

No. 1985-40

AN ACT

SB 864

Authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to the Corps of Engineers of the United States Army a tract of land situate in Fairview Township, York County, Pennsylvania.

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

Section 1. The Department of Transportation, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to sell and convey, to the Corps of Engineers of the United States Army, for a consideration of either the fair market value as determined by an appraisal or the original cost of acquisition to the Commonwealth, whichever is the lower, the following tract of land situate in Fairview Township, York County, Pennsylvania, bounded and described as follows:

Beginning at a point on or near "Old Depot Road," thence south 59 degrees 02 minutes 54 seconds east 210.00 feet to a point; thence south 69 degrees 01 minute 54 seconds east 495.00 feet to a point; thence north 21 degrees 14 minutes 06 seconds east 1,072.00 to a point; thence south 88 degrees 37 minutes 54 seconds east 110.00 feet to a point; thence north 55 degrees 24 minutes 30 seconds west 770.00 feet to a point; thence south 20 degrees 18 minutes 06 seconds west 1,285.00 feet to a point and the place of beginning.

Containing 19 acres, more or less.

Section 2. The conveyance shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

Section 3. The deed of conveyance shall contain clauses that provide as follows:

(1) The property to be conveyed shall be used for the expansion or addition of a facility or facilities at New Cumberland Army Depot and, if at any time the property is not used for such purpose, the title to the property shall immediately revert to the Commonwealth of Pennsylvania.

(2) All buildings or structures erected on the property conveyed shall be in compliance with the Federal Aviation Administration rules and regulations and shall not interfere with the current usage of existing runways at the Capital City Airport.

Section 4. The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of Transportation in the name of the Commonwealth of Pennsylvania.

Section 5. This act shall take effect immediately.

APPROVED—The 3rd day of July, A. D. 1985.

DICK THORNBURGH