

No. 1988-98

AN ACT

HB 423

Authorizing the Department of Transportation, with the approval of the Governor, to convey to the Borough of Shamokin Dam two parcels of land in the Borough of Shamokin Dam, Snyder County, Pennsylvania; authorizing the Secretary of Environmental Resources to add certain parcels of land situate in Jefferson Township, Somerset County, to Forbes State Forest; and authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to sell and convey a tract of land situate in East Pennsboro Township, Cumberland County.

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

Section 1. (a) Conveyance to Borough of Shamokin Dam.—The Department of Transportation, with the approval of the Governor, is authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey, for a consideration of one-half of its fair market value as determined by the Department of Transportation, to the Borough of Shamokin Dam the two following tracts or parcels of land situate in the Borough of Shamokin Dam, Snyder County, Pennsylvania:

Parcel Number 1.

All that certain piece, parcel or lot of land situate in the Borough of Shamokin Dam, Snyder County, Pennsylvania, as more particularly described in accordance with a survey prepared by William C. Hilling, a Professional Land Surveyor, Pennsylvania Registration No.22340-E on September 23, 1986, as follows:

Beginning at a set PK nail in the intersection of the west line of Legislative Route No.54067 (Old Trail Road) and north line of Sixth Avenue; thence north 63 degrees 15 minutes 13 seconds west along the north line of Sixth Avenue a distance of 233.78 feet to a set PK nail; thence north 27 degrees 30 minutes 16 seconds east along the east line of Center Street a distance of 230.78 feet to a set iron pin; thence along the east and south line of a service road the following three courses and distances: (1) north 68 degrees 22 minutes 16 seconds east a distance of 44.55 feet to a set iron pin; (2) north 83 degrees 00 minutes 32 seconds east a distance of 144.56 feet to a set iron pin; (3) south 71 degrees 41 minutes 25 seconds east a distance of 82.93 feet to a set iron pin on the south line of Legislative Route No.54067; thence along the west line of Legislative Route No.54067 the following two courses and distances: (1) south 27 degrees 21 minutes 17 seconds west a distance of 256.17 feet to a set iron pin; (2) south 26 degrees 10 minutes 30 seconds west a distance of 100.35 feet to the point of beginning.

Containing 1.66 acres.

Parcel Number 2.

All that certain piece, parcel or lot of land situate in the Borough of Shamokin Dam, Snyder County, Pennsylvania, as more particularly described in accordance with a survey prepared by William C. Hilling, a Professional Land Surveyor, Pennsylvania Registration No.22340-E on June 6, 1986, as follows:

Beginning at a set iron pin at the intersection of west line of Helen Street and the north line of Walnut Street (now abandoned) and at the southeast corner of the lot of land herein described; thence north 51 degrees 00 minutes 00 seconds west along the north line of Walnut Street a distance of 138.01 feet to a set iron pin; thence along the east right-of-way line of Legislative Route No.25 E.B. the following two courses and distances: (1) north 60 degrees 49 minutes 10 seconds east a distance of 115.70 feet to a set iron pin; (2) north 67 degrees 54 minutes 10 seconds east a distance of 184.02 feet to a set iron pin; thence south 37 degrees 42 minutes 10 seconds west along the west line of Helen Street a distance of 268.56 feet to a point of beginning.

Containing 0.46 acres.

(b) Easements, etc.—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 any 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.

(c) Approval.—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.

(d) Costs.—Costs and fees incidental to this conveyance shall be borne by the grantee.

(e) Deed.—The deed of conveyance shall contain a clause that the lands conveyed shall be used by the Borough of Shamokin Dam for borough purposes that benefit the public, and, if at any time the Borough of Shamokin Dam conveys, transfers, sells or permits the property to be used for any purpose other than those aforementioned, the title thereto shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(f) Proceeds.—Proceeds from the conveyance provided for in this act shall be deposited in the Motor License Fund.

Section 2. The Secretary of Environmental Resources is hereby authorized to add two tracts of land, formerly administered as part of Laurel Hill State Park, to Forbes State Forest, subject to all laws and regulations concerning the administration of State forest lands in the Commonwealth. The tracts of land to be so added are described as follows:

All those two parcels of land situate in Jefferson Township, Somerset County, lying to the north and west of the center of Beltz Road, being part of a larger tract of land conveyed by the United States of America to the Commonwealth of Pennsylvania by deed dated October 25, 1945, and recorded in the office of the Somerset County Recorder of Deeds at Deed Book Volume 363, Page 78.

Containing 297.52 acres, more or less.

Section 3. (a) Conveyance to Capital Area Intermediate Unit.—The Department of General Services, with the approval of the Governor and the Department of Agriculture, is authorized and directed on behalf of the Commonwealth to sell and convey to the Capital Area Intermediate Unit, for a consideration of one-half of the fair market value, the following tract of land situate in East Pennsboro Township, Cumberland County, Pennsylvania, bounded and described as follows:

Beginning at a point, said point being the right-of-way intersection of the eastern right-of-way line of First Street, S.R.1019, and the southern right-of-way line of Railroad Avenue, relocated; thence along the southern right-of-way line of Railroad Avenue north 43 degrees 33 minutes 46 seconds east, a distance of 161.74 feet to a point; thence along the same on an arc of a curve curving to the left, having a radius of 318.83 feet, an arc length of 207.60 feet to a point; thence along land of Pennsylvania Department of Transportation north 43 degrees 25 minutes 31 seconds east, a distance of 134.76 feet to a point; thence along the same north 26 degrees 53 minutes 28 seconds west, a distance of 544.42 feet to a point; thence along the southern right-of-way line of I-81, S.R.0081, north 63 degrees 15 minutes 26 seconds east, a distance of 741.36 feet to a point; thence along the same on an arc of a curve curving to the right, having a radius of 2,984.55 feet, an arc length of 247.75 feet to a point; thence along land of the estate of Ruth V. Miller south 53 degrees 02 minutes 19 seconds east, a distance of 657.79 feet to a point; thence along land of the Commonwealth of Pennsylvania south 63 degrees 15 minutes 26 seconds west, a distance of 942.77 feet to a point; thence along the same south 43 degrees 33 minutes 47 seconds west, a distance of 787.38 feet to a point; thence along the eastern right-of-way line of First Street north 46 degrees 26 minutes 13 seconds west, a distance of 100.00 feet to a point the point of beginning. Said tract contains 775,012.50 square feet or 17.33 acres.

(b) Easements, etc.—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 on the land.

(c) Restriction on use of property.—The deed of conveyance shall contain a clause that the property conveyed shall be used for scholastic and recreation purposes by the Capital Area Intermediate Unit, and, if at any time the Capital Area Intermediate Unit or its successor in function conveys the property or permits the property to be used for any purpose other than those specified in this subsection, the title to the property shall immediately revert to the Commonwealth.

(d) Approval.—The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth.

(e) Costs and fees.—Costs and fees incidental to the conveyance shall be borne by the grantee.

Section 4. This act shall take effect as follows:

- (1) Section 1 shall take effect in 60 days.
- (2) Sections 2 and 3 shall take effect immediately.

APPROVED—The 14th day of July, A. D. 1988.

ROBERT P. CASEY