
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1020 Session of
2022

INTRODUCED BY GEBHARD, JANUARY 14, 2022

REFERRED TO STATE GOVERNMENT, JANUARY 14, 2022

AN ACT

1 Authorizing the Department of Conservation and Natural
2 Resources, with the approval of the Governor, to grant and
3 convey to Kyle A. and Tamara J. Boltz certain lands situate
4 in Union Township, Lebanon County, in exchange for Kyle A.
5 and Tamara J. Boltz's granting and conveying certain lands to
6 the Commonwealth of Pennsylvania, Department of Conservation
7 and Natural Resources, to be added to those existing lands at
8 Swatara State Park.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Conveyance in Union Township, Lebanon County.

12 (a) Authorization.--The Department of Conservation and
13 Natural Resources, with the approval of the Governor, is hereby
14 authorized on behalf of the Commonwealth of Pennsylvania to
15 grant and convey to Kyle A. and Tamara J. Boltz certain lands
16 situate in Union Township, Lebanon County, in exchange for that
17 certain property to be conveyed to the Commonwealth of
18 Pennsylvania in accordance with subsection (c).

19 (b) Property description.--The property to be conveyed in
20 accordance with this section consists of approximately 4.191
21 acres, located in Union Township, Lebanon County, Commonwealth

1 of Pennsylvania, being a portion of that land conveyed by the
2 United States of America acting by and through the Regional
3 Director, National Park Service, Mid-Atlantic Region, pursuant
4 to authority delegated by the Secretary of the Interior, and as
5 authorized by the Federal Property and Administrative Services
6 Act of 1949 (63 Stat. 377), as amended, and particularly as
7 amended by Public Law 91-485 (84 Stat. 1084), and regulations
8 and orders promulgated thereunder to Bureau of State Parks,
9 Commonwealth of Pennsylvania, by deed dated April 12, 1989, and
10 recorded in the Office of the Recorder of Deeds of Lebanon
11 County, Pennsylvania, in Deed Book 285 at Page 109. Beginning at
12 a point marked with rebar, said point being located along the
13 common division line between Kyle A. and Tamara J. Boltz and the
14 Commonwealth of Pennsylvania, said point being Southerly corner
15 of the lands of the Commonwealth of Pennsylvania herein
16 described; thence, along the line of lands of Kyle A. and Tamara
17 J. Boltz, North fourteen degrees forty-three minutes fifty
18 seconds East (N 14°43'50" E) a distance of one thousand one
19 hundred twenty and eighty-two hundredth feet (1120.82 ft) to a
20 point marked with rebar; thence, through the lands of the
21 Commonwealth of Pennsylvania, South seventy-five degrees fifteen
22 minutes fifty seconds East (S 75°15'50" E) a distance of three
23 hundred thirty-one and ten hundredths feet (331.10); thence,
24 along common division line between the lands of the Commonwealth
25 of Pennsylvania and Kyle A. and Tamara J. Boltz, South thirty-
26 four degrees thirty-eight minutes twenty-one seconds West (S
27 34°38'21" W) a distance of eighty-four and ninety-three
28 hundredths feet (84.93 ft) to a point marked with a pipe;
29 thence, along common division line between the lands of the
30 Commonwealth of Pennsylvania and Kyle A. and Tamara J. Boltz,

1 South thirty degrees fifty-seven minutes three seconds West (S
2 30°57'03" W) a distance of four hundred forty-six and sixty-four
3 hundredths feet (446.64 ft) to a point marked with a pipe;
4 thence, along common division line between the lands of the
5 Commonwealth of Pennsylvania and Kyle A. and Tamara J. Boltz,
6 South thirty degrees fifty-one minutes forty-nine seconds West
7 (S 30°51'49" W) a distance of two hundred sixty-one and sixty-
8 seven hundredths feet (261.67 ft) to a point marked with a pipe;
9 thence, along common division line between the lands of the
10 Commonwealth of Pennsylvania and Kyle A. and Tamara J. Boltz,
11 South thirty degrees fifty-six minutes twelve seconds West (S
12 30°56'12" W) a distance of three hundred seventy-five and eighty
13 hundredths feet (375.80 ft) to the point of beginning;
14 containing an area of 4.191 acres.

15 (c) Conveyance of lands to Commonwealth.--The Department of
16 Conservation and Natural Resources, with the approval of the
17 Governor, is hereby authorized on behalf of the Commonwealth of
18 Pennsylvania to receive from Kyle A. and Tamara J. Boltz certain
19 lands situate in Union Township, Lebanon County, in exchange for
20 that property to be conveyed to Kyle A. and Tamara J. Boltz in
21 accordance with this section.

22 (d) Property description of lands to Commonwealth.--The
23 property to be conveyed in accordance with subsection (c)
24 consists of approximately 11.908 acres, located in Union
25 Township, Lebanon County, Commonwealth of Pennsylvania, being a
26 portion of that land conveyed by David A. Carbaugh to Kyle A.
27 and Tamara J. Boltz by deed dated August 8, 2002, and recorded
28 in the Office of the Recorder of Deeds of Lebanon County,
29 Pennsylvania, in Deed Book 2010 at Page 3375. Also being a
30 portion of that land recorded in a boundary line agreement

1 between Kyle A. and Tamara J. Boltz and Charles and Patricia A.
2 Gamler and recorded in the Office of the Recorder of Deeds of
3 Lebanon County, Pennsylvania, on August 24, 2004, in Deed Book
4 2050 at Page 4634; and being Tract 5 on the final lot line
5 relocation plan for the Commonwealth and Kyle A. and Tamara J.
6 Boltz, Union Township, Lebanon County, Pennsylvania, as prepared
7 by Keller Engineers, Inc., said plan having a date of June 15,
8 2007, and being filed in the Office of the Recorder of Deeds of
9 Lebanon County, Pennsylvania, on September 11, 2012, as
10 Instrument No. 201214241 and Plat Book 76, Page 266. Beginning
11 at a point marked with a pipe, said point being located along
12 the common division line between Kyle A. and Tamara J. Boltz and
13 the Commonwealth of Pennsylvania a distance of one-thousand
14 nine-hundred fifty feet (1,950 ft) more or less Northeasterly
15 from the centerline of Pennsylvania SR 1020 (Fredericksburg
16 Road); thence, along said common division line North twenty-
17 eight degrees forty-three minutes nineteen seconds East (N
18 28°43'19" E) a distance of one-hundred twenty-four and twenty
19 hundredths feet (124.20 ft) to a point marked with a pipe;
20 thence, along said common division line North one degree
21 eighteen minutes fourteen seconds East (N 01°18'14" E) a
22 distance of two-hundred seventy-four and twenty-three hundredths
23 feet (274.23 ft) to a point marked with a pipe; thence, along
24 said common division line North eleven degrees four minutes
25 forty-six seconds East (N 11°04'46" E) a distance of two-hundred
26 fifty-seven and forty-two hundredths feet (257.42 ft) to a point
27 marked with a concrete monument; thence, along said common
28 division line North six degrees two minutes fifty-three seconds
29 East (N 06°02'53" E) a distance of one-hundred fifty-seven and
30 fifty-five hundredths feet (157.55 ft) to a point marked with a

1 pipe; thence, along said common division line South eighty-one
2 degrees two minutes twenty-seven seconds East (N 81°02'27" E) a
3 distance of thirty-four and seventy-seven hundredths feet (34.77
4 ft) to a point marked with a pipe; thence, along said common
5 division line North two degrees two minutes thirteen seconds
6 East (N 02°02'13" E) a distance of three-hundred three and
7 twenty-one hundredths feet (303.21 ft) to a point marked with a
8 concrete monument; thence, along said common division line North
9 eight degrees two minutes one second East (N 08°02'01" E) a
10 distance of two-hundred eighty-four and thirty-one hundredths
11 feet (284.31 ft) to a point marked with a concrete monument;
12 thence, along said common division line North two degrees two
13 minutes twenty-three seconds West (N 02°02'23" W) a distance of
14 two-hundred thirty-three and twenty-eight hundredths feet
15 (233.28 ft) to a point marked with a pipe; thence, along said
16 common division line North thirty-nine degrees fifty-three
17 minutes twenty-two seconds East (N 39°53'22" E) a distance of
18 six-hundred fifteen feet (615.00 ft); thence, South nine degrees
19 forty-one minutes thirteen seconds West (S 09°41'13" W) a
20 distance of ninety-five feet (95.00 ft); thence, South thirteen
21 degree forty-four minutes thirteen seconds West (S 13°44'13" W)
22 a distance of six-hundred ninety-two feet (692.00 ft); thence,
23 South one degree forty-nine minutes zero seconds East (S
24 01°49'00" E) a distance of nine-hundred fifty-nine and sixty-six
25 hundredths feet (959.66 ft); thence, South eighty-eight degrees
26 twenty-five minutes forty-eight seconds West (S 88°25'48" W) a
27 distance of two-hundred two and fifty hundredths feet (202.50
28 ft); thence, South four degrees fifty-four minutes twelve
29 seconds East (S 04°54'12" E) a distance of three-hundred feet
30 (300.00 ft); thence, South six degrees eleven minutes forty-

1 eight seconds West (S 06°11'48" W) a distance of two-hundred
2 feet (200.00 ft); thence, North fifty-nine degrees twelve
3 minutes fifteen seconds West (N 59°12'15" W) a distance of two-
4 hundred ninety-six and fifty hundredths feet (296.50 ft) to the
5 point of beginning; containing an area of 11.908 acres.

6 (e) Location of lands to Commonwealth.--The easement to be
7 conveyed in accordance with subsection (c) consists of
8 approximately 1.5 acres, located in Union Township, Lebanon
9 County, Commonwealth of Pennsylvania, in accordance with
10 subsection (f).

11 (f) Easement interest.--The property to be conveyed under
12 subsection (c) constitutes an easement interest for the purpose
13 of vehicular and pedestrian ingress, egress and regress and for
14 the construction, installation, operation, repair, maintenance,
15 replacement and removal of a public access trail, including the
16 right to locate and install utilities and all necessary and
17 convenient appurtenances to the public access trail. Motor
18 vehicle use shall be limited to the Department of Conservation
19 and Natural Resources, its successors, assigns, contractors, and
20 invitees', activities related to the construction, installation,
21 operation, repair, maintenance, replacement, and removal of the
22 public access trail and its appurtenances and utilities, located
23 within the easement corridor or emergency vehicles. Beginning at
24 a point on the centerline of Pennsylvania State Route 1020, said
25 point being the centerline of the 30 foot-wide easement, North
26 forty-seven degrees twenty-six minutes twenty-two seconds East
27 (N 47°26'22" E) a distance of one hundred forty-two and eighty-
28 three hundredths feet (142.83 ft); thence, North eight degrees
29 fifty-four minutes twelve seconds East (N 08°54'12" E) a
30 distance of two hundred sixty-six and eight hundredths feet

1 (266.08 ft); thence, North twenty-three degrees twenty-six
2 minutes forty-eight seconds West (N 23°26'48" W) a distance of
3 one hundred seventy and ninety-five hundredths feet (170.95 ft);
4 thence, to the division line of the lands of the Commonwealth of
5 Pennsylvania North fourteen degrees forty-four minutes ten
6 seconds East (N 14°44'10" E) a distance of one thousand four
7 hundred eighty-one and eighty-four hundredths feet (1,481.84
8 ft).

9 (g) Conditions of conveyance.--The conveyances described in
10 this section shall be made concurrently and under and subject to
11 all lawful and enforceable easements, servitudes and rights of
12 others, including, but not limited to, streets, roadways and
13 rights of any telephone, telegraph, water, electric, gas or
14 pipeline companies, as well as under and subject to any lawful
15 and enforceable estates or tenancies vested in third persons
16 appearing of record, for any portion of the land or improvements
17 erected thereon.

18 (h) Deeds.--The deed of conveyance of the property in
19 accordance with subsections (a), (c) and (e) shall be by special
20 warranty deed and shall be executed by the Secretary of
21 Conservation and Natural Resources in the name of the
22 Commonwealth of Pennsylvania.

23 (i) Costs and fees.--All costs and fees incidental to the
24 conveyances contained in this section shall be borne by their
25 respective parties.

26 Section 2. Effective date.

27 This act shall take effect immediately.