

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 130 Session of 2019

INTRODUCED BY GORDNER, JANUARY 28, 2019

AS AMENDED ON SECOND CONSIDERATION, HOUSE OF REPRESENTATIVES, JUNE 24, 2019

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to release a PORTION OF THE use <--
3 restriction and reversionary interest affecting certain real
4 property situate partly in the Township of Mahoning and
5 partly in the Borough of Danville, County of Montour--; <--
6 AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES, WITH THE
7 APPROVAL OF THE GOVERNOR, TO GRANT AND CONVEY TO THE COUNTY
8 OF MIFFLIN CERTAIN LANDS OF THE COMMONWEALTH OF PENNSYLVANIA
9 AT THE STATE FIRE ACADEMY SITUATE IN THE BOROUGH OF
10 LEWISTOWN, MIFFLIN COUNTY, TOGETHER WITH APPURTENANT PARKING,
11 FOR THE BENEFIT OF THE GENERAL PUBLIC; AND AUTHORIZING THE
12 DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF
13 SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA OF THE STATE SYSTEM
14 OF HIGHER EDUCATION AND THE GOVERNOR, TO GRANT AND CONVEY TO
15 THE CUMBERLAND VALLEY RAILS TO TRAILS COUNCIL A PERMANENT
16 EASEMENT FROM LANDS OF THE COMMONWEALTH OF PENNSYLVANIA AT
17 SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA SITUATE IN
18 SHIPPENSBURG TOWNSHIP, CUMBERLAND COUNTY, FOR THE PURPOSE OF
19 ESTABLISHING AND MAINTAINING A PARKING LOT FOR THE BENEFIT OF
20 THE GENERAL PUBLIC UTILIZING THE CUMBERLAND VALLEY RAIL
21 TRAIL.

22 The General Assembly of the Commonwealth of Pennsylvania
23 hereby enacts as follows:

24 Section 1. ~~Authorization for release~~ RELEASE OF RESTRICTION IN <--
25 MONTOUR COUNTY.

26 (A) AUTHORIZATION.--The Department of General Services, with <--
27 the approval of the Governor, is hereby authorized on behalf of

1 the Commonwealth of Pennsylvania to release A PORTION OF the use <--  
2 restriction and associated reversionary interest affecting  
3 certain real property previously conveyed to the Borough of  
4 Danville by the Commonwealth of Pennsylvania, through the  
5 Department of General Services, pursuant to the authority  
6 contained in section 1 of Act 109 of 1994, on such terms,  
7 conditions and for such consideration as is acceptable to the  
8 Secretary of General Services, WITH THE PORTION OF THE PROPERTY <--  
9 TO BE RELEASED TO BE LESS THAN OR EQUAL TO 40 ACRES. The use  
10 restriction and associated reversionary interest to be released  
11 is specifically set forth in section 1(c) of Act 109 of 1994.

12 ~~Section 2. Property description.~~ <--

13 ~~The use restriction and associated reversionary interest~~

14 (B) PROPERTY DESCRIPTION.--THE USE RESTRICTION AND <--

15 ASSOCIATED REVERSIONARY INTEREST referenced in ~~section 1~~ <--

16 SUBSECTION (A) affects a tract of land totaling approximately <--

17 459.22 acres, situate partly in the Township of Mahoning and  
18 partly in the Borough of Danville, County of Montour, bounded  
19 and described as follows:

20 Beginning at a point on the southern side of U.S. Route 11,  
21 said point being the northernmost point of the described tract  
22 of land; thence along the outside perimeter the following  
23 courses and distances: south 86 degrees 35 minutes 54 seconds  
24 east 1084.29 feet; south 85 degrees 18 minutes 36 seconds east  
25 934.96 feet; thence on a curve to the left having an arc  
26 distance of 412.88 feet, radius of 1761.34 feet and a chord  
27 length of 411.94 feet; thence north 81 degrees 15 minutes 33  
28 seconds east 455.73 feet; south 70 degrees 55 minutes 11 seconds  
29 east 124.07 feet; south 71 degrees 48 minutes 46 seconds east  
30 2111.92 feet; south 76 degrees 57 minutes 44 seconds east 98.98

1 feet; south 80 degrees 51 minutes 25 seconds east 93.82 feet;  
2 south 80 degrees 53 minutes 49 seconds east 75.13 feet; south 17  
3 degrees 28 minutes 55 seconds east 1177.93 feet; south 68  
4 degrees 18 minutes 28 seconds west 483.52 feet; south 82 degrees  
5 40 minutes 10 seconds west 2149.80 feet; south 16 degrees ten  
6 minutes 23 seconds east 337.45 feet; south 76 degrees 4 minutes  
7 23 seconds west 1348.82 feet; south 15 degrees 25 minutes 48  
8 seconds west 183.63 feet; south 3 degrees 21 minutes 55 seconds  
9 east 465.40 feet; south 67 degrees 19 minutes 43 seconds east  
10 211.58 feet; south 7 degrees 20 minutes 57 seconds west 48.36  
11 feet; south 86 degrees 48 minutes 17 seconds east 69.28 feet;  
12 north 32 degrees 11 minutes 43 seconds east 24.87 feet; south 18  
13 degrees 14 minutes 16 seconds east 1413.98 feet; south 74  
14 degrees west 920.71 feet; south 22 minutes 35 seconds west  
15 447.95 feet; north 88 degrees 14 minutes 59 seconds west 498.09  
16 feet; south 4 degrees 19 minutes 40 seconds west 625.33 feet;  
17 north 75 degrees 31 minutes 5 seconds west 934.41 feet; north 71  
18 degrees 4 minutes 15 seconds west 450.96 feet; north 64 degrees  
19 52 minutes 10 seconds west 1053.62 feet; north 56 degrees 21  
20 minutes 57 seconds west 514.63 feet; north 49 degrees 29 minutes  
21 48 seconds west 494.38 feet; north 41 degrees 26 minutes 44  
22 seconds west 921.33 feet; south 40 degrees 32 minutes 32 seconds  
23 west 97.56 feet; north 34 degrees 1 minute 37 seconds west  
24 192.92 feet; north 37 degrees 29 minutes 41 seconds east 63.59  
25 feet; north 52 degrees 55 minutes 35 seconds 149.62 feet; south  
26 67 degrees 6 minutes 25 seconds east 225.10 feet; north 52  
27 degrees 20 minutes 35 seconds east 613 feet; north 39 degrees 12  
28 minutes 45 seconds west 790.39 feet; north 28 degrees 40 minutes  
29 38 seconds east 100.14 feet; north 36 degrees 23 minutes 16  
30 seconds west 167.47 feet; north 32 degrees 4 minutes 13 seconds

1 west 135.41 feet; north 58 degrees 33 minutes 39 seconds east  
2 72.18 feet; south 29 degrees 58 minutes 39 seconds east 98.19  
3 feet; south 35 degrees 49 minutes 7 seconds east 107.13 feet;  
4 north 66 degrees 38 minutes 24 seconds east 369.02 feet; thence  
5 along Department of Public Welfare south 27 degrees 22 minutes 2  
6 seconds east 279.62 feet; north 75 degrees 1 minute 29 seconds  
7 east 76.60 feet; south 36 degrees 33 minutes 26 seconds east  
8 119.38 feet; south 22 degrees 26 minutes 59 seconds east 936.78  
9 feet; south 61 degrees 51 minutes 55 seconds west 183.32 feet;  
10 south 36 degrees 5 minutes 58 seconds east 454.81 feet; south 34  
11 degrees 38 minutes 20 seconds east 539.47 feet; south 51 degrees  
12 36 minutes 49 seconds west 165.89 feet; south 37 degrees 1  
13 minute 58 seconds east 454.60 feet; north 61 degrees 21 minutes  
14 43 seconds east 213.66 feet; south 43 degrees 45 minutes 17  
15 seconds east 104.91 feet; north 57 degrees 45 minutes 3 seconds  
16 east 79.98 feet; north 16 degrees 54 minutes 3 seconds west  
17 92.20 feet; north 63 degrees 22 minutes 10 seconds east 332.69  
18 feet; south 25 degrees 35 seconds east 45.06 feet; north 88  
19 degrees 37 minutes 31 seconds east 263.21 feet; south 47 degrees  
20 20 minutes 35 seconds east 131.01 feet; south 83 degrees 20  
21 minutes 9 seconds east 341.87 feet; north 57 degrees 26 minutes  
22 44 seconds east 370 feet; north 47 degrees 22 minutes 36 seconds  
23 west 350 feet; north 59 degrees 8 minutes 33 seconds east 177.94  
24 feet; north 78 degrees 42 minutes 35 seconds east 123.09 feet;  
25 north 73 degrees 44 minutes 12 seconds east 83.44 feet; north 51  
26 degrees 8 minutes 56 seconds east 284.26 feet; north 51 degrees  
27 40 minutes 50 seconds east 320.50 feet; north 45 degrees 34  
28 minutes 58 seconds east 522.22 feet; north 21 degrees 19 minutes  
29 29 seconds west 1081.47 feet; south 77 degrees 38 minutes 8  
30 seconds west 303.36 feet; south 71 degrees 23 minutes 51 seconds

1 west 347.80 feet; north 20 degrees 34 minutes 58 seconds west  
2 310 feet; south 78 degrees 26 minutes west 250 feet; north 15  
3 degrees 44 minutes 51 seconds west 1027.69 feet; south 81  
4 degrees 13 minutes 20 seconds west 310 feet; south 10 degrees 36  
5 seconds west 73.83 feet; south 81 degrees 13 minutes 20 seconds  
6 west 106.77 feet; south 4 degrees 27 minutes 3 seconds west  
7 655.42 feet; south 81 degrees 41 minutes 23 seconds west 997.11  
8 feet; thence along the outside perimeter north 31 degrees 12  
9 minutes 21 seconds east 966.90 feet; south 85 degrees 12 minutes  
10 3 seconds east 159.32 feet; north 5 degrees 44 minutes 26  
11 seconds east 116.14 feet; south 86 degrees 14 minutes 19 seconds  
12 east 464.22 feet; north 2 degrees 55 minutes 48 seconds east  
13 157.74 feet; north 5 degrees 45 minutes 1 second west 651.40  
14 feet; south 84 degrees 38 minutes 1 second east 359.44 feet;  
15 north 3 degrees 30 minutes 48 seconds east 1135.76 feet to the  
16 place of beginning.

17 ~~Section 3. Description of restriction and reversionary~~ <--  
18 ~~interest.~~

19 ~~The use restriction and associated reversionary interest~~

20 (C) DESCRIPTION OF RESTRICTION AND REVERSIONARY INTEREST.-- <--  
21 THE USE RESTRICTION AND ASSOCIATED REVERSIONARY INTEREST  
22 referenced in ~~section 1~~ SUBSECTION (A) is as follows: <--

23 "The land and buildings shall only be used for agricultural  
24 purposes and for use of sewer sludge application related to  
25 agricultural uses, and, if at any time the property is used for  
26 other purposes, the title thereto shall immediately revert to  
27 and re-vest in the Commonwealth of Pennsylvania."

28 ~~Section 4. Legal instruments.~~ <--

29 ~~Any legal instruments necessary to release the use~~

30 (D) LEGAL INSTRUMENTS.--ANY LEGAL INSTRUMENTS NECESSARY TO <--

1 RELEASE THE USE restriction and reversionary interest UNDER THIS <--  
2 SECTION shall be executed by the Secretary of General Services  
3 in the name of the Commonwealth of Pennsylvania.

4 ~~Section 5. Costs and fees.~~ <--

5 ~~Any costs and fees incidental to the release hereby~~

6 (E) COSTS AND FEES.--ANY COSTS AND FEES INCIDENTAL TO THE <--  
7 RELEASE authorized UNDER THIS SECTION shall be borne by the <--  
8 Borough of Danville.

9 ~~Section 6. Proceeds.~~ <--

10 ~~Any proceeds received by the Department of General Services~~

11 (F) PROCEEDS.--ANY PROCEEDS RECEIVED BY THE DEPARTMENT OF <--  
12 GENERAL SERVICES for the release hereby authorized UNDER THIS <--  
13 SECTION shall be deposited into the General Fund.

14 ~~Section 7. Definition.~~ <--

15 ~~The term "Act 109 of 1994" shall mean the act of December 7,~~

16 (G) DEFINITION.--AS USED IN THIS SECTION, THE TERM "ACT 109 <--  
17 OF 1994" SHALL MEAN THE ACT OF DECEMBER 7, 1994 (P.L.784,  
18 No.109), entitled "An act authorizing and directing the <--  
19 Department of General Services, with the approval of the  
20 Governor, the Department of Public Welfare and the Department of  
21 Agriculture, to grant and convey to the Borough of Danville,  
22 Montour County, land situate in Mahoning Township and in the  
23 Borough of Danville, Montour County, Pennsylvania; authorizing  
24 and directing the Department of General Services, with the  
25 approval of the Governor, to convey to Glade Township Volunteer  
26 Fire Department, Inc., a tract of land situate in Glade  
27 Township, Warren County, Pennsylvania; authorizing the  
28 Department of General Services, with the approval of the  
29 Governor, to convey a tract of land situate in Frenchcreek  
30 Township, Venango County, Pennsylvania; authorizing and

1 directing the Department of General Services, with the approval  
2 of the Governor and the Department of Corrections, to convey a  
3 tract of land in Mount Joy Township, Lancaster County,  
4 Pennsylvania; authorizing the conveyance of a permanent right-  
5 of-way over certain State land to the Middletown Fire Company  
6 No. 1, Delaware County, Pennsylvania; and authorizing the  
7 Department of General Services, with the approval of the  
8 Governor and the Secretary of Environmental Resources, to sell  
9 and convey to Mr. and Mrs. Harold Harris certain land situate in  
10 the Borough of South Philipsburg, Township of Rush, Centre  
11 County, Pennsylvania."

12 SECTION 2. CONVEYANCE IN THE BOROUGH OF LEWISTOWN, MIFFLIN  
13 COUNTY. <--

14 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH  
15 THE APPROVAL OF THE GOVERNOR AND THE STATE FIRE COMMISSIONER, IS  
16 HEREBY AUTHORIZED ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA  
17 TO GRANT AND CONVEY TO MIFFLIN COUNTY A PERMANENT EASEMENT FROM  
18 LANDS OF THE COMMONWEALTH OF PENNSYLVANIA AT THE STATE FIRE  
19 ACADEMY SITUATE IN THE BOROUGH OF LEWISTOWN, MIFFLIN COUNTY, FOR  
20 THE PURPOSE OF ESTABLISHING AND MAINTAINING A RECREATIONAL  
21 HIKING TRAIL, TOGETHER WITH APPURTENANT PARKING FOR THE BENEFIT  
22 OF THE GENERAL PUBLIC FOR \$1 AND UNDER TERMS AND CONDITIONS TO  
23 BE ESTABLISHED IN AN EASEMENT AGREEMENT.

24 (B) PROPERTY DESCRIPTION.--THE PERMANENT EASEMENT TO BE  
25 CONVEYED PURSUANT TO SUBSECTION (A) CONSISTS OF AN AREA OF  
26 APPROXIMATELY 1.02-ACRES, BOUNDED AND MORE PARTICULARLY  
27 DESCRIBED AS FOLLOWS:

28 ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND SITUATE IN THE  
29 BOROUGH OF LEWISTOWN, COUNTY OF MIFFLIN, COMMONWEALTH OF  
30 PENNSYLVANIA, DEPICTED ON A PLAN PREPARED BY THE EADS GROUP,

1 DATED MARCH 2019, AS LAST REVISED, AND BEING MORE FULLY  
2 DESCRIBED AS FOLLOWS:

3 BEGINNING AT A POINT ALONG RIVERSIDE DRIVE, THENCE NORTH  
4  $57^{\circ}22'17''$  EAST, 247.79 FEET TO A POINT OF NON-TANGENCY;

5 THENCE SOUTH  $85^{\circ}11'29''$  EAST, 166.94 FEET TO THE BEGINNING OF  
6 A CURVE CONCAVE SOUTHERLY, SAID CURVE HAS A RADIUS OF 65.00  
7 FEET;

8 THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  
9  $25^{\circ}36'54''$  AN ARC DISTANCE OF 29.06 FEET TO A POINT OF TANGENCY;

10 THENCE SOUTH  $59^{\circ}34'35''$  EAST, 81.41 FEET TO THE BEGINNING OF A  
11 NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, SAID CURVE HAS A RADIUS  
12 OF 42.38 FEET, TO WHICH A RADIAL LINE BEARS NORTH  $30^{\circ}45'54''$   
13 EAST;

14 THENCE SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE  
15 OF  $71^{\circ}20'32''$  AN ARC DISTANCE OF 52.77 FEET TO A POINT OF NON-  
16 TANGENCY;

17 THENCE SOUTH  $7^{\circ}38'35''$  WEST, 28.79 FEET TO A POINT OF NON-  
18 TANGENCY;

19 THENCE NORTH  $65^{\circ}11'11''$  EAST, 72.23 FEET TO A POINT OF NON-  
20 TANGENCY; TO A SHARED BOUNDARY WITH NOW OR FORMERLY MIFFLIN  
21 CONCRETE, INC, THENCE ALONG THAT BOUNDARY SOUTH  $46^{\circ}20'50''$  EAST,  
22 32.25 FEET TO A POINT OF NON-TANGENCY;

23 THENCE SOUTH  $65^{\circ}11'11''$  WEST, 96.68 FEET TO THE BEGINNING OF A  
24 CURVE CONCAVE SOUTHEASTERLY, SAID CURVE HAS A RADIUS OF 85.00  
25 FEET;

26 THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE  
27 OF  $25^{\circ}30'52''$  AN ARC DISTANCE OF 37.85 FEET TO A POINT OF  
28 TANGENCY;

29 THENCE SOUTH  $39^{\circ}40'19''$  WEST, 344.42 FEET TO THE BEGINNING OF  
30 A CURVE CONCAVE SOUTHEASTERLY, SAID CURVE HAS A RADIUS OF 85.00



1 FEET;

2 THENCE SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE  
3 OF 14°14'23" AN ARC DISTANCE OF 21.13 FEET TO A POINT OF  
4 TANGENCY;

5 THENCE SOUTH 25°25'56" WEST, 442.21 FEET TO A POINT OF NON-  
6 TANGENCY; TO A SHARED BOUNDARY WITH NOW OR FORMERLY LOWES HOME  
7 CENTER, INC;

8 THENCE ALONG THAT BOUNDARY, NORTH 77°36'20" WEST, 30.79 FEET  
9 TO A POINT OF NON-TANGENCY;

10 THENCE NORTH 25°25'56" EAST, 449.15 FEET TO THE BEGINNING OF  
11 A CURVE CONCAVE SOUTHEASTERLY, SAID CURVE HAS A RADIUS OF 115.00  
12 FEET;

13 THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE  
14 OF 14°14'23" AN ARC DISTANCE OF 28.58 FEET TO A POINT OF  
15 TANGENCY;

16 THENCE NORTH 39°40'19" EAST, 344.42 FEET TO THE BEGINNING OF  
17 A CURVE CONCAVE SOUTHEASTERLY, SAID CURVE HAS A RADIUS OF 115.00  
18 FEET;

19 THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE  
20 OF 10°19'14" AN ARC DISTANCE OF 20.71 FEET TO A POINT OF REVERSE  
21 CURVATURE, SAID CURVE IS CONCAVE NORTHWESTERLY AND HAS A RADIUS  
22 OF 15.00 FEET;

23 THENCE NORTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE  
24 OF 42°20'58" AN ARC DISTANCE OF 11.09 FEET TO A POINT OF  
25 TANGENCY;

26 THENCE NORTH 7°38'35" EAST, 46.54 FEET TO THE BEGINNING OF A  
27 NON-TANGENT CURVE CONCAVE WESTERLY AND HAS A RADIUS OF 12.38  
28 FEET, TO WHICH A RADIAL LINE BEARS SOUTH 74°05'35" EAST;

29 THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  
30 74°51'05" AN ARC DISTANCE OF 16.18 FEET TO A POINT OF NON-

1 TANGENCY;

2 THENCE NORTH 59°34'35" WEST, 81.29 FEET TO THE BEGINNING OF A  
3 CURVE CONCAVE SOUTHERLY AND HAS A RADIUS OF 35.00 FEET;

4 THENCE WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF  
5 25°36'54" AN ARC DISTANCE OF 15.65 FEET TO A POINT OF TANGENCY;

6 THENCE NORTH 85°11'29" WEST, 192.42 FEET TO A POINT OF NON-  
7 TANGENCY;

8 THENCE SOUTH 32°21'43" EAST, 21.67 FEET TO A POINT OF NON-  
9 TANGENCY;

10 THENCE SOUTH 57°22'19" WEST, 119.98 FEET TO A POINT OF NON-  
11 TANGENCY;

12 THENCE NORTH 32°25'08" WEST, 14.73 FEET TO A POINT OF NON-  
13 TANGENCY;

14 THENCE SOUTH 57°34'52" WEST, 89.30 TO A POINT OF NON-  
15 TANGENCY;

16 THENCE NORTH 32°37'41" WEST, 14.95 FEET TO THE POINT OF  
17 BEGINNING.

18 CONTAINING 1.02-ACRES.

19 THE PERMANENT EASEMENT IS LOCATED ENTIRELY WITHIN THE LANDS  
20 KNOWN AS THE STATE FIRE ACADEMY, ACQUIRED BY AN INDENTURE DATED  
21 NOVEMBER 13, 1986 FROM THE GENERAL STATE AUTHORITY TO THE  
22 COMMONWEALTH OF PENNSYLVANIA, ACTING BY AND THROUGH THE  
23 DEPARTMENT OF GENERAL SERVICES, AND RECORDED AT THE OFFICE OF  
24 THE RECORDER OF DEEDS OF MIFFLIN COUNTY AT DEED BOOK 318, PAGE  
25 998.

26 (C) AGREEMENT.--THE EASEMENT AGREEMENT, AND ANY OTHER  
27 DOCUMENTS NECESSARY TO EFFECTUATE THE ABOVE DESCRIBED  
28 CONVEYANCE, SHALL BE EXECUTED BY THE SECRETARY OF GENERAL  
29 SERVICES IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

30 (D) RESTRICTIVE COVENANTS.--THE EASEMENT AGREEMENT SHALL

1 CONTAIN A PROVISION THAT THE EASEMENT SHALL BE UTILIZED BY THE  
2 GRANTEE, ITS SUCCESSORS OR ASSIGNS, SOLELY FOR THE PURPOSES OF  
3 ESTABLISHING AND MAINTAINING A RECREATIONAL HIKING TRAIL,  
4 TOGETHER WITH APPURTENANT PARKING, FOR THE BENEFIT OF THE  
5 GENERAL PUBLIC AND FOR NO OTHER PURPOSE. SHOULD THE EASEMENT NOT  
6 BE UTILIZED FOR THE PURPOSES SET FORTH IN THIS SECTION, THE  
7 EASEMENT SHALL AUTOMATICALLY EXTINGUISH.

8 (E) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THE  
9 CONVEYANCE DESCRIBED HEREIN SHALL BE BORNE BY THE GRANTEE.

10 (F) EXPIRATION.--IF THE PARTIES HAVE NOT ENTERED INTO AN  
11 EASEMENT AGREEMENT WITHIN TWO YEARS OF THE EFFECTIVE DATE OF  
12 THIS ACT, THE AUTHORIZATION CONTAINED HEREIN SHALL EXPIRE.

13 SECTION 3. CONVEYANCE IN SHIPPENSBURG TOWNSHIP, CUMBERLAND  
14 COUNTY.

15 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH  
16 THE APPROVAL OF SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA OF THE  
17 STATE SYSTEM OF HIGHER EDUCATION AND THE GOVERNOR, IS AUTHORIZED  
18 ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA TO GRANT AND  
19 CONVEY TO THE CUMBERLAND VALLEY RAILS TO TRAILS COUNCIL A  
20 PERMANENT EASEMENT FROM LANDS OF THE COMMONWEALTH OF  
21 PENNSYLVANIA AT SHIPPENSBURG UNIVERSITY OF PENNSYLVANIA SITUATE  
22 IN THE SHIPPENSBURG TOWNSHIP, CUMBERLAND COUNTY, FOR THE PURPOSE  
23 OF ESTABLISHING AND MAINTAINING A PARKING LOT FOR THE BENEFIT OF  
24 THE GENERAL PUBLIC UTILIZING THE CUMBERLAND VALLEY RAIL TRAIL  
25 FOR \$1 AND UNDER TERMS AND CONDITIONS TO BE ESTABLISHED IN AN  
26 EASEMENT AGREEMENT.

27 (B) PROPERTY DESCRIPTION.--THE PERMANENT EASEMENT TO BE  
28 CONVEYED UNDER SUBSECTION (A) CONSISTS OF APPROXIMATELY 4,352  
29 SQUARE FEET OF LAND, BOUNDED AND MORE PARTICULARLY DESCRIBED AS  
30 FOLLOWS:

1 ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND SITUATE ON THE  
2 NORTH SIDE OF FORT STREET WITHIN THE LANDS NOW OR FORMERLY OF  
3 THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF GENERAL SERVICES  
4 (SHIPPENSBURG UNIVERSITY) IN SHIPPENSBURG TOWNSHIP, CUMBERLAND  
5 COUNTY, PENNSYLVANIA AND BEING MORE FULLY DESCRIBED AS FOLLOWS:

6 BEGINNING AT A CONCRETE MONUMENT ON THE NORTHERN RIGHT-OF-WAY  
7 LINE OF FORT STREET WHERE IT IS INTERSECTED BY THE EASTERN  
8 BOUNDARY LINE OF LANDS OF CUMBERLAND VALLEY RAILS TO TRAILS  
9 COUNCIL; THENCE ALONG SAID BOUNDARY LINE N 06°35'32" E A  
10 DISTANCE OF 165.48 FEET TO A POINT; THENCE EXTENDING THROUGH  
11 LANDS OF THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF GENERAL  
12 SERVICES (SHIPPENSBURG UNIVERSITY) S 88°41'17" E A DISTANCE OF  
13 23.03 FEET TO A POINT; THENCE CONTINUING THROUGH SAME S  
14 03°09'10" W A DISTANCE OF 149.06 FEET TO A POINT ON THE NORTHERN  
15 RIGHT-OF-WAY LINE OF FORT STREET; THENCE ALONG SAID RIGHT-OF-WAY  
16 LINE S 66°02'54" W A DISTANCE OF 37.01 FEET TO A CONCRETE  
17 MONUMENT, THE POINT OF BEGINNING.

18 CONTAINING 4,352 SQUARE FEET.

19 (C) EASEMENT AGREEMENT.--THE EASEMENT AGREEMENT AND ANY  
20 OTHER DOCUMENTS NECESSARY TO EFFECTUATE THE CONVEYANCE UNDER  
21 THIS SECTION SHALL BE EXECUTED BY THE SECRETARY OF GENERAL  
22 SERVICES IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

23 (D) RESTRICTIVE COVENANTS.--THE EASEMENT AGREEMENT SHALL  
24 CONTAIN A PROVISION THAT THE EASEMENT SHALL BE UTILIZED BY THE  
25 GRANTEE, ITS SUCCESSORS OR ASSIGNS, SOLELY FOR THE PURPOSES OF  
26 ESTABLISHING AND MAINTAINING A PARKING LOT FOR THE BENEFIT OF  
27 THE GENERAL PUBLIC UTILIZING THE CUMBERLAND VALLEY RAIL TRAIL  
28 AND FOR NO OTHER PURPOSE. SHOULD THE EASEMENT NOT BE UTILIZED  
29 FOR THE PURPOSES SPECIFIED IN THIS SECTION, THE EASEMENT SHALL  
30 AUTOMATICALLY BE EXTINGUISHED.

1 (E) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THE  
2 CONVEYANCE UNDER THIS SECTION SHALL BE BORNE BY THE GRANTEE.

3 (F) EXPIRATION.--IN THE EVENT THAT THE PARTIES HAVE NOT  
4 ENTERED INTO AN EASEMENT AGREEMENT WITHIN TWO YEARS OF THE  
5 EFFECTIVE DATE OF THIS SECTION, THE AUTHORIZATION CONTAINED IN  
6 THIS SECTION SHALL EXPIRE.

7 Section § 4. Effective date.

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8 This act shall take effect immediately.