

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2406 Session of 2012

INTRODUCED BY HELM, MILLARD, HENNESSEY, HARRIS, BOBACK, BROOKS, CALTAGIRONE, CONKLIN, J. EVANS, EVERETT, FABRIZIO, GRELL, HESS, KNOWLES, MCGEEHAN, MILLER, MYERS, PICKETT, SCAVELLO, SONNEY, STEVENSON, VULAKOVICH, SWANGER, JAMES AND MURT, MAY 23, 2012

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, JUNE 5, 2012

AN ACT

1 Authorizing AND DIRECTING the Department of General Services, ←
2 with the approval of the Governor, to grant and convey to
3 Susquehanna Township, certain lands in Susquehanna Township,
4 Dauphin County.

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

7 Section 1. Conveyance in Susquehanna Township, Dauphin County.

8 (a) Authorization.--The Department of General Services, with
9 the approval of the Governor, is hereby authorized AND DIRECTED ←

10 on behalf of the Commonwealth of Pennsylvania to grant and
11 convey to Susquehanna Township certain lands of the Commonwealth
12 of Pennsylvania, at the Pennsylvania State Police Headquarters,
13 situate in Susquehanna Township, Dauphin County, for

14 ~~consideration equal to fair market~~ FAIR MARKET VALUE as ←
15 determined by an independent appraisal.

16 (b) Property description.--The property to be conveyed
17 pursuant to this section consists of 1,262 square feet bounded

1 and more particularly described as follows:

2 ALL THAT CERTAIN tract of land situate at the northeasterly
3 intersection of Elmerton Avenue, State Route 3026 and Kohn Road,
4 T-318, in Susquehanna Township, Dauphin County, Pennsylvania in
5 accordance with a plan entitled "Exhibit C, Right-of-Way Plan,
6 for Commonwealth of Pennsylvania", dated May 2, 2012, prepared
7 by K&W Engineers and Consultants, Harrisburg, Pennsylvania,
8 Project No. 2003.042, Sheet 1 of 1, being more fully bounded and
9 described as follows:

10 BEGINNING at a point on the westerly side of the existing
11 right-of-way line of Kohn Road T-318, opposite Point of
12 Intersection Station 0+47.62;
13 Thence North $80^{\circ} 48' 14''$ East a distance of 46.55' to a point of
14 curvature on the easterly existing right-of-way line of Kohn
15 Road, T-318; the place of BEGINNING.

16 Thence along said right-of-way line the following two courses
17 and distances:

18 1) Along a line curving to the right having a radius of
19 25.00', an arc length of 1.59' and a chord bearing North 11°
20 $01' 15''$ West a distance of 1.59' to a point;

21 2) North $09^{\circ} 11' 46''$ West a distance of 76.58' to a
22 point;

23 Thence through lands of the Commonwealth of Pennsylvania along a
24 line curving to the left having a radius of 88.00', an arc
25 length of 128.06' and a chord bearing South $50^{\circ} 53' 04''$ East a
26 distance of 117.05' to a point.

27 Thence along the northerly required right-of-way line of
28 Elmerton Avenue, S.R.3026; the following course and distance:

29 1) South $87^{\circ} 25' 38''$ West a distance of 78.32' to a
30 point; the place of BEGINNING

1 CONTAINING: 1,262 Square Feet, or 0.0290 Acres

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

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

22 (e) Deed of conveyance.--The deed of conveyance shall be
23 executed by the Secretary of General Services in the name of the
24 Commonwealth.

25 (f) Costs and fees.--Costs and fees incidental to this
26 conveyance shall be borne by the Grantee.

27 (g) ~~Alternate disposition~~ SUNSET PROVISION.--In the event ←
28 that ~~an agreement of sale between the parties~~ THIS CONVEYANCE is ←
29 not executed within 12 months of the effective date of this
30 section, the ~~property may be disposed of in accordance with~~ ←

1 ~~section 2405 A of the act of April 9, 1929 (P.L.177, No.175),~~
2 ~~known as The Administrative Code of 1929~~ AUTHORITY CONTAINED IN ←
3 THIS SECTION SHALL EXPIRE.
4 Section 2. Effective date.
5 This act shall take effect immediately.