

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 829 Session of
2023

INTRODUCED BY AUMENT, JUNE 19, 2023

AS AMENDED ON SECOND CONSIDERATION, JUNE 27, 2023

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Pennsylvania Historical and Museum Commission
3 and the Governor, to grant and convey certain easements
4 through and across lands of the Commonwealth of Pennsylvania
5 in the Township of Manheim, County of Lancaster, for purposes
6 of a road realignment project and to accept from the Township
7 of Manheim existing right-of-way to be abandoned as part of
8 the road realignment project-; AND AUTHORIZING THE DEPARTMENT <--
9 OF GENERAL SERVICES, WITH THE APPROVAL OF THE DEPARTMENT OF
10 MILITARY AND VETERANS AFFAIRS AND THE GOVERNOR, TO GRANT AND
11 CONVEY TO DREXEL UNIVERSITY, PERMANENT EASEMENT ENCUMBERING
12 CERTAIN LANDS SITUATE IN THE CITY AND COUNTY OF PHILADELPHIA.

13 The General Assembly of the Commonwealth of Pennsylvania
14 hereby enacts as follows:

15 Section 1. Conveyance of easements at the Landis Valley Museum.

16 (a) Authorization.--The Department of General Services, with
17 the approval of the Pennsylvania Historical and Museum
18 Commission and the Governor, is hereby authorized on behalf of
19 the Commonwealth of Pennsylvania to grant and convey the
20 following easements, at the Landis Valley Museum, situate in the
21 Township of Manheim, County of Lancaster, to the Township of
22 Manheim for \$1, for purposes of a road realignment project.

23 (b) Property description.--The property to be conveyed under

subsection (a) consists of the following easements, situate in the Township of Manheim, County of Lancaster, bounded and more particularly described as follows:

Right-of-Way Easement #1

BEGINNING at a point on line of lands now or formerly of David Costello, said point also being the eastern right of way line of East Delp Road (realigned), a 60 foot side public street, being located

N 17°37'11" W 57.37 feet from a rebar at the southwest corner of lands now or formerly of

The Commonwealth of Pennsylvania; extending thence along lands now or formerly of David Costello and crossing over East Delp Road (realigned) N 17°37'11" W for a distance of 88.61 feet to a point on the western right of way line of East Delp Road (realigned); extending thence along said last mentioned right of way line the following two (2) courses and distances, namely: (1) N 24°59'27" E for a distance of 39.89 feet to a point; (2) N 17°44'06" W for a distance of 55.93 feet to a point on the southern legal right of way line of Landis Valley Road (S.R. 1014), a 60 foot wide public street; extending thence along said last mentioned legal right of way line by a curve to the right having a radius of 644.05 feet for a distance of 129.86 feet, the chord of which is S 57°35'50" E for a distance of 129.64 feet to a point on the eastern right of way line of East Delp Road (realigned); extending thence along said last mentioned right of way line the following two (2) courses and distances, namely: (1) S 72°21'51" W for a distance of 41.61 feet to a point; (2) S 24°59'27" W for a distance of 101.29 feet to a point and the place of BEGINNING.

Containing 7,745 Square Feet

Right-of-Way Easement #2

BEGINNING at a point on the eastern right of way line of Kissel Hill Road and on line of lands now or formerly of The Commonwealth of Pennsylvania, said point being located S 88°37'57" E 104.20 feet from the northwest corner of lands now or formerly of The Commonwealth of Pennsylvania

(UPI NO. 390-11002-0-0000); extending thence along other lands now or formerly of

The Commonwealth of Pennsylvania S 88°37'57" E for a distance of 63.05 feet to a point on the eastern right of way line of Kissel Hill Road (realigned); extending thence along said last mentioned right of way line S 18°56'16" E for a distance of 75.04 feet to a point on the northern legal right of way line of Landis Valley Road (S.R. 1014), a 60 foot wide public street; extending thence along said last mentioned legal right of way line by a curve to the left having a radius of 704.44 feet for a distance of 100.16 feet, the chord of which is N 55°53'31" W for a distance of 100.07 feet to a point on the eastern right of way line of Kissel Hill Road; extending thence along said last mentioned right of way line N 15°27'36" W for a distance of 16.99 feet to a point and the place of BEGINNING.

Containing 2,651 Square Feet

Right-of-Way Easement #3

BEGINNING at a point on the eastern right of way line of Kissel Hill Road and on line of lands now or formerly of The Commonwealth of Pennsylvania, said point being located S 83°09'00 E 103.81 feet from the southwest corner of lands now or formerly of The Commonwealth of Pennsylvania

(UPI NO. 390-53494-0-0000); extending thence along said last mentioned right of way line N 9°58'39" W for a distance of 12.51

1 feet to a point on the western right of way line of Kissel Hill
2 Road (realigned); extending thence along said last mentioned
3 right of way line the following two (2) courses and distances,
4 namely: (1) N 78°56'12" E for a distance of 8.67 feet to a
5 point; (2) by a curve to the left having a radius of 145.00 feet
6 for a distance of 121.95 feet, the chord of which is N 3°26'47"
7 W for a distance of 118.38 feet to a point on the eastern right
8 of way line of Kissel Hill Road; extending thence along said
9 last mentioned right of way line the following two (2) courses
10 and distances, namely: (1) by a curve to the left having a
11 radius of 260.00 feet for a distance of 35.29 feet, the chord of
12 which is N 6°02'34" W for a distance of 35.26 feet to a point;
13 (2) N 9°55'51" W for a distance of 241.40 feet to a point on the
14 eastern right of way line of Kissel Hill Road (realigned);
15 extending thence along said last mentioned right of way line the
16 following four (4) courses and distances, namely: (1) by a curve
17 to the left having a radius of 470.00 feet for a distance of
18 130.13 feet, the chord of which is S 17°51'45" E for a distance
19 of 129.71 feet to a point; (2) S 25°47'39" E for a distance of
20 141.70 feet to a point; (3) by a curve to the right having a
21 radius of 205.00 feet for a distance of 165.72 feet, the chord
22 of which is S 2°33'07" E for a distance of 161.25 feet to a
23 point; (4) S 13°27'19" E for a distance of 0.40 feet to a point
24 on line of other lands now or formerly of The Commonwealth of
25 Pennsylvania; extending thence along said last mentioned lands
26 N 83°09'00" W for a distance of 63.05 feet to a point and the
27 place of BEGINNING.

28 Containing 15,339 Square Feet

29 Temporary Grading Easement #1

30 BEGINNING at a point on the eastern right of way line of

1 Kissel Hill Road (realigned) and on line of lands now or
2 formerly of The Commonwealth of Pennsylvania, said point being
3 located

4 S 88°37'57" E 167.25 feet from the northwest corner of lands
5 now or formerly of The Commonwealth of Pennsylvania (UPI NO.
6 390-11002-0-0000); extending thence along other lands now or
7 formerly of

8 The Commonwealth of Pennsylvania S 88°37'57" E for a distance
9 of 15.19 feet to a point; extending thence through lands now or
10 formerly of The Commonwealth of Pennsylvania

11 (UPI NO. 390-11002-0-0000) by a curve to the right having a
12 radius of 220.00 feet for a distance of 24.06 feet, the chord of
13 which is S 17°23'51" W for a distance of 24.04 feet to a point
14 on the eastern right of way line of Kissel Hill Road
15 (realigned); extending thence along said last mentioned right of
16 way line

17 N 18°56'16" W for a distance of 24.64 feet to a point and the
18 place of BEGINNING.

19 Containing 181 Square Feet

20 Temporary Grading Easement #2

21 BEGINNING at a point on line of lands now or formerly of
22 David Costello, said point also being the western right of way
23 line of East Delp Road (realigned), a 60 foot side public
24 street, being located N 17°37'11" W 145.98 feet from a rebar at
25 the southwest corner of lands now or formerly of

26 The Commonwealth of Pennsylvania; extending thence along
27 lands now or formerly of David Costello

28 N 17°37'11" W for a distance of 51.70 feet to a point;
29 extending thence through lands now or formerly of The
30 Commonwealth of Pennsylvania the following two (2) courses and

1 distances, namely:

2 (1) N 24°59'27" E for a distance of 17.58 feet to a point;

3 (2) S 65°00'33" E for a distance of 20.46 feet to a point on the
4 western right of way line of East Delp Road (realigned);

5 extending thence along said last mentioned right of way line the
6 following two (2) courses and distances, namely: (1) S 17°44'06"
7 E for a distance of 21.43 feet to a point; (2) S 24°59'27" W for
8 a distance of 39.89 feet to a point and the place of BEGINNING.

9 Containing 1,167 Square Feet

10 Temporary Grading Easement #3

11 BEGINNING at a point on the eastern right of way line of
12 Kissel Hill Road, said point being located the following two (2)
13 courses and distances from the southwest corner of lands now or
14 formerly of The Commonwealth of Pennsylvania (UPI NO. 390-53494-
15 0-0000), namely: (1) S 83°09'00" E 103.81 feet to a point on the
16 eastern right of way line of Kissel Hill Road; (2) N 9°58'39" W
17 12.51 feet; extending thence along said last mentioned right of
18 way line the following two (2) courses and distances, namely:
19 (1) N 9°58'39" W for a distance of 42.87 feet to a point; (2) by
20 a curve to the left having a radius 260.00 feet for a distance
21 of 78.40 feet, the chord of which is N 6°29'01" E for a distance
22 of 78.11 feet to a point on the western right of way line of
23 Kissel Hill Road (realigned); extending thence along said last
24 mentioned right of way line the following two (2) courses and
25 distances, namely: (1) by a curve to the right having a radius
26 145.00 feet for a distance of 121.95 feet, the chord of which is
27 S 3°26'47" E for a distance of 118.38 feet to a point; (2) S
28 78°56'12" W for a distance of 8.67 feet to a point and the place
29 of BEGINNING.

30 Containing 1,835 Square Feet

Temporary Grading Easement #4

BEGINNING at a point on the eastern right of way line of Kissel Hill Road (realigned), said point being located S 83°09'00" E 166.86 feet from the southwest corner of lands now or formerly of

The Commonwealth of Pennsylvania (UPI NO. 390-53494-0-0000); extending thence along said last mentioned right of way line the following four (4) courses and distances, namely: (1) N 13°27'19" W for a distance of 0.40 feet; (2) by a curve to the left having a radius of 205.00 feet for a distance of 165.72, the chord of which is N 2°33'07" W for a distance of 161.25 feet to a point; (3) N 25°47'39" W for a distance of 141.70 feet to a point; (4) by a curve to the right having a radius of 470.00 feet for a distance of 43.04 feet, the chord of which is N 23°10'14" W for a distance of 43.03 feet to a point; extending thence through lands now or formerly of The Commonwealth of Pennsylvania

(UPI NO. 390-53494-0-0000) the following four (4) courses and distances, namely: (1) N 69°27'11" E for a distance of 15.00 feet to a point; (2) by a curve to the left having a radius of 455.00 feet for a distance of 41.67 feet, the chord of which is S 23°10'14" E for a distance of 41.66 feet; (3) S 25°47'39" E for a distance of 141.71 feet to a point; (4) by a curve to the right having a radius of 220.00 feet for a distance of 174.58 feet, the chord of which is S 2°58'51" E for a distance of 170.03 feet to a point on line of other lands now or formerly of The Commonwealth of Pennsylvania; extending thence along said last mentioned lands N 83°09'00" W for a distance of 15.22 feet to a point and the place of BEGINNING.

Containing 5,316 Square Feet

Temporary Grading Easement #5

BEGINNING at a point on the eastern right of way line of Kissel Hill Road (realigned), said point being located the following two (2) courses and distances from the northwest corner of lands now or formerly of The Commonwealth of Pennsylvania (UPI NO. 390-11002-0-0000), namely:

(1) S 88°37'57" E 167.25 feet; (2) S 18°56'16" E 65.91 feet; extending thence through lands now or formerly of The

Commonwealth of Pennsylvania (UPI NO. 390-11002-0-0000) the following five (5) courses and distances, namely: (1) by a curve to the right having a radius of 709.22 feet for a distance of 58.00 feet, the chord of which is S 50°05'51" E for a distance of 57.98 feet to a point; (2) N 42°14'43" E for a distance of 10.00 feet to a point; (3) by a curve to the right having a radius of 719.22 feet for a distance of 98.12 feet, the chord of which is S 43°50'48" E for a distance of 98.04 feet to a point;

(4) S 39°56'09" E for a distance of 29.88 feet to a point; (5) S 50°03'51" W for a distance of 15.00 feet to a point on the northern legal right of way line of Landis Valley Road (S.R. 1014), a 60 foot wide public street; extending thence along said last mentioned legal right of way line the following two (2) courses and distances, namely: (1) N 39°56'09" W for a distance of 29.88 feet to a point; (2) by a curve to the left having a radius of 704.44 feet for a distance of 146.05 feet, the chord of which is N 45°52'46" W for a distance of 145.79 feet to a point on the eastern right of way line of Kissel Hill Road (realigned); extending thence along said last mentioned right of way line N 18°56'16" W for a distance of 9.13 feet to a point and the place of BEGINNING.

Containing 2,175 Square Feet

Stormwater Easement #1

BEGINNING at a rebar on the northern right of way line of East Delp Road (a 60 foot wide public street), said point being the southeast corner of lands now or formerly of David Costello; extending thence along said last mentioned lands N 17°37'11" W for a distance of 57.37 feet to a point on the eastern right of way line of East Delp Road (realigned), a 60 foot wide public street; extending thence along said last mentioned right of way line the following two (2) courses and distances, namely:

(1) N 24°59'27" E for a distance of 101.29 feet to a point;

(2) N 72°21'51" E for a distance of 41.61 feet to a point on the southern legal right of way line of Landis Valley Road (S.R.

1014), a 60 foot wide public street; extending thence along said last mentioned legal right of way line the following two (2)

courses and distances, namely: (1) by a curve to the right

having a radius of 644.05 feet for a distance of 133.61 feet,

the chord of which is S 45°52'42" E for a distance of 133.37

feet to a point; (2) S 39°56'09" E for a distance of 4.71 feet

to a point on the northern right of way line of East Delp Road;

extending thence along said last mentioned right of way line S

69°04'47" W for a distance of 175.41 feet to a point and the

place of BEGINNING.

Containing 16,047 Square Feet

Stormwater Easement #2

BEGINNING at a point on the northern right of way line of East Delp Road (a 60 foot wide public street), said point being located the following two (2) courses and distances from the southwest corner of lands now or formerly of The Commonwealth of Pennsylvania, (1) S 12°54'50" E 60.10 feet;

(2) N 74°21'12" E 92.47 feet; extending thence along the

1 southern right of way line of East Delp Road
2 N 74°21'12" E for a distance of 61.75 feet to a point;
3 extending thence through lands now or formerly of The
4 Commonwealth of Pennsylvania the following three (3) courses and
5 distances, namely:

6 (1) S 15°16'12" E for a distance of 25.26 feet to a point;
7 (2) S 74°25'12" W for a distance of 61.75 feet to a point; (3) N
8 15°16'12" W for a distance of 25.19 feet to a point and the
9 place of BEGINNING.

10 Containing 1,558 Square Feet

11 (c) Authorization for acceptance of former right-of-way.--
12 The Department of General Services, with the approval of the
13 Pennsylvania Historical and Museum Commission and the Governor,
14 is hereby authorized on behalf of the Commonwealth of
15 Pennsylvania to accept the right-of-way described under
16 subsection (d), to be abandoned by the Township of Manheim, at
17 the Landis Valley Museum, situate in the Township of Manheim,
18 County of Lancaster, to the Township of Manheim for \$1.

19 (d) Property description of former right-of-way.--The former
20 right-of-way to be accepted pursuant to section 3 consists of
21 the following, situate in the Township of Manheim, County of
22 Lancaster, bounded and more particularly described as follows:

23 Former Right-of-Way

24 BEGINNING at a point on the northern right of way line of
25 Kissel Hill Road, said point being located N 12°30'00" W 38.13
26 feet from the southwest corner of lands now or formerly of The
27 Commonwealth of Pennsylvania (UPI No. 390-53494-0-0000);
28 extending thence along said last mentioned right of way line N
29 64°58'26" E for a distance of 48.51 feet to a point on the
30 western right of way line of Kissel Hill Road; extending thence

1 along said last mentioned right of way line the following two
2 (2) courses and distances, namely: (1) by a curve to the left
3 having a radius of 187.81 feet for a distance of 87.55 feet, the
4 chord of which is N 2°35'45" E for a distance of 86.76 feet to a
5 point;

6 (2) N 9°55'51" W for a distance of 241.40 feet to a point on
7 the western right of way line of Kissel Hill Road (realigned);
8 extending thence along said last mentioned right of way line the
9 following two (2) courses and distances, namely: (1) by a curve
10 to the left having a radius of 530.00 feet for a distance of
11 146.74 feet, the chord of which is S 17°51'45" E for a distance
12 of 146.27 feet to a point; (2) S 25°47'39" E for a distance of
13 136.92 feet to a point on the eastern right of way line of
14 Kissel Hill Road; extending thence along said last mentioned
15 right of way line the following two (2) courses and distances,
16 namely: (1) by a curve to the right having a radius of 260.00
17 feet for a distance of 78.40 feet, the chord of which is S
18 6°29'01" W for a distance of 78.11 feet to a point; (2) S
19 9°58'39" E for a distance of 42.87 feet to a point at the
20 intersection of the eastern right of way line of Kissel Hill
21 Road and the northern right of way line of Kissel Hill Road
22 (realigned); extending thence along the northern right of way
23 line of Kissel Hill Road (realigned) S 78°56'12" W for a
24 distance of 30.17 feet to a point on the northern right of way
25 line of Landis Valley Road (S.R. 1014), a 60 foot wide public
26 street; extending thence along said last mentioned right of way
27 line by a curve to the left having a radius of 704.44 feet for a
28 distance of 90.67 feet, the chord of which is N 61°34'13" W for
29 a distance of 90.61 feet to a point and the place of BEGINNING.

30 Containing 13,911 Square Feet

1 (e) Easement agreement and deed of easement.--The documents
2 to be executed by the Commonwealth of Pennsylvania pursuant to
3 this section shall be executed by the Secretary of General
4 Services in the name of the Commonwealth of Pennsylvania.

5 SECTION 2. CONVEYANCE IN CITY AND COUNTY OF PHILADELPHIA. <--

6 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
7 THE APPROVAL OF THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
8 AND THE GOVERNOR, IS AUTHORIZED ON BEHALF OF THE COMMONWEALTH OF
9 PENNSYLVANIA TO GRANT TO DREXEL UNIVERSITY A PERMANENT EASEMENT
10 ENCUMBERING THE FOLLOWING TRACT OF LAND, BEING THE SOUTHERN HALF
11 OF CUTHBERT STREET (VACATED), LOCATED BETWEEN 32ND STREET AND
12 33RD STREET IN THE CITY AND COUNTY OF PHILADELPHIA, UNDER TERMS
13 AND CONDITIONS TO BE ESTABLISHED IN AN EASEMENT AGREEMENT, WHICH
14 AGREEMENT SHALL INCLUDE DREXEL UNIVERSITY'S PROVISION TO THE
15 COMMONWEALTH OF PENNSYLVANIA, ITS SUCCESSORS AND ASSIGNS, IN
16 PERPETUITY, OF 35 PARKING SPACES FOR THE EXCLUSIVE USE OF THE
17 COMMONWEALTH OF PENNSYLVANIA, ITS SUCCESSORS AND ASSIGNS, AS FEE
18 TITLE OWNER OF THE PROPERTY KNOWN AS 3205-51 LANCASTER AVENUE,
19 PHILADELPHIA, PENNSYLVANIA.

20 (B) PROPERTY DESCRIPTION.--THE PROPERTY TO BE ENCUMBERED BY
21 A PERMANENT EASEMENT UNDER SUBSECTION (A) CONSISTS OF THE
22 FOLLOWING:

23 ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE 24TH
24 WARD OF THE CITY OF PHILADELPHIA, COUNTY OF PHILADELPHIA, AND
25 COMMONWEALTH OF PENNSYLVANIA, DESCRIBED ACCORDING TO A PLAN
26 ENTITLED "ALTA NSPS LAND TITLE SURVEY" OF PROPERTY OWNED BY LAND
27 N/F DREXEL UNIVERSITY, PREPARED BY PENNONI ASSOCIATES, INC.,
28 DATED OCTOBER 14, 2022, LAST REVISED JUNE 5, 2023, PROJECT
29 GATDV21001, TO WIT:

30 BEGINNING AT A POINT ON THE FORMER CENTERLINE OF THE FORMER

1 CUTHBERT STREET (STRICKEN FROM CITY PLAN AND VACATED), SAID
2 POINT BEING S 11 DEGREES 01 MINUTES 00 SECONDS W, A DISTANCE OF
3 20.00 FEET, FROM THE INTERSECTION OF THE EASTERLY LINE OF LANDS
4 N/F OPA 88-5498280 AND THE FORMER NORTHERLY LINE OF THE
5 AFOREMENTIONED CUTHBERT STREET; THENCE, FROM SAID POINT OF
6 BEGINNING; (1) THROUGH THE BED OF AFOREMENTIONED CUTHBERT
7 STREET, S 11 DEGREES 01 MINUTES 00 SECONDS W, A DISTANCE OF
8 20.00', TO A POINT IN THE NORTHERLY LINE OF LANDS N/F OF OPA 77-
9 4520500, THENCE; (2) COINCIDENT WITH THE SAME, N 78 DEGREES 59
10 MINUTES 00 SECONDS W, A DISTANCE OF 283.00', TO A POINT IN THE
11 WESTERLY LINE OF LANDS OF THE SAME; THENCE; (3) DEPARTING SAID
12 LINE THROUGH THE BED OF AFOREMENTIONED CUTHBERT STREET, N 11
13 DEGREES 01 MINUTES 00 SECONDS E, A DISTANCE OF 20.00', TO A
14 POINT ON THE FORMER CENTERLINE OF THE AFOREMENTIONED CUTHBERT
15 STREET, THENCE; (4) COINCIDENT WITH THE SAME, S 78 DEGREES 59
16 MINUTES 00 SECONDS E, A DISTANCE OF 283.00', TO THE PLACE AND
17 POINT OF BEGINNING. SAID ABOVE DESCRIBED TRACT OR PARCEL OF
18 LAND CONTAINING WITH SAID BOUNDS 5,660 SQUARE FEET, OR 0.12994
19 ACRES OF LAND (MORE OR LESS).

20 BEING A PORTION OF OPA ACCOUNT NUMBER 774520500, KNOWN AS
21 3205-51 LANCASTER AVENUE, PHILADELPHIA, PENNSYLVANIA.

22 (C) CONDITIONS.--THE CONVEYANCE SHALL BE MADE UNDER AND
23 SUBJECT TO ALL LAWFUL AND ENFORCEABLE EASEMENTS, SERVITUDES AND
24 RIGHTS OF OTHERS, INCLUDING, BUT NOT CONFINED TO, STREETS,
25 ROADWAYS AND RIGHTS OF ANY TELEPHONE, TELEGRAPH, WATER,
26 ELECTRIC, GAS OR PIPELINE COMPANIES, AS WELL AS UNDER AND
27 SUBJECT TO ANY LAWFUL AND ENFORCEABLE ESTATES OR TENANCIES
28 VESTED IN THIRD PERSONS APPEARING OF RECORD, FOR ANY PORTION OF
29 THE LAND OR IMPROVEMENTS ERECTED THEREON.

30 (D) DEED OF CONVEYANCE.--THE CONVEYANCE SHALL BE MADE BY

1 EASEMENT AGREEMENT TO BE EXECUTED BY THE SECRETARY OF GENERAL
2 SERVICES IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

3 (E) EXPIRATION.--IN THE EVENT THAT THE CONVEYANCE AUTHORIZED
4 UNDER SUBSECTION (A) IS NOT COMPLETED WITHIN TWO YEARS AFTER THE
5 EFFECTIVE DATE OF THIS SUBSECTION, THE AUTHORITY TO CONVEY THE
6 EASEMENT AS SPECIFIED UNDER SUBSECTION (A) SHALL EXPIRE.

7 (F) PROCEEDS.--THE PROCEEDS FROM THE EASEMENT CONVEYANCE
8 UNDER THIS SECTION SHALL BE DEPOSITED INTO THE GENERAL FUND.

9 Section 2 3. Effective date.

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10 This act shall take effect immediately.