

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, MURT AND DALEY, MAY 23, 2012

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JUNE 25, 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; AUTHORIZING THE DEPARTMENT OF GENERAL
5 SERVICES, WITH THE APPROVAL OF THE GOVERNOR, TO REMOVE THE
6 RESTRICTIONS IMPOSED ON CERTAIN LANDS SITUATE IN THE CITY OF
7 PHILADELPHIA, PHILADELPHIA COUNTY; AUTHORIZING INDIANA
8 UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER
9 EDUCATION, WITH THE APPROVAL OF THE GOVERNOR, TO GRANT AND
10 CONVEY TO THE ARMSTRONG COUNTY INDUSTRIAL DEVELOPMENT
11 COUNCIL, OR ITS ASSIGNS, A PERMANENT EASEMENT ACROSS CERTAIN
12 LANDS SITUATE IN SOUTH BUFFALO TOWNSHIP, ARMSTRONG COUNTY;
13 AND AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES, WITH THE
14 APPROVAL OF THE GOVERNOR, TO GRANT AND CONVEY TO WINEBRENNER
15 THEOLOGICAL SEMINARY CERTAIN LANDS AND IMPROVEMENTS SITUATE
16 IN GREENE TOWNSHIP, FRANKLIN COUNTY; AUTHORIZING THE
17 DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF THE
18 PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION AND THE
19 GOVERNOR, TO GRANT AND CONVEY TO THE ERIE ART MUSEUM, CERTAIN
20 LANDS SITUATE IN THE CITY OF ERIE, ERIE COUNTY; AUTHORIZING
21 THE DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF THE
22 PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION AND THE
23 GOVERNOR, TO GRANT AND CONVEY TO THE ERIE ART MUSEUM, CERTAIN
24 LANDS SITUATE IN THE CITY OF ERIE, ERIE COUNTY; AND
25 AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES, WITH THE
26 APPROVAL OF THE GOVERNOR, TO GRANT AND CONVEY TO WEST BRANCH
27 REGIONAL AUTHORITY, CERTAIN LANDS SITUATE IN CLINTON
28 TOWNSHIP, LYCOMING COUNTY.

29 The General Assembly of the Commonwealth of Pennsylvania

1 hereby enacts as follows:

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

3 (a) Authorization.--The Department of General Services, with
4 the approval of the Governor, is hereby authorized and directed
5 on behalf of the Commonwealth of Pennsylvania to grant and
6 convey to Susquehanna Township certain lands of the Commonwealth
7 of Pennsylvania, at the Pennsylvania State Police Headquarters,
8 situate in Susquehanna Township, Dauphin County, for fair market
9 value as determined by an independent appraisal.

10 (b) Property description.--The property to be conveyed
11 pursuant to this section consists of 1,262 square feet bounded
12 and more particularly described as follows:

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

21 BEGINNING at a point on the westerly side of the existing
22 right-of-way line of Kohn Road T-318, opposite Point of
23 Intersection Station 0+47.62;

24 Thence North 80° 48' 14" East a distance of 46.55' to a point of
25 curvature on the easterly existing right-of-way line of Kohn
26 Road, T-318; the place of BEGINNING.

27 Thence along said right-of-way line the following two courses
28 and distances:

29 1) Along a line curving to the right having a radius of
30 25.00', an arc length of 1.59' and a chord bearing North 11°

1 01' 15" West a distance of 1.59' to a point;

2 2) North 09° 11' 46" West a distance of 76.58' to a
3 point;

4 Thence through lands of the Commonwealth of Pennsylvania along a
5 line curving to the left having a radius of 88.00', an arc
6 length of 128.06' and a chord bearing South 50° 53' 04" East a
7 distance of 117.05' to a point.

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

10 1) South 87° 25' 38" West a distance of 78.32' to a
11 point; the place of BEGINNING

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

13 (c) Conditions.--The conveyance shall be made under and
14 subject to all lawful and enforceable easements, servitudes and
15 rights of others, including, but not confined to, streets,
16 roadways and rights of any telephone, telegraph, water,
17 electric, gas or pipeline companies, as well as under and
18 subject to any lawful and enforceable estates or tenancies
19 vested in third persons appearing of record, for any portion of
20 the land or improvements erected thereon.

21 (d) Restriction.--The conveyance shall be made under and
22 subject to the condition, which shall be contained in the deed
23 of conveyance, that no portion of the property conveyed shall be
24 used as a licensed facility, as defined in 4 Pa.C.S. § 1103
25 (relating to definitions), or any other similar type of facility
26 authorized under State law. The condition shall be a covenant
27 running with the land and shall be binding upon the Grantee, its
28 successors and assigns. Should the Grantee, its successors or
29 assigns, permit any portion of the property authorized to be
30 conveyed in this section to be used in violation of this

1 subsection, the title shall immediately revert to and re-vest in
2 the Grantor.

3 (e) Deed of conveyance.--The deed of conveyance shall be
4 executed by the Secretary of General Services in the name of the
5 Commonwealth.

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

8 (g) Sunset provision.--In the event that this conveyance is
9 not executed within 12 months of the effective date of this
10 section, the authority contained in this section shall expire.

11 SECTION 2. REMOVAL OF CERTAIN RESTRICTIONS IMPOSED ON CERTAIN
12 LANDS IN THE CITY OF PHILADELPHIA, PHILADELPHIA
13 COUNTY. ←

14 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
15 THE APPROVAL OF THE GOVERNOR, IS HEREBY AUTHORIZED ON BEHALF OF
16 THE COMMONWEALTH OF PENNSYLVANIA TO REMOVE AND RELEASE THE
17 RESTRICTIVE USE COVENANTS IMPOSED ON CERTAIN REAL PROPERTY
18 CONVEYED TO TOLENTINE COMMUNITY CENTER AND DEVELOPMENT
19 CORPORATION BY THE DEPARTMENT OF GENERAL SERVICES PURSUANT TO
20 THE AUTHORITY CONTAINED IN THE ACT OF JUNE 29, 2002 (P.L.689,
21 NO.104), ENTITLED "AN ACT AUTHORIZING THE DEPARTMENT OF GENERAL
22 SERVICES, WITH THE APPROVAL OF THE GOVERNOR, TO GRANT AND CONVEY
23 TO TOLENTINE COMMUNITY CENTER AND DEVELOPMENT CORPORATION
24 CERTAIN LANDS AND BUILDING SITUATE IN THE CITY OF PHILADELPHIA,
25 PHILADELPHIA COUNTY." THE REMOVAL AND RELEASE OF THE COVENANTS
26 SHALL BE FOR CONSIDERATION AND UPON TERMS AND CONDITIONS TO BE
27 ESTABLISHED IN AN AGREEMENT BETWEEN THE DEPARTMENT OF GENERAL
28 SERVICES AND TOLENTINE COMMUNITY CENTER AND DEVELOPMENT
29 CORPORATION, THEIR SUCCESSORS AND ASSIGNS. APPROVAL UNDER THIS
30 SUBSECTION SHALL BE SUBJECT TO ALL APPLICABLE LOCAL ORDINANCES

1 AND REGULATIONS REGARDING ZONING AND LAND USE.

2 (B) DESCRIPTION.--THE PROPERTY THAT IS THE SUBJECT TO
3 SUBSECTION (A) IS BOUNDED AND DESCRIBED AS FOLLOWS:

4 ALL THAT CERTAIN LOT OR PIECE OF GROUND WITH THE BUILDINGS
5 THEREON ERECTED SITUATE ON THE EAST SIDE OF BROAD STREET IN THE
6 TWENTY-SIXTH WARD OF THE CITY OF PHILADELPHIA COMPOSED OF SIX
7 CONTIGUOUS LOTS OR PIECES OF GROUND VIZ THREE THEREOF COMMENCING
8 AT THE DISTANCE OF ONE HUNDRED AND TWENTY-FIVE FEET NORTHWARD
9 FROM THE NORTH SIDE OF WHARTON STREET, CONTAINING TOGETHER IN
10 FRONT OR BREADTH ON THE SAID BROAD STREET SEVENTY-FIVE FEET AND
11 EXTENDING IN LENGTH OR DEPTH EASTWARDLY TWO HUNDRED AND TWENTY
12 FEET SIX INCHES, BOUNDED ON THE SOUTH BY GROUND NOW OR LATE OF
13 ROBERT ROSS, ON THE EAST BY GROUND NOW OR LATE OF JAMES BOND AND
14 WILLIAM G. ALEXANDER, ON THE NORTH BY THE LOT NEXT DESCRIBED,
15 AND ON THE WEST BY BROAD STREET AFORESAID; ONE OTHER THEREOF
16 COMMENCING AT THE DISTANCE OF TWO HUNDRED FEET NORTHWARD FROM
17 THE NORTH SIDE OF WHARTON STREET, CONTAINING IN FRONT OR BREADTH
18 ON THE SAID BROAD STREET TWENTY-FIVE FEET AND EXTENDING IN
19 LENGTH OR DEPTH EASTWARD OF THAT WIDTH BETWEEN PARALLEL LINES AT
20 RIGHT ANGLES TO THE SAID BROAD STREET TWO HUNDRED AND TWENTY
21 FEET SIX INCHES; BOUNDED NORTHWARD BY THE LOT NEXT DESCRIBED,
22 SOUTHWARD BY THE LOT LAST ABOVE DESCRIBED, EASTWARD BY GROUND
23 LATE OF JAMES BOND AND WILLIAM G. ALEXANDER AND WESTWARD BY SAID
24 BROAD STREET; ONE OTHER OF THEM COMMENCING AT THE DISTANCE OF
25 TWO HUNDRED AND TWENTY-FIVE FEET NORTHWARD FROM THE NORTH SIDE
26 OF WHARTON STREET, CONTAINING IN FRONT OR BREADTH ON THE SAID
27 BROAD STREET SEVENTEEN FEET AND EXTENDING IN DEPTH EASTWARD ON
28 THE SOUTH LINE THEREOF PARALLEL WITH SAID WHARTON STREET, TWO
29 HUNDRED AND TWENTY FEET SIX INCHES AND ON THE NORTH LINE IN A
30 NORTHEASTERLY DIRECTION TWO HUNDRED AND TWENTY-TWO FEET MORE OR

1 LESS, AND CONTAINING ON THE REAR AND THEREOF AND PARALLEL WITH
2 BROAD STREET, THIRTY-FOUR FEET SEVEN INCHES; BOUNDED ON THE
3 NORTH BY THE LOT NEXT DESCRIBED, ON THE EAST BY GROUND LATE OF
4 SAID BOND AND ALEXANDER ON THE SOUTH BY THE LOT LAST DESCRIBED,
5 AND ON THE WEST BY BROAD STREET; AND THE OTHER THEREOF AT THE
6 DISTANCE OF TWO HUNDRED AND FORTY-TWO FEET NORTHWARD FROM THE
7 NORTH SIDE OF WHARTON STREET, THENCE EXTENDING ON A LINE SOUTH
8 EIGHTY-TWO DEGREES FIFTEEN MINUTES EAST BY THE LOT LAST
9 DESCRIBED TWO HUNDRED FEET TEN AND A HALF INCHES TO A FIFTY FEET
10 WIDE STREET CALLED WATTS STREET, THENCE NORTHWARD ALONG THE WEST
11 SIDE OF THE SAID WATTS STREET ELEVEN FEET TWO INCHES, THENCE
12 WESTWARD AT RIGHT ANGLE TO SAID BROAD STREET, TWO HUNDRED FEET
13 TO THE SAID BROAD STREET, AND THENCE SOUTHWARD ALONG THE EAST
14 SIDE OF THE SAID BROAD STREET THIRTY FEET TO THE PLACE OF
15 BEGINNING.

16 (C) EXECUTION OF DOCUMENTS.--ALL DOCUMENTS NECESSARY TO
17 EFFECTUATE THE REMOVAL OF THE HEREIN REFERENCED RESTRICTIVE
18 COVENANTS SHALL BE EXECUTED BY THE SECRETARY OF GENERAL SERVICES
19 IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

20 SECTION 3. EASEMENT IN SOUTH BUFFALO TOWNSHIP, ARMSTRONG
21 COUNTY.

22 (A) AUTHORIZATION.--THE INDIANA UNIVERSITY OF PENNSYLVANIA
23 OF THE STATE SYSTEM OF HIGHER EDUCATION, WITH THE APPROVAL OF
24 THE GOVERNOR, IS HEREBY AUTHORIZED ON BEHALF OF THE COMMONWEALTH
25 OF PENNSYLVANIA TO GRANT AND CONVEY TO THE ARMSTRONG COUNTY
26 INDUSTRIAL DEVELOPMENT COUNCIL, OR ITS ASSIGNS, A PERMANENT
27 EASEMENT ACROSS CERTAIN LANDS OF THE COMMONWEALTH OF
28 PENNSYLVANIA AT THE NORTHPOINTE REGIONAL CAMPUS OF THE INDIANA
29 UNIVERSITY OF PENNSYLVANIA SITUATE IN SOUTH BUFFALO TOWNSHIP,
30 ARMSTRONG COUNTY, IN EXCHANGE FOR THE CONVEYANCE OF AN EASEMENT

1 BY THE ARMSTRONG COUNTY INDUSTRIAL DEVELOPMENT COUNCIL TO
2 INDIANA UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER
3 EDUCATION, AND UNDER TERMS AND CONDITIONS TO BE ESTABLISHED IN
4 AN EASEMENT AGREEMENT.

5 (B) LEGAL DESCRIPTION.--THE PERMANENT EASEMENT TO BE
6 CONVEYED PURSUANT TO SUBSECTION (A) CONSISTS OF 12,097 SQUARE
7 FEET BOUNDED AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

8 ALL THAT CERTAIN SHARED ACCESS EASEMENT BETWEEN LOT 4 AND LOT 17
9 IN THE "LOT LINE REVISION NORTHPOINTE #2B", SITUATE IN SOUTH
10 BUFFALO TOWNSHIP, ARMSTRONG COUNTY, PENNSYLVANIA, MORE
11 PARTICULARLY BOUND AND DESCRIBED AS FOLLOWS:

12 BEGINNING AT A POINT COMMON TO THE LINE DIVIDING LOT 4 AND LOT
13 17 IN THE LOT LINE REVISION NORTHPOINTE #2B AS RECORDED IN THE
14 OFFICE OF THE RECORDER OF DEEDS FOR ARMSTRONG COUNTY IN PLAN
15 BOOK VOLUME 6, PAGES 223-226 AND THE NORTHERLY RIGHT OF WAY LINE
16 OF NORTHPOINTE BOULEVARD, 90 FEET WIDE; THENCE FROM SAID POINT
17 OF BEGINNING BY SAID RIGHT OF WAY IN A WESTERLY DIRECTION BY A
18 CURVE BEARING TO THE LEFT HAVING A RADIUS OF 1045.00 FEET
19 THROUGH AN ARC DISTANCE OF 22.90 FEET SUBTENDED BY A CHORD
20 BEARING OF S 56° 10' 55" W AND A CHORD DISTANCE OF 22.90 FEET TO
21 A POINT ON SAID RIGHT OF WAY OF NORTHPOINTE BOULEVARD; THENCE
22 LEAVING SAID RIGHT OF WAY AND THROUGH SAID LOT 4 THE FOLLOWING
23 THREE (3) COURSES AND DISTANCES:

24 1. IN A NORTHERLY DIRECTION BY A CURVE BEARING TO THE
25 LEFT HAVING A RADIUS OF 25.00 FEET THROUGH AN ARC DISTANCE OF
26 16.31 FEET SUBTENDED BY A CHORD BEARING OF N 10° 17' 10" W
27 AND A CHORD DISTANCE OF 16.02 FEET TO A POINT OF TANGENCY

28 2. N 28° 59' 58" W A DISTANCE OF 250.55 FEET TO A POINT
29 OF CURVATURE

30 3. IN A WESTERLY DIRECTION BY A CURVE BEARING TO THE

1 LEFT HAVING A RADIUS OF 2.00 FEET THROUGH AN ARC DISTANCE OF
2 1.82 FEET TO A POINT OF REVERSE CURVATURE; THENCE CONTINUING
3 THROUGH SAID LOT 4 AND CONTINUING THROUGH LOT 17 THE
4 FOLLOWING FOUR (4) COURSES AND DISTANCES:

5 1. IN A NORTHERLY DIRECTION BY A CURVE BEARING TO THE
6 RIGHT HAVING A RADIUS OF 30.50 FEET THROUGH AN ARC DISTANCE
7 OF 152.16 FEET TO A POINT OF REVERSE CURVATURE

8 2. IN A SOUTHERLY DIRECTION BY A CURVE BEARING TO THE
9 LEFT HAVING A RADIUS OF 2.00 FEET THROUGH AN ARC DISTANCE OF
10 1.82 FEET TO A POINT OF TANGENCY

11 3. S 28° 53' 46" E A DISTANCE OF 245.70 FEET TO A POINT
12 OF CURVATURE

13 4. IN A SOUTHERLY DIRECTION BY A CURVE BEARING TO THE
14 LEFT HAVING A RADIUS OF 25.00 FEET THROUGH AN ARC DISTANCE OF
15 17.65 FEET TO A POINT ON SAID RIGHT OF WAY LINE OF
16 NORTHPOINTE BOULEVARD;

17 THENCE BY SAID NORTHPOINTE BOULEVARD IN A WESTERLY DIRECTION BY
18 A CURVE BEARING TO THE LEFT HAVING A RADIUS OF 1045.00 FEET
19 THROUGH AN ARC DISTANCE OF 23.05 FEET SUBTENDED BY A CHORD
20 BEARING OF S 57° 26' 30" W AND A CHORD DISTANCE OF 23.05 FEET TO
21 A POINT AT THE DIVIDING LINE BETWEEN SAID LOTS 4 AND 17 AT THE
22 PLACE OF BEGINNING.

23 CONTAINING AN AREA OF 12,097 SQUARE FEET OR 0.28 ACRE.

24 BEING THE SAME PROPERTY AS SHOWN AS RIGHT OF WAY PLAN PREPARED
25 BY SENATE ENGINEERING COMPANY DRAWING NO. B-5456 DATED APRIL 25,
26 2012 AND THE PLAN OF SURVEY PREPARED BY MARTONE ENGINEERING AND
27 SURVEYING COMPANY DRAWING NO. G-287 DATED MARCH 7, 2012.

28 (C) EASEMENT AGREEMENT.--THE EASEMENT AGREEMENT SHALL BE
29 EXECUTED BY THE PRESIDENT OF THE INDIANA UNIVERSITY OF
30 PENNSYLVANIA OF THE STATE SYSTEM OF HIGHER EDUCATION IN THE NAME

1 OF THE COMMONWEALTH OF PENNSYLVANIA.

2 (D) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THE
3 CONVEYANCE OF THIS PERMANENT EASEMENT SHALL BE BORNE BY THE
4 GRANTEE.

5 (E) EXPIRATION OF AUTHORITY.--IN THE EVENT THAT THE PARTIES
6 HAVE NOT ENTERED INTO AN EASEMENT AGREEMENT WITHIN 12 MONTHS OF
7 THE EFFECTIVE DATE OF THIS SECTION, THE AUTHORIZATION CONTAINED
8 IN THIS SECTION SHALL EXPIRE.

9 SECTION 4. CONVEYANCE IN GREENE TOWNSHIP, FRANKLIN COUNTY.

10 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
11 THE APPROVAL OF THE GOVERNOR, IS AUTHORIZED ON BEHALF OF THE
12 COMMONWEALTH OF PENNSYLVANIA TO GRANT AND CONVEY TO WINEBRENNER
13 THEOLOGICAL SEMINARY CERTAIN LANDS AND IMPROVEMENTS THEREON,
14 BEING KNOWN AS THE SCOTLAND SCHOOL FOR VETERANS' CHILDREN,
15 SITUATE IN GREENE TOWNSHIP, FRANKLIN COUNTY, UNDER TERMS,
16 CONDITIONS AND FOR CONSIDERATION TO BE ESTABLISHED IN AN
17 AGREEMENT OF SALE WITH THE DEPARTMENT OF GENERAL SERVICES.

18 (B) DESCRIPTION.--THE PROPERTY TO BE CONVEYED PURSUANT TO
19 SUBSECTION (A) CONSISTS OF APPROXIMATELY 165.96 ACRES, MORE OR
20 LESS, AND ALL IMPROVEMENTS THEREON, BEING MORE PARTICULARLY
21 BOUNDED AND DESCRIBED AS FOLLOWS, SUBJECT TO AN OFFICIAL SURVEY
22 AND PLAN:

23 ALL THOSE HEREINAFTER DESCRIBED TRACTS OF LAND SITUATED IN
24 GREENE TOWNSHIP, FRANKLIN COUNTY, AND BOUNDED AND DESCRIBED AS
25 FOLLOWS:

26 TRACT 1

27 BEGINNING AT A POINT IN THE MIDDLE OF THE CONOCOCHIEGUE
28 CREEK, THENCE BY LAND N/F OF CAROLINE THOMAS, SOUTH FORTY NINE
29 (49) DEGREES WEST TWELVE AND EIGHT TENTHS (12.8) RODS TO A WHITE
30 OAK; THENCE BY THE SAME, SOUTH 4 AND A HALF (4 1/2) DEGREES EAST

1 TWENTY TWO (22) RODS TO A POINT (FORMERLY A WHITE OAK) ON THE
2 LINE OF LAND N/F OF THE SAID GEORGE H. STEWART; THENCE SOUTH
3 EIGHTY SIX (86) DEGREES WEST ONE HUNDRED AND FIVE AND SIX TENTHS
4 (105.6) RODS TO A POINT IN THE PUBLIC ROAD AND LEADING FROM
5 SCOTLAND TO CHAMBERSBURG; THENCE BY LAND N/F OF SAID GEORGE H.
6 AND ALEXANDER STEWART, NORTH THREE (3) DEGREES EAST EIGHTY SIX
7 (86) RODS TO A POINT ON THE LINE OF THE RIGHT OF WAY OF THE
8 CUMBERLAND VALLEY RAILROAD COMPANY AND THIRTY (30) FEET FROM THE
9 MIDDLE THEREOF; THENCE BY SAID RIGHT OF WAY, NORTH FIFTY EIGHT
10 (58) DEGREES EAST NINETY SEVEN (97) RODS TO A POINT THIRTY (30)
11 FEET FROM THE MIDDLE OF SAID RIGHT OF WAY; THENCE BY THE SAME,
12 NORTH SIXTY ONE (61) DEGREES EAST FORTY EIGHT AND FIFTY FIVE ONE
13 HUNDREDTHS (48.55) RODS TO A POINT SEVENTY FIVE (75) FEET FROM
14 THE MIDDLE OF SAID RIGHT OF WAY; THENCE BY THE SAME NORTH FIFTY
15 EIGHT (58) DEGREES EAST TWENTY AND ONE FOURTH (20 1/4) RODS TO A
16 POINT IN THE MIDDLE OF SAID CREEK AND SEVENTY FIVE (75) FEET
17 FROM THE MIDDLE OF SAID RIGHT OF WAY; THENCE UP THE CREEK BY ITS
18 SEVERAL COURSES AND DISTANCES ONE HUNDRED AND EIGHTY SIX AND
19 THREE TENTHS (186.3) RODS TO THE PLACE OF BEGINNING.

20 CONTAINING 100-ACRES.

21 BEING THE SAME PIECE OR PARCEL OF LAND CONVEYED BY GEORGE H.
22 STEWART ET AL, TO THE COMMONWEALTH OF PENNSYLVANIA, BY DEED
23 DATED FEBRUARY 20, 1894, RECORDED IN THE OFFICE OF RECORDER OF
24 DEEDS FOR FRANKLIN COUNTY IN DEED BOOK 101, PAGE 189.

25 TRACT 2

26 BEGINNING AT A POINT IN THE PUBLIC ROAD LEADING FROM
27 CHAMBERSBURG TO SCOTLAND ON LINE OF LANDS N/F OF GEORGE H.
28 STEWART, THENCE ALONG SAID ROAD NORTH EIGHTY SIX (86) DEGREES
29 EAST FOURTEEN AND ONE TENTHS (14 1/10) PERCHES TO A PIN OR STONE
30 AT THE CORNER OF LANDS OF THE COMMONWEALTH OF PENNSYLVANIA;

1 THENCE BY THE LANDS OF THE COMMONWEALTH OF PENNSYLVANIA NORTH
2 THREE (3) DEGREES EAST EIGHTY-SIX (86) PERCHES TO A POINT ON THE
3 EAST LINE OF THE CUMBERLAND VALLEY RAILROAD RIGHT OF WAY SIXTEEN
4 AND ONE-HALF (16 1/2) FEET FROM THE LINE OF THE LAND N/F OF
5 WILLIAM PENTZ AT THIS POINT; THENCE BY LAND OF THE COMMONWEALTH
6 OF PENNSYLVANIA, ALONG THE EAST LINE OF SAID RIGHT OF WAY A
7 DISTANCE OF THIRTY (30) FEET FROM THE MIDDLE OF THE RAILROAD
8 TRACK WITH THE CURVES OF THE SAME NORTH FIFTY-TWO AND ONE HALF
9 (52 1/2) DEGREES EAST TWENTY-TWO AND FIFTY-ONE HUNDREDTHS (22
10 51/100) PERCHES TO A POINT, THIRTY (30) FEET FROM THE MIDDLE OF
11 SAID TRACK, THENCE BY THE SAME FIFTY-SIX AND ONE-HALF (56 1/2)
12 DEGREES EAST TWENTY-TWO AND FIFTY-ONE ONE HUNDREDTHS (22 51/100)
13 PERCHES TO A POINT THIRTY (30) FEET FROM THE MIDDLE OF SAID
14 TRACK; THENCE BY THE SAME NORTH FIFTY-EIGHT (58) DEGREES EAST
15 FIFTY-THREE PERCHES TO A POINT THIRTY (30) FEET FROM THE MIDDLE
16 OF SAID TRACK; THENCE ALONG THE SAME NORTH SIXTY-ONE (61)
17 DEGREES EAST FORTY-EIGHT AND FIFTY-FIVE HUNDREDTHS (48 55/100)
18 PERCHES TO A POINT SEVENTY-FIVE (75) FEET FROM THE MIDDLE OF
19 SAID TRACK; THENCE BY THE SAME AT A DISTANCE OF SEVENTY-FIVE
20 (75) FEET FROM THE MIDDLE OF SAID TRACK NORTH FIFTY-EIGHT (58)
21 DEGREES EAST TWENTY AND ONE-FOURTH (20 1/4) PERCHES TO A POINT
22 IN THE CONOCOCHEAQUE CREEK; THENCE ALONG THE MIDDLE OF SAID
23 CREEK BY THE SEVERAL COURSES AND DISTANCES OF THE SAME BY LANDS
24 N/F OF B.C. OYLER, JOHN G. YOUST ET AL, ONE HUNDRED AND SIXTY-
25 THREE AND FIVE TENTHS (163 5/10) PERCHES TO A POINT; THENCE BY
26 LANDS N/F OF JOHN G. YOUST SOUTH ELEVEN AND THREE FOURTHS (11
27 3/4) DEGREES WEST FROM A POINT IN THE MIDDLE OF THE DAM, EIGHT-
28 SEVEN AND EIGHT-TENTHS (87 8/10) PERCHES TO A POINT ON THE
29 CUMBERLAND VALLEY RAILROAD AT CORNER OF LANDS N/F OF WILLIAM
30 PENTZ; THENCE BY LANDS N/F OF SAID WILLIAM PENTZ SOUTH ELEVEN

1 AND THREE FOURTHS (11 3/4) DEGREES WEST EIGHTY-EIGHT (88)
2 PERCHES TO THE PLACE OF BEGINNING.

3 CONTAINING 44-ACRES AND ONE HUNDRED AND NINETEEN (119)
4 PERCHES NEAT MEASURE INCLUDING HALF OF THE CREEK AND PUBLIC
5 ROAD.

6 BEING THE SAME PIECE OR PARCEL OF LAND CONVEYED BY ALEXANDER
7 STEWART, TO THE COMMONWEALTH OF PENNSYLVANIA, BY DEED DATED
8 JANUARY 14, 1905, RECORDED IN THE OFFICE OF RECORDER OF DEEDS
9 FOR FRANKLIN COUNTY IN DEED BOOK 136, PAGE 118.

10 TRACT 3

11 BEGINNING AT A POINT ON THE PUBLIC ROAD LEADING FROM
12 CHAMBERSBURG TO SCOTLAND AT LANDS OF THE COMMONWEALTH OF
13 PENNSYLVANIA (FORMERLY OF ALEXANDER STEWART); THENCE SOUTH
14 EIGHTY EIGHT (88) DEGREES WEST NINE AND FOUR TENTHS (9 4/10)
15 PERCHES; THENCE SOUTH SIXTY-THREE AND ONE-HALF (63 1/2) DEGREES
16 WEST TWENTY-SIX AND TWO-TENTHS (26 2/10) PERCHES; THENCE ALONG
17 LANDS OF JOHN EBY (FORMERLY PETER FARNER) SOUTH THIRTY-FOUR AND
18 THREE-FOURTHS (34 3/4) DEGREES WEST FORTY-FIVE (45) PERCHES TO
19 THE RIGHT OF WAY OF THE CUMBERLAND VALLEY RAILROAD; THENCE NORTH
20 FIFTY-ONE (51) DEGREES EAST NINETY-SEVEN AND ONE-TENTH (97 1/10)
21 PERCHES TO A POINT; THENCE ALONG LANDS OF THE COMMONWEALTH OF
22 PENNSYLVANIA (FORMERLY ALEXANDER STEWART) SOUTH TWELVE (12)
23 DEGREES WEST EIGHTY-SEVEN AND TWO-TENTHS (87 2/10) PERCHES TO
24 THE PLACE OF BEGINNING.

25 CONTAINING 21-ACRES AND THIRTY-SIX (36) PERCHES NEAT MEASURE.

26 BEING THE SAME PIECE OR PARCEL OF LAND CONVEYED BY WILLIAM
27 PENTZ, TO THE COMMONWEALTH OF PENNSYLVANIA, BY DEED DATED
28 JANUARY 30, 1905, RECORDED IN THE OFFICE OF RECORDER OF DEEDS
29 FOR FRANKLIN COUNTY IN DEED BOOK 136, PAGE 121.

30 THE ABOVE DESCRIBED TRACTS COLLECTIVELY BEING TAX PARCEL NOS.

1 09-0C13-030 AND 09-0C13-030A.

2 (C) EASEMENTS.--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) CONDITIONS.--ANY CONVEYANCE AUTHORIZED UNDER THIS
11 SECTION SHALL BE MADE UNDER AND SUBJECT TO THE CONDITION, WHICH
12 SHALL BE CONTAINED IN THE DEED OF CONVEYANCE, THAT NO PORTION OF
13 THE PROPERTY CONVEYED SHALL BE USED AS A LICENSED FACILITY, AS
14 DEFINED IN 4 PA.C.S. § 1103 (RELATING TO DEFINITIONS), OR ANY
15 OTHER SIMILAR TYPE OF FACILITY AUTHORIZED UNDER STATE LAW. THE
16 CONDITION SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE
17 BINDING UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS. SHOULD THE
18 GRANTEE, ITS SUCCESSORS OR ASSIGNS, PERMIT ANY PORTION OF THE
19 PROPERTY AUTHORIZED TO BE CONVEYED IN THIS SECTION TO BE USED IN
20 VIOLATION OF THIS SUBSECTION, THE TITLE SHALL IMMEDIATELY REVERT
21 TO AND REVEST IN THE GRANTOR.

22 (E) RESERVATIONS.--THE DEPARTMENT OF GENERAL SERVICES IS
23 HEREBY AUTHORIZED, ON BEHALF OF THE COMMONWEALTH OF
24 PENNSYLVANIA, TO GRANT OR RESERVE ANY SUCH EASEMENTS ON THE
25 PROPERTY, KNOWN AS THE SCOTLAND SCHOOL FOR VETERANS' CHILDREN,
26 AS THE SECRETARY OF GENERAL SERVICES SHALL DETERMINE ARE
27 APPROPRIATE OR NECESSARY TO EFFECTUATE THIS SECTION.

28 (F) MODIFICATIONS.--THE DEPARTMENT OF GENERAL SERVICES IS
29 AUTHORIZED TO MAKE MINOR MODIFICATIONS TO THE LEGAL DESCRIPTIONS
30 CONTAINED IN THIS SECTION, WITHIN ITS CONVEYANCE DOCUMENTS,

1 BASED ON A FINAL BOUNDARY SURVEY AND MINOR SUBDIVISION PLAN.

2 (G) DEEDS OF CONVEYANCE.--THE DEED OF CONVEYANCE SHALL BE BY
3 SPECIAL WARRANTY DEED AND SHALL BE EXECUTED BY THE SECRETARY OF
4 GENERAL SERVICES IN THE NAME OF THE COMMONWEALTH OF
5 PENNSYLVANIA.

6 (H) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THIS
7 CONVEYANCE SHALL BE BORNE BY THE GRANTEE.

8 (I) PROCEEDS.--THE AMOUNT OF ALL COSTS AND FEES INCURRED BY
9 THE DEPARTMENT OF GENERAL SERVICES IN PHYSICALLY MAINTAINING THE
10 PROPERTY SINCE ITS CLOSURE IN 2008 AND PREPARING THE PROPERTY
11 FOR SALE SHALL BE DEDUCTED FROM THE PROCEEDS OF THE SALE AND
12 TRANSFERRED TO THE APPROPRIATION FROM WHICH THE COSTS AND FEES
13 WERE PAID BY THE DEPARTMENT OF GENERAL SERVICES. THE BALANCE OF
14 THE PROCEEDS OF THE SALE SHALL BE DEPOSITED INTO THE GENERAL
15 FUND.

16 (J) REQUIRED SALES AGREEMENT.--IF THE GRANTEE AND THE
17 DEPARTMENT OF GENERAL SERVICES CANNOT REACH A MUTUALLY
18 ACCEPTABLE AGREEMENT OF SALE WITHIN SIX MONTHS OF THE EFFECTIVE
19 DATE OF THIS SECTION, THE PROPERTY MAY BE DISPOSED OF IN
20 ACCORDANCE WITH SECTION 2405-A OF THE ACT OF APRIL 9, 1929
21 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.
22 SECTION 5. CONVEYANCE IN CITY OF ERIE, ERIE COUNTY. ←

23 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
24 THE APPROVAL OF THE PENNSYLVANIA HISTORICAL AND MUSEUM
25 COMMISSION AND THE GOVERNOR, IS HEREBY AUTHORIZED ON BEHALF OF
26 THE COMMONWEALTH OF PENNSYLVANIA TO GRANT AND CONVEY TO THE ERIE
27 ART MUSEUM A TRACT OF LAND, INCLUDING ANY IMPROVEMENTS LOCATED
28 THEREON, THE PROPERTY BEING KNOWN LOCALLY AS THE CUSTOMS HOUSE,
29 AS DESCRIBED IN SUBSECTION (B) FOR \$1.

30 (B) PROPERTY DESCRIPTION.--THE PROPERTY TO BE CONVEYED

1 PURSUANT TO SUBSECTION (A) CONSISTS OF APPROXIMATELY 0.20 ACRES,
2 INCLUDING ANY IMPROVEMENTS LOCATED THEREON, SITUATE IN THE CITY
3 OF ERIE, ERIE COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

4 THE POINT OF BEGINNING IS LOCATED SOUTH 27 DEGREES 00 MINUTES
5 EAST A DISTANCE OF 82 FEET 6 INCHES FROM THE NORTHEAST PROPERTY
6 LINE CORNER AT EAST FOURTH STREET AND STATE STREET, THENCE BY
7 THE FOLLOWING COURSES AND DISTANCES; NORTH 63 DEGREES 00 MINUTES
8 EAST AND PARALLEL TO EAST FOURTH STREET FOR A DISTANCE OF 125
9 FEET 0 INCHES TO A POINT, ON LANDS PREVIOUSLY ACQUIRED BY THE
10 GENERAL STATE AUTHORITY, THENCE ALONG WESTERN LINE OF SAID LANDS
11 SOUTH 27 DEGREES 00 MINUTES EAST FOR A DISTANCE OF 70 FEET 0
12 INCHES TO A POINT, THENCE SOUTH 63 DEGREES 00 MINUTES WEST AND
13 PARALLEL TO THE NORTHSIDE OF CASHIERS HOUSE FOR A DISTANCE OF
14 125 FEET 0 INCHES TO A POINT, SAID POINT BEING THE NORTHWEST
15 CORNER OF THE ABOVE MENTIONED BUILDING, THENCE NORTH 27 DEGREES
16 00 MINUTES WEST AND PARALLEL TO STATE STREET FOR A DISTANCE OF
17 70 FEET 0 INCHES TO THE POINT OF BEGINNING.

18 BEING THE SAME LANDS CONVEYED TO THE GENERAL STATE AUTHORITY
19 (PREDECESSOR TO THE DEPARTMENT OF GENERAL SERVICES) BY DEED FROM
20 THE COMMONWEALTH OF PENNSYLVANIA, ACTING BY AND THROUGH THE
21 DEPARTMENT OF PROPERTY AND SUPPLIES (PREDECESSOR TO THE
22 DEPARTMENT OF GENERAL SERVICES), DATED MARCH 26, 1968, AND
23 RECORDED IN THE ERIE COUNTY RECORDER OF DEEDS OFFICE IN DEED
24 BOOK 979, PAGE 102.

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 CONFINED 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) DEED RESTRICTION.--ANY CONVEYANCE AUTHORIZED UNDER THIS
4 ACT SHALL BE MADE UNDER AND SUBJECT TO THE CONDITION, WHICH
5 SHALL BE CONTAINED IN THE DEED OF CONVEYANCE, THAT NO PORTION OF
6 THE PROPERTY CONVEYED SHALL BE USED AS A LICENSED FACILITY, AS
7 DEFINED IN 4 PA.C.S. § 1103 (RELATING TO DEFINITIONS), OR ANY
8 OTHER SIMILAR TYPE OF FACILITY AUTHORIZED UNDER STATE LAW. THE
9 CONDITION SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE
10 BINDING UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS. SHOULD THE
11 GRANTEE, ITS SUCCESSORS OR ASSIGNS PERMIT ANY PORTION OF THE
12 PROPERTY AUTHORIZED TO BE CONVEYED IN THIS ACT TO BE USED IN
13 VIOLATION OF THIS SUBSECTION, THE TITLE SHALL IMMEDIATELY REVERT
14 TO AND REVEST IN THE GRANTOR.

15 (E) RESTRICTIVE COVENANTS.--THE FOLLOWING RESTRICTIVE
16 COVENANTS SHALL BE INCLUDED IN THE DEED OF CONVEYANCE:

17 "UNDER AND SUBJECT TO THE CONDITION THAT THE BUILDINGS AND
18 LAND CONVEYED HEREIN SHALL BE REASONABLY ACCESSIBLE TO THE
19 GENERAL PUBLIC AND MAINTAINED AND PRESERVED ACCORDING TO THE
20 SECRETARY OF THE INTERIOR'S *STANDARDS FOR REHABILITATION AND*
21 *GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS*, AS REVISED IN
22 1995. SHOULD THE GRANTEE, ITS SUCCESSORS OR ASSIGNS FAIL TO
23 PROVIDE REASONABLE ACCESS TO THE GENERAL PUBLIC, OR FAIL TO
24 MAINTAIN AND PRESERVE THE PROPERTY AS SET FORTH HEREIN, THE
25 TITLE TO THE PROPERTY WILL IMMEDIATELY REVERT TO AND REVEST IN
26 THE GRANTOR.

27 FURTHERMORE, THE GRANTEE SHALL ENSURE THAT ANY DESIGN FOR NEW
28 CONSTRUCTION, REHABILITATION, ALTERATION OR DEMOLITION WORK ON
29 THE PROPERTY IS COMPATIBLE WITH ITS ORIGINAL ARCHITECTURAL
30 DESIGN AND LANDSCAPE/SITE PLAN IN TERMS OF SCALE, MASSING,

1 FENESTRATION, MATERIALS AND COLOR, AND IS CONSISTENT WITH THE
2 RECOMMENDED APPROACHES IN THE SECRETARY OF THE INTERIOR'S
3 *STANDARDS FOR REHABILITATION AND GUIDELINES FOR REHABILITATING*
4 *HISTORIC BUILDINGS*, AS REVISED IN 1995.

5 NO NEW CONSTRUCTION, DEMOLITION, ALTERATION, REMODELING OR
6 LANDSCAPING/SITE WORK SHALL BE UNDERTAKEN OR PERMITTED TO BE
7 UNDERTAKEN ON THE PROPERTY WITHOUT THE PRIOR, WRITTEN APPROVAL
8 OF THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION, OR ITS
9 SUCCESSOR, AND SIGNED BY A DULY AUTHORIZED REPRESENTATIVE
10 THEREOF.

11 THESE COVENANTS ARE BINDING ON THE GRANTEE, ITS SUCCESSORS OR
12 ASSIGNS IN PERPETUITY."

13 (F) EXECUTION OF DEED.--THE DEED OF CONVEYANCE SHALL BE
14 EXECUTED BY THE SECRETARY OF GENERAL SERVICES IN THE NAME OF THE
15 COMMONWEALTH OF PENNSYLVANIA.

16 (G) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THIS
17 CONVEYANCE SHALL BE BORNE BY THE GRANTEE.

18 (H) EXPIRATION OF AUTHORITY.--IN THE EVENT THAT THE
19 CONVEYANCE IS NOT EFFECTUATED WITHIN ONE YEAR OF THE EFFECTIVE
20 DATE OF THIS SECTION, THE AUTHORITY CONTAINED IN THIS SECTION
21 SHALL EXPIRE.

22 SECTION 6. CONVEYANCE IN CITY OF ERIE, ERIE COUNTY, KNOWN AS
23 CASHIERS HOUSE.

24 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
25 THE APPROVAL OF THE PENNSYLVANIA HISTORICAL AND MUSEUM
26 COMMISSION AND THE GOVERNOR, IS HEREBY AUTHORIZED ON BEHALF OF
27 THE COMMONWEALTH OF PENNSYLVANIA TO GRANT AND CONVEY TO THE ERIE
28 ART MUSEUM TWO TRACTS OF LAND, INCLUDING ANY IMPROVEMENTS
29 LOCATED THEREON, THE PROPERTY BEING KNOWN LOCALLY AS THE
30 CASHIERS HOUSE, AS DESCRIBED IN SUBSECTION (B) FOR \$1.

1 (B) PROPERTY DESCRIPTION.--THE PROPERTY TO BE CONVEYED
2 PURSUANT TO SUBSECTION (A) CONSISTS OF APPROXIMATELY 0.15 ACRES,
3 INCLUDING ANY IMPROVEMENTS LOCATED THEREON, MORE PARTICULARLY
4 DESCRIBED AS FOLLOWS:

5 PARCEL 1

6 ALL THAT CERTAIN PARCEL OF LAND SITUATE IN THE FIRST WARD OF
7 THE CITY OF ERIE, ERIE COUNTY, BOUNDED AND DESCRIBED AS FOLLOWS:

8 COMMENCING AT A DISTANCE OF 152 ½ FEET FROM THE SOUTHEAST
9 CORNER OF FOURTH AND STATE STREETS; THENCE ALONG THE EAST SIDE
10 OF STATE STREET, SOUTH 27 DEGREES EAST, 30 FEET TO A POINT;
11 THENCE NORTH 63 DEGREES EAST, 125 FEET, MORE OR LESS, TO A BRICK
12 WALL, BEING THE WEST FACE OF WALL OF A BUILDING AND THE EAST
13 FACE OF A BUILDING KNOWN AS WOODRUFF BUILDING HEREIN CONVEYED;
14 THENCE NORTH 27 DEGREES WEST, 30 FEET TO A POINT IN THE SOUTH
15 LINE OF THE PROPERTY HEREIN DESCRIBED; THENCE SOUTH 63 DEGREES
16 WEST 125 FEET, MORE OR LESS, TO THE EAST LINE OF STATE STREET,
17 THE PLACE OF BEGINNING.

18 BEING A PART OF IN LOTS NOS. 2585, 2586, 2587 AND 2588.

19 PARCEL 2

20 ALL THAT CERTAIN PARCEL OF LAND SITUATE IN THE FIRST WARD OF
21 THE CITY OF ERIE, ERIE COUNTY, BEING PART OF IN LOTS NOS. 2587
22 AND 2588, BOUNDED AND DESCRIBED AS FOLLOWS:

23 BEGINNING AT A POINT 82 ½ FEET SOUTH OF THE SOUTH LINE OF
24 FOURTH STREET IN A LINE PARALLEL WITH THE EAST LINE OF STATE
25 STREET, AND SITUATE 125 FEET EASTWARDLY FROM THE EAST LINE OF
26 SAID STATE STREET; THENCE EASTWARDLY PARALLEL WITH FOURTH
27 STREET, 30 FEET TO THE WEST LINE OF AN ALLEY 10 FEET WIDE;
28 THENCE SOUTHWARDLY ALONG THE WEST LINE OF SAID ALLEY AND
29 PARALLEL WITH STATE STREET 100 FEET; THENCE WESTWARDLY PARALLEL
30 WITH FOURTH STREET 30 FEET; THENCE NORTHWARDLY PARALLEL WITH

1 STATE STREET 100 FEET TO THE PLACE OF BEGINNING.

2 BOTH PARCELS BEING THE SAME LANDS CONVEYED TO THE GENERAL
3 STATE AUTHORITY (PREDECESSOR TO THE DEPARTMENT OF GENERAL
4 SERVICES) BY DEED FROM THE FIRST NATIONAL BANK OF ERIE, RECEIVER
5 OF THE ERIE DRUG COMPANY, DATED JULY 17, 1963, AND RECORDED IN
6 THE ERIE COUNTY RECORDER OF DEEDS OFFICE IN DEED BOOK 879, PAGE
7 265.

8 (C) EASEMENTS.--THE CONVEYANCE SHALL BE MADE UNDER AND
9 SUBJECT TO ALL LAWFUL AND ENFORCEABLE EASEMENTS, SERVITUDES AND
10 RIGHTS OF OTHERS, INCLUDING, BUT NOT CONFINED TO, STREETS,
11 ROADWAYS AND RIGHTS OF ANY TELEPHONE, TELEGRAPH, WATER,
12 ELECTRIC, GAS OR PIPELINE COMPANIES, AS WELL AS UNDER AND
13 SUBJECT TO ANY LAWFUL AND ENFORCEABLE ESTATES OR TENANCIES
14 VESTED IN THIRD PERSONS APPEARING OF RECORD, FOR ANY PORTION OF
15 THE LAND OR IMPROVEMENTS ERECTED THEREON.

16 (D) DEED RESTRICTIONS.--ANY CONVEYANCE AUTHORIZED UNDER THIS
17 ACT SHALL BE MADE UNDER AND SUBJECT TO THE CONDITION, WHICH
18 SHALL BE CONTAINED IN THE DEED OF CONVEYANCE, THAT NO PORTION OF
19 THE PROPERTY CONVEYED SHALL BE USED AS A LICENSED FACILITY, AS
20 DEFINED IN 4 PA.C.S. § 1103 (RELATING TO DEFINITIONS), OR ANY
21 OTHER SIMILAR TYPE OF FACILITY AUTHORIZED UNDER STATE LAW. THE
22 CONDITION SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE
23 BINDING UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS. SHOULD THE
24 GRANTEE, ITS SUCCESSORS OR ASSIGNS PERMIT ANY PORTION OF THE
25 PROPERTY AUTHORIZED TO BE CONVEYED IN THIS ACT TO BE USED IN
26 VIOLATION OF THIS SUBSECTION, THE TITLE SHALL IMMEDIATELY REVERT
27 TO AND REVEST IN THE GRANTOR.

28 (E) RESTRICTIVE COVENANTS.--THE FOLLOWING RESTRICTIVE
29 COVENANTS SHALL BE INCLUDED IN THE DEED OF CONVEYANCE:

30 "UNDER AND SUBJECT TO THE CONDITION THAT THE BUILDINGS AND

1 LAND CONVEYED HEREIN SHALL BE REASONABLY ACCESSIBLE TO THE
2 GENERAL PUBLIC AND MAINTAINED AND PRESERVED ACCORDING TO THE
3 SECRETARY OF THE INTERIOR'S *STANDARDS FOR REHABILITATION AND*
4 *GUIDELINES FOR REHABILITATING HISTORIC BUILDINGS*, AS REVISED IN
5 1995. SHOULD THE GRANTEE, ITS SUCCESSORS OR ASSIGNS FAIL TO
6 PROVIDE REASONABLE ACCESS TO THE GENERAL PUBLIC, OR FAIL TO
7 MAINTAIN AND PRESERVE THE PROPERTY AS SET FORTH HEREIN, THE
8 TITLE TO THE PROPERTY WILL IMMEDIATELY REVERT TO AND REVEST IN
9 THE GRANTOR.

10 FURTHERMORE, THE GRANTEE SHALL ENSURE THAT ANY DESIGN FOR NEW
11 CONSTRUCTION, REHABILITATION, ALTERATION OR DEMOLITION WORK ON
12 THE PROPERTY IS COMPATIBLE WITH ITS ORIGINAL ARCHITECTURAL
13 DESIGN AND LANDSCAPE/SITE PLAN IN TERMS OF SCALE, MASSING,
14 FENESTRATION, MATERIALS AND COLOR, AND IS CONSISTENT WITH THE
15 RECOMMENDED APPROACHES IN THE SECRETARY OF THE INTERIOR'S
16 *STANDARDS FOR REHABILITATION AND GUIDELINES FOR REHABILITATING*
17 *HISTORIC BUILDINGS*, AS REVISED IN 1995.

18 NO NEW CONSTRUCTION, DEMOLITION, ALTERATION, REMODELING OR
19 LANDSCAPING/SITE WORK SHALL BE UNDERTAKEN OR PERMITTED TO BE
20 UNDERTAKEN ON THE PROPERTY WITHOUT THE PRIOR, WRITTEN APPROVAL
21 OF THE PENNSYLVANIA HISTORICAL AND MUSEUM COMMISSION, OR ITS
22 SUCCESSOR, AND SIGNED BY A DULY AUTHORIZED REPRESENTATIVE
23 THEREOF.

24 THESE COVENANTS ARE BINDING ON THE GRANTEE, ITS SUCCESSORS OR
25 ASSIGNS IN PERPETUITY."

26 (F) EXECUTION OF DEED.--THE DEED OF CONVEYANCE SHALL BE
27 EXECUTED BY THE SECRETARY OF GENERAL SERVICES IN THE NAME OF THE
28 COMMONWEALTH OF PENNSYLVANIA.

29 (G) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THIS
30 CONVEYANCE SHALL BE BORNE BY THE GRANTEE.

1 (H) EXPIRATION OF AUTHORITY.--IN THE EVENT THAT THE
2 CONVEYANCE IS NOT EFFECTUATED WITHIN ONE YEAR OF THE EFFECTIVE
3 DATE OF THIS SECTION, THE AUTHORITY CONTAINED IN THIS SECTION
4 SHALL EXPIRE.

5 SECTION 7. CONVEYANCE IN CLINTON TOWNSHIP, LYCOMING COUNTY.

6 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
7 THE APPROVAL OF THE GOVERNOR, IS AUTHORIZED ON BEHALF OF THE
8 COMMONWEALTH TO GRANT AND CONVEY TO WEST BRANCH REGIONAL
9 AUTHORITY A TRACT OF LAND BEING A PORTION OF MUNCY STATE
10 CORRECTIONAL INSTITUTION, SITUATE IN CLINTON TOWNSHIP, LYCOMING
11 COUNTY FOR \$300,000 AND UNDER TERMS AND CONDITIONS TO BE
12 ESTABLISHED IN A LEASE AND OPTION TO PURCHASE AGREEMENT WITH THE
13 DEPARTMENT.

14 (B) DESCRIPTION OF PROPERTY.--THE PROPERTY TO BE CONVEYED
15 UNDER SUBSECTION (A) CONSISTS OF A TRACT OF LAND CONTAINING
16 14.00 ACRES + AND ANY IMPROVEMENTS THEREON, BEING BOUNDED AND
17 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

18 ALL THAT CERTAIN TRACT OR PIECE OF LAND, SITUATE IN THE
19 TOWNSHIP OF CLINTON, COUNTY OF LYCOMING AND STATE OF
20 PENNSYLVANIA, BOUNDED AND DESCRIBED, ACCORDING TO AN ACTUAL
21 SURVEY THEREOF, MADE BY THOMAS LLOYD ON THE ELEVENTH DAY OF
22 MARCH, 1882, AS FOLLOWS:

23 BEGINNING AT A POST IN THE LINE OR RIGHT OF WAY OF THE
24 PHILADELPHIA AND ERIE RAILROAD; THENCE BY LAND NOW OR FORMERLY
25 OF THE ESTATE OF JOSHUA BOWMAN, DECEASED, NORTH 12-3/4° EAST
26 THIRTY AND EIGHTY-SIX HUNDREDTHS (30.86) PERCHES TO A POST;
27 THENCE BY SAME NORTH 37-1/2° WEST FORTY-SIX AND NINE-TENTH
28 (46.9) PERCHES TO A POINT IN THE CENTER OF THE ROAD LEADING FROM
29 MUNCY TO MONTGOMERY; THENCE ALONG THE CENTER OF SAID ROAD, NORTH
30 52° EAST FIFTY-FOUR AND FIFTY-SIX HUNDREDTHS (64.56) PERCHES TO

1 A POST; THENCE BY LAND NOW OR FORMERLY BELONGING TO HUGH
2 MONTGOMERY, SOUTH 52-1/2° EAST TWENTY-SEVEN AND SIXTEEN
3 HUNDREDTHS (27.16) PERCHES TO A POINT IN THE RIGHT OF WAY OF THE
4 PHILADELPHIA AND ERIE RAILROAD; THENCE ALONG THE RIGHT OF WAY OF
5 SAID RAILROAD THE FOLLOWING COURSES AND DISTANCES: SOUTH 19-1/4°
6 WEST SIX AND SEVENTY-TWO HUNDREDTHS (6.72) PERCHES; SOUTH
7 21-1/2° WEST THIRTEEN AND TWO TENTH (13.2) PERCHES; SOUTH
8 22-3/4° WEST SEVENTEEN AND FIVE-TENTH (17.5) PERCHES; SOUTH
9 26-1/2° WEST EIGHTEEN (18) PERCHES; SOUTH 29-3/4° WEST
10 TWENTY-SIX AND EIGHT-TENTH (26.8) PERCHES; AND SOUTH 37° WEST
11 TWELVE AND EIGHT-TENTH (12.8) PERCHES TO THE PLACE OF BEGINNING.
12 (THE FINAL LEGAL DESCRIPTION AND ACREAGE OF THE PROPERTY TO BE
13 CONVEYED SHALL BE DETERMINED BY A FORMAL SURVEY/SUBDIVISION PLAN
14 PREPARED BY A PENNSYLVANIA-LICENSED LAND SURVEYOR PRIOR TO
15 CONVEYANCE.)

16 EXCEPTING AND RESERVING, HOWEVER, FROM THE SAID DESCRIBED
17 TRACT OF LAND THE FOLLOWING TRACT CONVEYED BY JOHN KIFT TO THE
18 PHILADELPHIA AND ERIE RAILROAD, BY DEED DATED FEBRUARY 16, 1903,
19 RECORDED IN THE RECORDER'S OFFICE OF LYCOMING COUNTY IN DEED
20 BOOK VOLUME 151 PAGE 336, BOUNDED AND DESCRIBED AS FOLLOWS:

21 BEGINNING AT A STAKE IN THE LINE OF RIGHT OF WAY OF SAID
22 RAILROAD; THENCE BY LINE CURVING TOWARD THE WEST, WITH A RADIUS
23 OF FIVE THOUSAND AND NINETY-EIGHT (5,098) FEET, A DISTANCE OF
24 SIX HUNDRED FEET (600) TO A STAKE; THENCE NORTH 63° 45' WEST ON
25 HUNDRED (100) FEET TO A STAKE; THENCE BY A LINE CURVING TOWARDS
26 THE WEST WITH A RADIUS OF FORTY-NINE HUNDRED NINETY-EIGHT
27 (4,998) FEET A DISTANCE OF SIX HUNDRED SEVENTEEN AND AND
28 SIX-TENTH (617.6) FEET; AND THENCE SOUTH 51° 50' EAST ONE
29 HUNDRED FIVE AND THREE TENTH (105.3) FEET TO THE BEGINNING.
30 CONTAINING ONE AND THREE HUNDRED NINETY-EIGHT THOUSANDTH (1.398)

1 ACRES.

2 BEING A PORTION OF TAX ID NO. 7-392-101.

3 AND BEING THE SAME PIECE OR PARCEL OF LAND CONVEYED TO THE
4 COMMONWEALTH OF PENNSYLVANIA, FROM JENNIE B. KIFT, WIDOW OF
5 WILLIAM H. KIFT, BY DEED DATED APRIL 9, 1915 IN THE OFFICE OF
6 THE RECORDER OF DEEDS OF LYCOMING COUNTY, PENNSYLVANIA, IN DEED
7 BOOK 219, PAGE 474.

8 (C) INTERESTS.--THE CONVEYANCE SHALL BE MADE UNDER AND
9 SUBJECT TO:

10 (1) ALL LAWFUL AND ENFORCEABLE EASEMENTS, SERVITUDES AND
11 RIGHTS OF OTHERS, INCLUDING STREETS, ROADWAYS AND RIGHTS OF
12 ANY TELEPHONE, TELEGRAPH, WATER, ELECTRIC, GAS OR PIPELINE
13 COMPANIES; AND

14 (2) ALL LAWFUL AND ENFORCEABLE ESTATES OR TENANCIES
15 VESTED IN THIRD PERSONS APPEARING OF RECORD, FOR ANY PORTION
16 OF THE LAND OR IMPROVEMENTS ERECTED ON THE LAND.

17 (D) GAMING RESTRICTION.--THE CONVEYANCE AUTHORIZED UNDER
18 THIS SECTION SHALL BE MADE UNDER AND SUBJECT TO THE CONDITION,
19 WHICH SHALL BE CONTAINED IN THE DEED OF CONVEYANCE, THAT NO
20 PORTION OF THE PROPERTY CONVEYED SHALL BE USED AS A "LICENSED
21 FACILITY," AS DEFINED IN 4 PA.C.S. § 1103 (RELATING TO
22 DEFINITIONS), OR ANY OTHER SIMILAR TYPE OF FACILITY AUTHORIZED
23 UNDER STATE LAW. THE CONDITION SHALL BE A COVENANT RUNNING WITH
24 THE LAND AND SHALL BE BINDING UPON THE GRANTEE, ITS SUCCESSORS
25 AND ASSIGNS. IF THE GRANTEE, ITS SUCCESSORS OR ASSIGNS PERMIT
26 ANY PORTION OF THE PROPERTY AUTHORIZED TO BE CONVEYED IN THIS
27 SECTION TO BE USED IN VIOLATION OF THIS SUBSECTION, THE TITLE
28 SHALL IMMEDIATELY REVERT TO AND REVEST IN THE GRANTOR.


29 (E) DEED.--THE DEED OF CONVEYANCE SHALL BE BY SPECIAL
30 WARRANTY DEED AND SHALL BE EXECUTED BY THE SECRETARY OF GENERAL

1 SERVICES IN THE NAME OF THE COMMONWEALTH.

2 (F) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THE
3 CONVEYANCE SHALL BE BORNE BY THE GRANTEE.

4 (G) PROCEEDS.--THE PROCEEDS FROM THE SALE SHALL BE DEPOSITED
5 IN THE GENERAL FUND.

6 (H) EXPIRATION.--IF A LEASE AND OPTION TO PURCHASE AGREEMENT
7 BETWEEN THE PARTIES IS NOT EXECUTED WITHIN 12 MONTHS OF THE
8 EFFECTIVE DATE OF THIS SECTION, THE AUTHORIZATION CONTAINED IN
9 THIS SECTION SHALL EXPIRE.

10 Section 2 5 8. Effective date. 

11 This act shall take effect immediately.