
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2408 Session of
2012

INTRODUCED BY EVERETT, MIRABITO, BAKER, CALTAGIRONE, COHEN,
GINGRICH, GODSHALL, HESS, MILLARD, MYERS, PICKETT, SCHMOTZER,
STEVENSON, SWANGER AND GEIST, MAY 24, 2012

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 24, 2012

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to grant and convey to West Branch
3 Regional Authority, certain lands situate in Clinton
4 Township, Lycoming County.

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

7 Section 1. Conveyance in Clinton Township, Lycoming 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 West Branch Regional
11 Authority a tract of land being a portion of Muncy State
12 Correctional Institution, situate in Clinton Township, Lycoming
13 County for \$300,000 and under terms and conditions to be
14 established in a lease and option to purchase agreement with the
15 department.

16 (b) Description of property.--The property to be conveyed
17 under subsection (a) consists of a tract of land containing
18 14.00 acres + and any improvements thereon, being bounded and

1 more particularly described as follows:

2 ALL THAT CERTAIN TRACT OR PIECE OF LAND, situate in the
3 Township of Clinton, County of Lycoming and State of
4 Pennsylvania, bounded and described, according to an actual
5 survey thereof, made by Thomas Lloyd on the Eleventh day of
6 March, 1882, as follows:

7 BEGINNING at a post in the line or Right of Way of the
8 Philadelphia and Erie Railroad; thence by land now or formerly
9 of the Estate of Joshua Bowman, deceased, North $12-3/4^{\circ}$ East
10 thirty and eighty-six hundredths (30.86) perches to a post;
11 thence by same North $37-1/2^{\circ}$ West forty-six and nine-tenth
12 (46.9) perches to a point in the center of the road leading from
13 Muncy to Montgomery; thence along the center of said road, North
14 52° East fifty-four and fifty-six hundredths (64.56) perches to
15 a post; thence by land now or formerly belonging to Hugh
16 Montgomery, South $52-1/2^{\circ}$ East twenty-seven and sixteen
17 hundredths (27.16) perches to a point in the right of way of the
18 Philadelphia and Erie Railroad; thence along the right of way of
19 said Railroad the following courses and distances: South $19-1/4^{\circ}$
20 West six and seventy-two hundredths (6.72) perches; South
21 $21-1/2^{\circ}$ West thirteen and two tenth (13.2) perches; South
22 $22-3/4^{\circ}$ West seventeen and five-tenth (17.5) perches; South
23 $26-1/2^{\circ}$ West eighteen (18) perches; South $29-3/4^{\circ}$ West
24 twenty-six and eight-tenth (26.8) perches; and South 37° West
25 twelve and eight-tenth (12.8) perches to the place of beginning.
26 (The final legal description and acreage of the property to be
27 conveyed shall be determined by a formal survey/subdivision plan
28 prepared by a Pennsylvania-licensed land surveyor prior to
29 conveyance.)

30 EXCEPTING AND RESERVING, however, from the said described

1 tract of land the following tract conveyed by John Kift to the
2 Philadelphia and Erie Railroad, by deed dated February 16, 1903,
3 recorded in the Recorder's Office of Lycoming County in Deed
4 Book Volume 151 page 336, bounded and described as follows:

5 BEGINNING at a stake in the line of right of way of said
6 Railroad; thence by line curving toward the West, with a radius
7 of five thousand and ninety-eight (5,098) feet, a distance of
8 six hundred feet (600) to a stake; thence North 63° 45' West on
9 hundred (100) feet to a stake; thence by a line curving towards
10 the West with a radius of forty-nine hundred ninety-eight
11 (4,998) feet a distance of six hundred seventeen and and
12 six-tenth (617.6) feet; and thence South 51° 50' East one
13 hundred five and three tenth (105.3) feet to the beginning.
14 Containing one and three hundred ninety-eight thousandth (1.398)
15 acres.

16 BEING a portion of Tax ID No. 7-392-101.

17 AND BEING the same piece or parcel of land conveyed to the
18 Commonwealth of Pennsylvania, from Jennie B. Kift, widow of
19 William H. Kift, by deed dated April 9, 1915 in the office of
20 the Recorder of Deeds of Lycoming County, Pennsylvania, in Deed
21 Book 219, Page 474.

22 (c) Interests.--The conveyance shall be made under and
23 subject to:

24 (1) all lawful and enforceable easements, servitudes and
25 rights of others, including streets, roadways and rights of
26 any telephone, telegraph, water, electric, gas or pipeline
27 companies; and

28 (2) all lawful and enforceable estates or tenancies
29 vested in third persons appearing of record, for any portion
30 of the land or improvements erected on the land.

1 (d) Gaming restriction.--The conveyance authorized under
2 this section shall be made under and subject to the condition,
3 which shall be contained in the deed of conveyance, that no
4 portion of the property conveyed shall be used as a "licensed
5 facility," as defined in 4 Pa.C.S. § 1103 (relating to
6 definitions), or any other similar type of facility authorized
7 under State law. The condition shall be a covenant running with
8 the land and shall be binding upon the grantee, its successors
9 and assigns. If the grantee, its successors or assigns permit
10 any portion of the property authorized to be conveyed in this
11 section to be used in violation of this subsection, the title
12 shall immediately revert to and revest in the grantor.

13 (e) Deed.--The deed of conveyance shall be by special
14 warranty deed and shall be executed by the Secretary of General
15 Services in the name of the Commonwealth.

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

18 (g) Proceeds.--The proceeds from the sale shall be deposited
19 in the General Fund.

20 (h) Expiration.--If a lease and option to purchase agreement
21 between the parties is not executed within 12 months of the
22 effective date of this section, the authorization contained in
23 this section shall expire.

24 Section 2. Effective date.

25 This act shall take effect immediately.