

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 987 Session of  
2009

INTRODUCED BY STOUT, PIPPY AND KASUNIC, JUNE 26, 2009

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF  
REPRESENTATIVES, AS AMENDED, MARCH 10, 2010

## AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to grant and convey to Washington  
3 County Authority, certain lands situate in Cecil Township,  
4 Washington County.

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

7 Section 1. Washington County.

8 (a) Authorization.--The Department of General Services, with  
9 the approval of the Governor, is authorized on behalf of the  
10 Commonwealth, to grant and convey to Washington County Authority  
11 three tracts of land situate in Cecil Township, Washington  
12 County, under terms and conditions to be established in an  
13 Agreement of Sale with the Department of General Services. THE  
14 CONSIDERATION RECEIVED BY THE DEPARTMENT OF GENERAL SERVICES FOR  
15 THE SALE OF THE THREE TRACTS SHALL BE NO LESS THAN \$615,000.

16 (b) Description.--The property to be conveyed pursuant to  
17 this section consists of three parcels of vacant land containing  
18 67.875 acres, being bounded and more particularly described as

1 follows:

2 PARCEL No. 140-014-00-00-0029-00

3 ALL THAT CERTAIN PARCEL of land situate in Cecil Township,  
4 Washington County, Commonwealth of Pennsylvania being South of  
5 the Southpointe Exit on Interstate 79 (SR 79) and beginning on  
6 the right-of-way along said interstate highway, being more  
7 particularly described as follows:

8 BEGINNING at a point on the legal right-of-way of line of  
9 Interstate 79 and the lands herein described by the following  
10 courses and distances: Thence North  $51^{\circ}-35'-01''$  East a distance  
11 of 10.00' to a point common to the lands of now or formerly of  
12 the Commonwealth of Pennsylvania and the lands herein described:  
13 Thence North  $28^{\circ}-00'-30''$  West a distance of 1273.05' to an iron  
14 pin found common to the lands of said Commonwealth and the lands  
15 herein described: Thence North  $26^{\circ}-55'-56''$  West a distance of  
16 264.00' to an iron pin found common to the lands of said  
17 Commonwealth and the lands herein described: Thence South  
18  $62^{\circ}-49'-01''$  West a distance of 283.76' to an iron pin set common  
19 to the lands of said Commonwealth, a point on the legal right of  
20 way line of Interstate 79, and the lands herein described:  
21 Thence by a curve to the left having a radius of 2112.01' and  
22 arc length of 245.25' and a chord bearing and distance of South  
23  $35^{\circ}-05'-24''$  East for a distance of 245.11' to a point on the  
24 legal right-of-way line of Interstate 79 and the lands herein  
25 described: Thence South  $38^{\circ}-24'-59''$  East a distance of 1321.40'  
26 to a point, the place of BEGINNING.

27 CONTAINING a total area of 5.342 acres.

28 BEING designated as Tract 2, and described in accordance with a  
29 survey performed by Widmer Engineering, Inc., in September of  
30 2008, last revised January 20, 2009.

PARCEL No. 140-014-00-00-0019-01

ALL THAT CERTAIN PARCEL of land situate in Cecil Township,  
Washington County, Commonwealth of Pennsylvania being South of  
the Southpointe Exit on Interstate 79 (SR 79) and beginning on  
the right-of-way along said interstate highway more particularly  
described as follows:

BEGINNING at a point on the legal right-of-way line of  
Interstate 79 and common to the lands herein described by the  
following courses and distances: Thence North  $28^{\circ}-00'-30''$  West a  
distance of 1273.05' to an iron pin found common to the lands of  
now or formerly of the Commonwealth of Pennsylvania and the land  
herein described: Thence North  $57^{\circ}-19'-02''$  East a distance of  
547.80' to an iron pin found common to the lands of said  
Commonwealth, the Weaver Heritage Trust and the lands herein  
described: Thence South  $39^{\circ}-33'-03''$  East a distance of 1345.95'  
to an iron pin found common to the lands of the Weaver Heritage  
Trust, Maple Leaf Homes Inc., and the lands herein described:  
Thence South  $44^{\circ}-43'-57''$  East a distance of 1201.09' to a point  
common to the lands of said Maple Leaf Homes, and the lands  
herein described: Thence South  $73^{\circ}-16'-03''$  West a distance of  
1004.94' to a point on the legal right-of-way line of Interstate  
79 and common to lands of the said Commonwealth, and the lands  
herein described: Thence North  $38^{\circ}-24'-59''$  West a distance of  
970.80' to a point, the place of BEGINNING.

CONTAINING a total area of 41.483 acres.

BEING designated as Tract 3, and described in accordance with a  
survey performed by Widmer Engineering, Inc., in September of  
2008, last revised January 20, 2009.

PARCEL No. 140-014-00-00-0030-00

ALL THAT CERTAIN PARCEL of land situate in Cecil Township,

1 Washington County, Commonwealth of Pennsylvania being South of  
2 the Southpointe Exit on Interstate 79 (SR79) and beginning on  
3 the right-of-way along said interstate highway more particularly  
4 described as follows:

5 BEGINNING at an iron pin set on the legal right-of-way line of  
6 Interstate 79 and common to the lands of the Commonwealth of  
7 Pennsylvania, and the lands herein described by the following  
8 courses and distances: Thence North  $73^{\circ}-16'-03''$  East to an iron  
9 pin set on line at station 9+89.94', for a distance of 1004.94'  
10 to a point common to the lands of said Commonwealth, Maple Leaf  
11 Homes, Inc., and the lands herein described: Thence South  
12  $35^{\circ}-06'-04''$  East a distance of 630.30' to an iron pin set common  
13 to the lands of said Maple Leaf Homes, and the lands herein  
14 described: Thence South  $40^{\circ}-36'-04''$  East a distance of 833.77'  
15 to an iron pin set common to the lands of said Maple Leaf Homes  
16 and the right-of-way of Morganza Road (S.R. 1009); Thence the  
17 following five (5) courses and distances along the legal right-  
18 of-way line of Morganza Road South  $53^{\circ}-17'-48''$  West a distance  
19 of 18.64' to a point: Thence South  $36^{\circ}-42'-12''$  East a distance  
20 of 20.00 feet to a point: Thence South  $53^{\circ}-17'-48''$  West a  
21 distance of 75.89 feet to a point: Thence by a curve to the left  
22 having a radius of 1298.24' an arc length of 152.79' and a chord  
23 bearing and distance of South  $49^{\circ}-55'-36''$  West for 152.70' to a  
24 point: Thence South  $46^{\circ}-33'-18''$  West a distance of 61.95' to a  
25 point in Chartiers Creek, and common to the lands of said  
26 William and Carolyn Byham, and the lands herein described:  
27 Thence North  $46^{\circ}-38'-09''$  West a distance of 228.02 feet to a  
28 point in Chartiers Creek and common to the lands of William and  
29 Carolyn Byham, and the lands herein described: Thence North  
30  $61^{\circ}-08'-09''$  West a distance of 528.00' to a point common to the

1 lands of said Byham and the lands herein described: Thence North  
2 72°-23'-09" West a distance of 396.00' to a point in said creek  
3 and common to the lands of said Byham and the lands herein  
4 described: Thence North 34°-53'-09" West a distance of 231.00'  
5 to a point common to lands of said Byham and the lands herein  
6 described: Thence North 82°-53'-09" West a distance of 132.00'  
7 to a point common to lands of said Byham, and the lands herein  
8 described: Thence South 69°-06'-51" West a distance of 45.83' to  
9 a point on the legal right-of-way line of Interstate 79, and  
10 common to lands of said Byham and the land herein described:  
11 Thence North 38°-24'-59" West a distance of 108.85' to a point  
12 common the the legal right of line of Interstate 79 and the  
13 lands herein described: Thence by the legal right-of-way line of  
14 Interstate 79 the following four (4) courses and distances South  
15 51°-35'-01" West a distance of 50.00' to a point; Thence North  
16 38°-24'-59" West a distance of 275.00' to a point: Thence North  
17 51°-35'-01" East a distance of 10.00' to a point; Thence North  
18 38°-24'-59" West a distance of 97.20' to a point, the place of  
19 beginning.

20 SUBJECT TO an area taken by the Pennsylvania Department of  
21 Transportation for a channel change of Chartiers Creek  
22 containing 2.299 acres.

23 CONTAINING a total area of 23.349 acres. (Total area includes  
24 area of channel change)

25 BEING designated as Tract 4, and described in accordance with a  
26 survey performed by Widmer Engineering, Inc., in September of  
27 2008, last revised January 20, 2009.

28 (c) Reservation.--To effectuate this section, the department  
29 is authorized, on behalf of the Commonwealth, to reserve or  
30 grant any easements on property known as the Department of

1 Transportation's Washington County Maintenance Facility, as the  
2 Secretary of General Services determines are appropriate or  
3 desirable, including for access and utility service.

4 (d) Conditions.--

5 (1) The conveyance shall be made under and subject to  
6 all lawful and enforceable easements, servitudes and rights  
7 of others, including streets, roadways and rights of any  
8 telephone, telegraph, water, electric, gas or pipeline  
9 companies, and under and subject to any lawful and  
10 enforceable estates or tenancies vested in third persons  
11 appearing of record, for any portion of the land or  
12 improvements erected on the land.

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

25 (e) Deed.--The deed of conveyance must be by special  
26 warranty deed and must be executed by the secretary in the name  
27 of the Commonwealth.

28 (f) Costs and fees.--Costs and fees incidental to the  
29 conveyance shall be borne by the grantee.

30 (g) Expiration.--If an agreement of sale between the parties

1 is not executed within 12 months of the effective date of this  
2 section, the authorization contained in this section shall  
3 expire.

4 Section 2. This act shall take effect immediately.