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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 862 Session of  
2009

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INTRODUCED BY CORMAN, MAY 11, 2009

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AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
AUGUST 3, 2009

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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.

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

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

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

1 S25°53'10"E, 62.33 feet to a point, lying in a westerly line of  
2 Proposed Venture Drive and lying in an easterly line of Lot No  
3 4BR; thence along said lot, the following bearings and  
4 distances: N47°38'06"W, 148.34 feet to an iron pin; thence along  
5 a curve to the right, having a chord bearing of N39°13'29"W, a  
6 chord distance of 155.04 feet, a radius of 530.00 feet and an  
7 arc length of 155.59 feet to an iron pin; thence along a curve  
8 to the left, having a chord bearing of N68°52'58"W, a chord  
9 distance of 61.66 feet, a radius of 50.00 feet and an arc length  
10 of 66.44 feet to an iron pin, being a northerly corner of Lot No  
11 4BR and lying in a southerly R/W line of Rishel Hill Road  
12 (T-532, 70'R/W); thence along said R/W, along a curve to the  
13 left, having a chord bearing of N67°37'48"E, a chord distance of  
14 104.99 feet, a radius of 555.87 feet and an arc length of 105.15  
15 feet to a point, being the place of beginning, containing 0.348  
16 acres.

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

24 Tract 1

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

1 81, Page 168) into Lot 5BRR and Lots 4A & 4B (of Plat Book 78,  
2 Page 12) into Lots 4AR & 4BR, Legal Exhibit, Blow-Up" dated  
3 February 5, 2009, by PennTerra Engineering, Inc., State College,  
4 PA, being bounded and described as follows:

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

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

7 Tract 2

8 All that certain tract of land situated in Benner Township,  
9 Centre County, PA, being a Lot Addition, as shown on a plan  
10 entitled, "Lot Addition and Replot Plan, Final Plan - Benner  
11 Commerce Park Lot Addition and Replots of Lands of the Centre  
12 County Industrial Development Corporation and the Commonwealth  
13 of 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 a point, lying in an easterly line of Former Lot  
19 4B and lying in a westerly line of proposed Venture Drive (60'  
20 R/W); thence along said R/W, S47°38'06"E, 5.18 feet to an iron  
21 pin; thence continuing along said R/W, along a curve to the  
22 right, having a chord bearing of S39°41'44"E, a chord distance  
23 of 129.84 feet, a radius of 470.00 feet and an arc length of  
24 130.26 feet to a point; thence continuing along said R/W  
25 S31°45'22"E, 90.63 feet to an iron pin, being a southerly corner  
26 of said R/W and lying in a northerly line of U.S. 0220/Future  
27 I-99 (Variable R/W); thence along the U.S. 0220/Future I-99 R/W,  
28 along a curve to the right, having a chord bearing of  
29 S60°46'20"W, a chord distance of 42.25 feet, a radius of  
30 11379.16 feet and an arc length of 42.25 feet to an iron pin,

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

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

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

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

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

1 (h) Expiration.--In the event that the conveyances are not  
2 executed within one year of the effective date of this section,  
3 the authority contained under this section shall expire.

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

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

14 (b) Description.--The property to be conveyed pursuant to  
15 subsection (a) consists of ~~three parcels~~ ONE PARCEL totaling ←  
16 ~~46.73 acres~~ 14.77 ACRES and improvements thereon bounded and ←  
17 more particularly described as follows:

18 ~~Lot 4BR~~ ←

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

29 ~~Beginning at an iron pin, lying in a southerly R/W line of~~  
30 ~~Rishel Hill Road (T 532, 70' R/W) and being a westerly corner of~~

~~1 Venture Drive (Proposed 60' R/W); thence along said Proposed  
2 Venture Drive, the following bearings and distances: along a  
3 curve to the right, having a chord bearing of S68°52'58"E, a  
4 chord distance of 61.66 feet, a radius of 50.00 feet and an arc  
5 length of 66.44 feet to an iron pin; thence along a curve to the  
6 left, having a chord bearing of S39°13'29"E, a chord distance of  
7 155.04 feet, a radius of 530.00 feet and an arc length of 155.59  
8 feet to an iron pin; thence S47°38'06"E, 153.52 feet to an iron  
9 pin; thence along a curve to the right, having a chord bearing  
10 of S39°41'44"E, a chord distance of 129.84 feet, a radius of  
11 470.00 feet and an arc length of 130.26 feet to an iron pin;  
12 thence S31°45'22"E, 90.63 feet to an iron pin, being a southerly  
13 corner of said R/W and lying in a northerly R/W line of U.S.  
14 0220/Future I 99 (Variable R/W); thence along said R/W the  
15 following bearings and distances: along a curve to the right,  
16 having a chord bearing of S61°19'14"W, a chord distance of  
17 260.13 feet, a radius of 11379.16 feet and an arc length of  
18 260.13 feet to an iron pin; thence S61°58'32"W, 478.19 feet to  
19 an iron pin; thence along a curve to the right, having a chord  
20 bearing of S77°02'31"W, a chord distance of 145.57 feet, a  
21 radius of 280.00 feet and an arc length of 147.26 feet to an  
22 iron pin; thence N87°53'30"W, 330.60 feet to an iron pin, lying  
23 in a northerly line of said R/W and being an easterly corner of  
24 Benner Pike (S.R. 0150, Variable R/W); thence along the Benner  
25 Pike R/W, along a curve to the left, having a chord bearing of  
26 N01°50'29"W, a chord distance of 797.38 feet, a radius of  
27 6945.55 feet and an arc length of 797.82 feet to an iron pin  
28 lying along said R/W and being a southerly corner of Rishel Hill  
29 Road (T 532; 70' R/W); thence along the Rishel Hill Road R/W  
30 N33°18'46"E, 55.19 feet to an iron pin; thence N57°35'25"E,~~



1 ~~41.13 feet to an iron pin; thence N79°16'07"E, 41.17 feet to an~~  
2 ~~iron pin; thence S84°04'41"E, 80.12 feet to an iron pin; thence~~  
3 ~~S73°17'38"E, 252.18 feet to an iron pin; thence along a curve to~~  
4 ~~the left, having a chord bearing of N89°52'40"E, a chord~~  
5 ~~distance of 321.86 feet, a radius of 555.87 feet and an arc~~  
6 ~~length of 326.53 feet to an iron pin, being the place of~~  
7 ~~beginning, containing 16.351 acres.~~

8 ~~Lot 4AR~~

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

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

~~1 radius of 1975.00 feet and an arc length of 424.91 feet to an  
2 iron pin, lying in a southerly line of said R/W and being a  
3 westerly corner of lands owned now or formerly by Gerald E.  
4 Rogers, Ronnie Lee Rogers, Bonnie Lou Moerschbacher and  
5 Geraldine Rogers Bohn (Tax Parcel 12-3-130, RB 753 Pg. 883);  
6 thence along said lands S47°10'10"E, 903.84 feet to an iron pin,  
7 being a southerly corner of said lands and lying in a northerly  
8 R/W line of U.S. 0220/Future I-99 (Variable R/W); thence along  
9 said R/W the following bearings and distances: S64°43'55"W,  
10 96.12 feet to an iron pin; thence S58°28'32"W, 200.00 feet to an  
11 iron pin; thence S56°06'30"W, 363.15 feet to an iron pin; thence  
12 along a curve to the right, having a chord bearing of  
13 S59°25'10"W, a chord distance of 374.92 feet, a radius of  
14 11379.16 feet and an arc length of 374.93 feet to an iron pin,  
15 lying in a northerly line of said R/W and being an easterly  
16 corner of Venture Drive (Proposed 60' R/W); thence along said  
17 R/W, the following bearings and distances: N31°45'22"W, 93.01  
18 feet to an iron pin; thence along a curve to the left, having a  
19 chord bearing of N39°41'44"W, a chord distance of 146.42 feet, a  
20 radius of 530.00 feet and an arc length of 146.89 feet to an  
21 iron pin; thence N47°38'06"W, 153.52 feet to an iron pin; thence  
22 along a curve to the right, having a chord bearing of  
23 N40°24'58"W, a chord distance of 118.12 feet, a radius of 470.00  
24 feet and an arc length of 118.44 feet to an iron pin; thence  
25 along a curve to the right, having a chord bearing of  
26 N12°16'33"E, a chord distance of 71.29 feet, a radius of 50.00  
27 feet and an arc length of 79.37 feet to an iron pin, being the  
28 place of beginning, containing 15.709 acres.~~

29

PARCEL 19

30 ALL THAT CERTAIN parcel of land situated in Benner Township,

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

10 BEGINNING at a 3/4 inch re-bar, in the northeast corner of Lot  
11 3;

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

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

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

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

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

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

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

18 CONTAINING 14.67 acres of land more or less.

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

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

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

1 vested in third persons appearing of record, for any portion of  
2 the land or improvements erected thereon.

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

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

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

20 Section 10. Effective date.

21 This act shall take effect immediately.