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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1337 Session of  
2011

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INTRODUCED BY BAKER, PICKETT, CAUSER, CALTAGIRONE, COHEN,  
D. COSTA, CREIGHTON, EVERETT, FABRIZIO, FLECK, GILLEN,  
GILLESPIE, GINGRICH, GRELL, HESS, KNOWLES, KULA, MARSHALL,  
MILLARD, MILLER AND RAPP, APRIL 12, 2011

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REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 12, 2011

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AN ACT

1 Authorizing the turn back from the Commonwealth to Ward  
2 Township, Tioga County, of the road known as Old Possessions  
3 Road in Ward Township, Tioga County; and providing for the  
4 powers and duties of the Secretary of Conservation and  
5 Natural Resources.

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

8 Section 1. Turn back of Old Possessions Road in Ward Township,  
9 Tioga County.

10 (a) Authorization.--The road known as Old Possessions Road  
11 in Ward Township, Tioga County, extending from Mountain Ridge  
12 Road to River Road, and having a total length of 3.8 miles, is  
13 hereby turned back from the Commonwealth to Ward Township, Tioga  
14 County, provided that the conditions specified in subsection (b)  
15 are satisfied.

16 (b) Conditions.--In order for the turn back of the road  
17 under subsection (a) to take effect, the following conditions  
18 must be satisfied:

1           (1) The governing body of Ward Township, Tioga County  
2 must, by ordinance or resolution, approve the turn back and  
3 agree to assume the expense of maintenance and improvement of  
4 the road.

5           (2) A copy of the ordinance or resolution must be  
6 submitted to the Secretary of Conservation and Natural  
7 Resources with a request for an order of turn back from the  
8 secretary.

9           (3) If the Secretary of Conservation and Natural  
10 Resources determines, after reviewing the request submitted  
11 under paragraph (2), that the township:

12           (i) has complied with paragraphs (1) and (2), the  
13 secretary shall give public notice of the request by  
14 advertising three times, each publication on a different  
15 day, in one newspaper of general circulation within the  
16 township and by posting a copy of the request in a  
17 conspicuous place along the road; or

18           (ii) has not complied with paragraphs (1) and (2),  
19 the secretary shall notify the township in writing of the  
20 basis for the noncompliance and provide the township with  
21 an opportunity to take corrective action to comply with  
22 paragraphs (1) and (2) and resubmit its request.

23           (4) The Secretary of Conservation and Natural Resources  
24 shall publish a statement of compliance with paragraphs (1),  
25 (2) and (3) (i) as a notice in the Pennsylvania Bulletin.

26           (c) Ownership of real property.--The ownership of the real  
27 property underlying the roadway shall continue to be retained by  
28 the Department of Conservation and Natural Resources in regard  
29 to State forest land and by private property owners for those  
30 portions of the road crossing privately owned property.

1 (d) Vacation on roadway.--If the township vacates the  
2 roadway, the status of the roadway shall be automatically  
3 reinstated and the road shall be turned back from Ward Township,  
4 Tioga County, to the Commonwealth. Upon the occurrence of a  
5 reinstatement the secretary shall give notice in the  
6 Pennsylvania Bulletin that the reversion has occurred.

7 (e) Effective date of turn back.--The date of publication of  
8 the notice under subsection (b)(4) shall be the date on which  
9 the turn back shall take effect.

10 Section 2. Effective date.

11 This act shall take effect in 60 days.