38 feet, a radius of
26 6945.55 feet and an arc length of 797.82 feet to an iron pin
27 lying along said R/W and being a southerly corner of Rishel Hill
28 Road (T-532; 70' R/W); thence along the Rishel Hill Road R/W
29 $N33^{\circ}18'46''E$, 55.19 feet to an iron pin; thence $N57^{\circ}35'25''E$,
30 41.13 feet to an iron pin; thence $N79^{\circ}16'07''E$, 41.17 feet to an

1 iron pin; thence S84°04'41"E, 80.12 feet to an iron pin; thence
2 S73°17'38"E, 252.18 feet to an iron pin; thence along a curve to
3 the left, having a chord bearing of N89°52'40"E, a chord
4 distance of 321.86 feet, a radius of 555.87 feet and an arc
5 length of 326.53 feet to an iron pin, being the place of
6 beginning, containing 16.351 acres.

7 Lot 4AR

8 All that certain tract of land situated in Benner Township,
9 Centre County, PA, being Lot 4AR, as shown on a plan entitled,
10 "Lot Addition and Replot Plan, Final Plan - Benner Commerce Park
11 Lot Addition and Replots of Lands of the Centre County
12 Industrial Development Corporation and the Commonwealth of
13 Pennsylvania - Replot of Lot 5BR (of Plat Book 81, Page 168)
14 into Lot 5BRR and Lots 4A & 4B (of Plat Book 78, Page 12) into
15 Lots 4AR & 4BR, Legal Exhibit, Blow-Up" dated February 5, 2009,
16 by PennTerra Engineering, Inc., State College, PA, being bounded
17 and described as follows:

18 Beginning at an iron pin, being an easterly corner of Venture
19 Drive (Proposed 60' R/W) and lying in a southerly R/W line of
20 Rishel Hill Road (T-532, 70' R/W); thence along Rishel Hill Road
21 the following bearings and distances: along a curve to the left,
22 having a chord bearing of N44°35'31"E, a chord distance of
23 253.06 feet, a radius of 555.87 feet and an arc length of 255.29
24 feet to an iron pin; thence N31°26'05"E, 140.94 feet to an iron
25 pin; thence N20°07'29"E, 50.99 feet to an iron pin lying in a
26 southerly R/W line of Rishel Hill Road (T-532, 50' R/W); thence,
27 along said R/W N31°26'05"E, 16.59 feet to an iron pin; thence
28 continuing along said R/W along a curve to the right, having a
29 chord bearing of N37°35'53"E, a chord distance of 424.09 feet, a
30 radius of 1975.00 feet and an arc length of 424.91 feet to an

1 iron pin, lying in a southerly line of said R/W and being a
2 westerly corner of lands owned now or formerly by Gerald E.
3 Rogers, Ronnie Lee Rogers, Bonnie Lou Moerschbacher and
4 Geraldine Rogers Bohn (Tax Parcel 12-3-130, RB 753 Pg. 883);
5 thence along said lands S47°10'10"E, 903.84 feet to an iron pin,
6 being a southerly corner of said lands and lying in a northerly
7 R/W line of U.S. 0220/Future I-99 (Variable R/W); thence along
8 said R/W the following bearings and distances: S64°43'55"W,
9 96.12 feet to an iron pin; thence S58°28'32"W, 200.00 feet to an
10 iron pin; thence S56°06'30"W, 363.15 feet to an iron pin; thence
11 along a curve to the right, having a chord bearing of
12 S59°25'10"W, a chord distance of 374.92 feet, a radius of
13 11379.16 feet and an arc length of 374.93 feet to an iron pin,
14 lying in a northerly line of said R/W and being an easterly
15 corner of Venture Drive (Proposed 60'R/W); thence along said
16 R/W, the following bearings and distances: N31°45'22"W, 93.01
17 feet to an iron pin; thence along a curve to the left, having a
18 chord bearing of N39°41'44"W, a chord distance of 146.42 feet, a
19 radius of 530.00 feet and an arc length of 146.89 feet to an
20 iron pin; thence N47°38'06"W, 153.52 feet to an iron pin; thence
21 along a curve to the right, having a chord bearing of
22 N40°24'58"W, a chord distance of 118.12 feet, a radius of 470.00
23 feet and an arc length of 118.44 feet to an iron pin; thence
24 along a curve to the right, having a chord bearing of
25 N12°16'33"E, a chord distance of 71.29 feet, a radius of 50.00
26 feet and an arc length of 79.37 feet to an iron pin, being the
27 place of beginning, containing 15.709 acres.

28 PARCEL 19

29 ALL THAT CERTAIN parcel of land situated in Benner Township,
30 Centre County, Pennsylvania shown as Lot 3 on a plan prepared by

1 Sweetland Engineering and Associates, Inc. entitled "4 Lot
2 Subdivision of Lands of the Commonwealth of Pennsylvania for
3 Centre County Correctional Facility", drawing numbers E-2491 and
4 E-2492 dated 02/06/03, revised to 03/31/03, and recorded in the
5 Recorder's Office of Centre County in Plat Book Volume 68 at
6 pages 126 and 127 on 06/05/03, being part of lands now or
7 formerly of the Commonwealth of Pennsylvania (SCI-Rockview),
8 Record Book 142, Page 39, described as follows:

9 BEGINNING at a 3/4 inch re-bar, in the northeast corner of Lot
10 3;

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

- 13 1. S 15 degrees, 07 minutes, 54 seconds E, 400.76
14 feet to a 3/4 inch re-bar, a point of
15 curvature, THENCE;
- 16 2. tangent to the previous course, by the arc of a
17 curve to the right, having a radius of
18 6815.55 feet, a central angle of 7 degrees, 19
19 minutes, 34 seconds, a chord bearing
20 and distance of S 11 degrees, 28 minutes,
21 07 seconds E, 870.88 feet, and an arc length
22 of 871.47 feet, to a 3/4 inch re-bar, THENCE;
- 23 3. not tangent to the previous course, S 32
24 degrees, 39 minutes, 16 seconds W, 78.44 feet,
25 to a 3/4 inch re-bar;

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

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

1 2. tangent to the previous course, by the arc of a
2 curve right, having a radius of 583.50 feet, a
3 central angle of 53 degrees, 49 minutes, 24
4 seconds,
5 a chord bearing and distance of N 46 degrees,
6 22 minutes, 56 seconds W, 528.20 feet, and an
7 arc length of 548.14 feet, to a 3/4 inch re-bar
8 a point of tangency, THENCE;

9 3. N 19 degrees, 28 minutes, 14 seconds W, 343.99
10 feet, to a 3/4 inch re-bar;

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

17 CONTAINING 14.67 acres of land more or less.

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

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

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

1 the land or improvements erected thereon.

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

5 (e) Costs and fees.--All costs and fees incurred by the
6 Department of General Services in selling the property described
7 in section 2 shall be deducted from the purchase price and
8 transferred to the appropriation from which the costs and fees
9 were paid by the Department of General Services. The balance of
10 the proceeds of the sale shall be deposited in the General Fund.
11 Section 3. Reservation and grant of easements.

12 To effectuate this act, the Department of General Services is
13 hereby authorized, on behalf of the Commonwealth of
14 Pennsylvania, to reserve or grant any such easements on the
15 property known as the State Correctional Institution at Rockview
16 as the Secretary of the Department of General Services shall
17 determine are appropriate or desirable, including, without
18 limitation, for access and utility service.

19 Section 10. Effective date.

20 This act shall take effect immediately.