
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1896 Session of
2019

INTRODUCED BY HENNESSEY, SEPTEMBER 30, 2019

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 30, 2019

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to release a use restriction and
3 reversionary interest affecting certain real property situate
4 in the Township of East Vincent, Chester County, to
5 facilitate the grant and conveyance of the real property from
6 the Owen J. Roberts School District to Pennsylvania American
7 Water Company.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Authorization for release affecting property in
11 Chester County.

12 (a) Authorization.--The Department of General Services, with
13 the approval of the Governor, is hereby authorized on behalf of
14 the Commonwealth of Pennsylvania to release the use restriction
15 and associated reversionary interest affecting certain real
16 property previously conveyed to the Owen J. Roberts School
17 District by the Commonwealth of Pennsylvania, through the
18 Department of General Services, pursuant to the authority
19 contained in section 1 of Act 41 of 1996, on such terms,
20 conditions and for such consideration as is acceptable to the
21 Secretary of General Services, so that the Owen J. Roberts

1 School District can grant and convey to Pennsylvania American
2 Water Company the subject real property for the construction of
3 a water treatment facility for no less than fair market value as
4 established by an independent appraisal. The use restriction and
5 associated reversionary interest to be released is specifically
6 set forth in section 1(e) of Act 41 of 1996.

7 (b) Property description.--The real property to be released
8 from the use restriction and associated reversionary interest
9 and conveyed by Owen J. Roberts School District to Pennsylvania
10 American Water Company is situate in the Township of East
11 Vincent, Chester County, bounded and described as follows:

12 All that certain tract of land situate along the southerly
13 side of Brown Drive and the westerly side of Pennhurst Road in
14 the Township of East Vincent, County of Chester, Commonwealth of
15 Pennsylvania, bounded and described as follows:

16 Beginning at a spike (set) marking the intersection of the
17 titleline of Pennhurst Road (proposed right-of-way to be 50 feet
18 wide) and the titleline in Brown Drive (proposed right-of-way to
19 be 50 feet wide);thence from the place of beginning, along the
20 titleline in Pennhurst Road, south 11 degrees 5 minutes 52
21 seconds east 1,018.78 feet to a spike (set) for a corner of
22 remaining lands of the Commonwealth of Pennsylvania, thence
23 along the same, crossing the proposed westerly right-of-way line
24 of Pennhurst Road 25.05 feet distant and extending along the
25 northerly side of a proposed 25 foot-wide access right-or-way,
26 the six following courses and distances: (1) south 75 degrees 26
27 minutes 3 seconds west 50.89 feet to an iron pin (set), (2)
28 south 80 degrees 49 minutes 35 seconds west 89.60 feet to an
29 iron pin (set), (3) south 83 degrees 59 minutes 34 seconds west
30 425.56 feet to an iron pin (set), (4) south 80 degrees 35

1 minutes 53 seconds west 128.88 feet to an iron pin (set), (5)
2 south 80 degrees 27 minutes west 106.10 feet to an iron pin
3 (set), and (6) north 84 degrees 45 minutes west 370.14 feet to
4 an iron pin (set) in line of lands of Spring Hollow Golf Course,
5 Inc.; thence along the same, north 3 degrees 42 minutes 57
6 seconds east 456.84 feet to a concrete monument (found), a
7 corner of lands of David A. Buchanan; thence along the same,
8 north 4 degrees 10 minutes 57 seconds east 534.24 feet to a
9 spike (found) in the aforementioned titleline in Brown Drive,
10 having crossed an iron pin set at the southerly proposed right-
11 of-way line of Brown Drive, 25.11 feet distant from the last
12 mentioned spike; thence along the titleline in Brown Drive,
13 north 88 degrees 56 minutes 46 seconds east 133.32 feet to a
14 point of curve, and continuing along the titleline in Brown
15 Drive, along a curve to the left, having a radius of 3,020 feet,
16 through a central angle of 3 degrees 44 minutes 56 seconds and
17 an arc distance of 197.60 feet (Chord; north 87 degrees 4
18 minutes 18 seconds east 197.57 feet to a spike (set) for a
19 corner of still other remaining lands of the Commonwealth of
20 Pennsylvania, which includes an existing dwelling and various
21 outbuildings; thence along the same, the three following courses
22 and distances; (1) recrossing the southerly proposed right-of-
23 way line of Brown Drive, 25.04 feet distant, south 7 degrees 56
24 minutes 55 seconds east 230.60 feet to an iron pin (set), (2)
25 north 82 degrees 3 minutes 5 seconds east 326.70 feet to an iron
26 pin (set), and (3) north 7 degrees 56 minutes 55 seconds west
27 225 feet to a spike (set), again in the titleline in Brown
28 Drive, having crossed the proposed southerly right-of-way line
29 25 feet distant from the last mentioned spike; thence again
30 along the titleline in Brown Drive, north 81 degrees 41 minutes

1 59 seconds east 244.23 feet to the place of beginning.

2 Containing 22.4623 acres gross or 21.5574 acres net of land.

3 UNDER AND SUBJECT to all easements, servitudes and rights of
4 others, including but not confined to streets, roadways, and
5 rights of any telephone, telegraph, water, electric, sewer, gas
6 or pipeline companies, as well as under and subject to any
7 interest, estates, or tenancies vested in third persons, whether
8 or not appearing of record, for any portion of the land or
9 improvements erected thereon.

10 RIGHTS-OF-WAY - The property being conveyed shall include the
11 following rights-of-way which were granted to the Owen J.
12 Roberts School District:

13 (1) Pennhurst Road as described below:

14 All that certain right-of-way referred to as Pennhurst Road
15 situate in the Township of East Vincent, County of Chester,
16 Commonwealth of Pennsylvania, bounded and described according to
17 a survey and subdivision plan by Conver and Smith Engineering,
18 Inc., Royersford, Pennsylvania, dated June 30, 1995, last
19 revised March 4, 1996, Plan No. D-95-032, Sheet 2 of 2.

20 Beginning at the intersection of the titleline in the
21 hereindescribed Pennhurst Road (50 feet wide) and the southerly
22 right-of-way line of Brown Drive (50 feet wide), the said corner
23 being also south 11 degrees 5 minutes 52 seconds east 25.03 feet
24 from the intersection of the titleline in Pennhurst Road and the
25 titleline in Brown Drive; thence from the place of beginning,
26 along the southerly right-of-way line of Brown Drive, north 81
27 degrees 41 minutes 59 seconds east 46.03 feet to a corner;
28 thence along the easterly right-of-way line of Pennhurst Road,
29 the five (5) following courses and distances; (1) along a curve
30 to the southeast, having a radius of 20-feet, through a central

1 angle of 92 degrees 47 minutes 51 seconds and an arc distance of
2 32.39 feet (Chord: south 35 degrees 18 minutes 3 seconds west
3 28.97 feet) to a point of tangent, (2) crossing the westerly
4 terminus of Dunlap Road, near the end of this course, south 11
5 degrees 5 minutes 52 seconds east 1,021.35 feet to a corner, (3)
6 south 11 degrees 53 minutes 58 seconds east 698.13 feet to a
7 point of curve, (4) along a curve to the right, having a radius
8 of 1350 feet, through a central angle of 9 degrees 3 minutes 25
9 seconds and an arc distance of 213.40 feet (Chord: south 7
10 degrees 22 minutes 16 seconds east 213.18 feet) to a point of
11 tangent, and (5) south 2 degrees 50 minutes 33 seconds east
12 36.02 feet, more or less, to a corner; thence crossing the
13 northerly terminus of the public portion of Pennhurst Road (T-
14 483-33 feet wide), south 86 degrees 52 minutes 4 seconds west 50
15 feet to a corner on the westerly right-of-way of the
16 hereindescribed Pennhurst Road; thence along the same , the five
17 (5) following courses and distances: (1) north 2 degrees 50
18 minutes 33 seconds west 36.27 feet, more or less, to a point of
19 curve, (2) along a curve to the left, having a radius of 1300
20 feet, through a central angle of 9 degrees 3 minutes 25 seconds
21 and an arc distance of 205.50 feet (Chord: north 7 degrees 22
22 minutes 16 seconds west 205.28 feet) to a point of tangent, (3)
23 north 11 degrees 53 minutes 58 seconds west 698.48 feet to a
24 corner, (4) crossing the easterly terminus of a certain 25-foot
25 wide access right-of-way, north 11 degrees 5 minutes 52 seconds
26 west 1026.10 feet to a point of curve, and (5) along a curve to
27 the left, having a radius of 20 feet, through a central angel of
28 87 degrees 12 minutes 9 seconds and an arc distance of 30.44
29 feet (Chord: north 54 degrees 41 minutes 56 seconds west 27.59
30 feet) to a point of tangent on the aforementioned southerly

1 right-of-way line of Brown Drive; thence along the same, north
2 81 degrees 41 minutes 59 seconds east 44.08 feet to the place of
3 beginning.

4 (2) Brown Drive as described below:

5 All that certain right-of-way referred to as Brown Drive
6 situate in the Township of East Vincent, County of Chester,
7 Commonwealth of Pennsylvania, bounded and described according to
8 a survey and subdivision plan by Conver and Smith Engineering,
9 Inc., Royersford, Pennsylvania, dated June 30, 1995, last
10 revised March 4, 1996, Plan No. D-95-032, sheet 2 of 2.

11 Beginning at the intersection of the southerly right-of-way
12 line of the herein-described Brown Drive (50 feet wide) and the
13 titleline in Pennhurst Road; (50 feet wide); the said corner
14 being also south 11 degrees 5 minutes 52 seconds east 25.03 feet
15 from the intersection of the titleline in Brown Drive and the
16 titleline in Pennhurst Road; thence from the place of beginning,
17 along the southerly right-of-way line of Brown Drive, the four
18 (4) following courses and distances: (1) south 81 degrees 41
19 minutes 59 seconds west 245.61 feet to a corner, (2) south 82
20 degrees 24 minutes 11 seconds west 179.67 feet to a point of
21 curve, (3) along a curve to the right, having a radius of 3045
22 feet, through an central angle of 6 degrees 32 minutes 35
23 seconds and an arc distance of 347.73 feet (Chord: south 85
24 degrees 40 minutes 28 seconds west 347.54 feet) to a point of
25 tangent, and (4) south 88 degrees 56 minutes 46 seconds west
26 135.61 feet to a corner in line of lands of David A. Buchanan
27 which are located southerly of Brown Drive; thence along the
28 same and also along lands of Citizens Utilities Home Water
29 Company which are located northerly of Brown Drive, also
30 crossing the eastern terminus of that portion of Brown Drive

1 which is currently public right-of-way, north 4 degrees 10
2 minutes 57 seconds east 50.22 feet to a corner on the northerly
3 side of the herein-described right-of-way of Brown Drive; thence
4 along the same, the four (4) following courses and distances:
5 (1) north 88 degrees 56 minutes 46 seconds east 131.03 feet to a
6 point of curve, (2) along a curve to the left, having a radius
7 of 2995 feet, through a central angle of 6 degrees 32 minutes 35
8 seconds, and an arc distance of 342.02 feet (Chord: north 85
9 degrees 40 minutes 28 seconds east 341.84 feet) to a point of
10 tangent, (3) north 82 degrees 24 minutes 11 seconds east 179.36
11 feet to a corner, and (4) partly crossing the terminus of
12 Commonwealth Drive (a private road), North 81 degrees 41 minutes
13 59 seconds east 291.33 feet to a corner; thence crossing the bed
14 of the herein-described Brown Drive; south 8 degrees 18 minutes
15 1 second east 50 feet to a corner on the aforementioned
16 southerly right-of-way line of Brown Drive; thence along the
17 same, south 81 degrees 41 minutes 59 seconds west 46.03 feet to
18 the place of beginning.

19 (c) Description of restriction and reversionary interest to
20 be released.--The use restriction and associated reversionary
21 interest to be released is set forth in section 1(e) of Act 41
22 of 1996 and states as follows:

23 UNDER AND SUBJECT to a restriction that the property be used
24 for educational purposes only. If the Grantee or successor in
25 function uses the property for non-educational purposes, leases
26 the land for non-educational or nonagricultural purposes, or
27 attempts to sell the property within 25 years from the date the
28 property is deeded to the Grantee, the property shall
29 immediately revert to and revest in the Commonwealth of
30 Pennsylvania. This restriction shall cease 25 years after the

1 date the property is deeded to the Grantee.

2 (d) Legal instruments.--Any legal instruments necessary to
3 release the use restriction and reversionary interest shall be
4 executed by the Secretary of General Services in the name of the
5 Commonwealth of Pennsylvania.

6 (e) Costs and fees.--Any costs and fees incidental to the
7 release hereby authorized shall be borne by the grantee.

8 (f) Proceeds.--Any proceeds received by the Department of
9 General Services for the release hereby authorized shall be
10 deposited into the General Fund.

11 Section 2. Effective date.

12 This act shall take effect immediately.