

No. 1992-163

AN ACT

HB 2162

Authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Revenue, to grant and convey to Mildred L. Brown a tract of land situate in the Township of St. Thomas, Franklin County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to grant and convey to Robert Ekey and Barbara N. Ekey, his wife, certain excess land situate in the Township of Conewango, Warren County, Pennsylvania; and authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey to the North Warren Municipal Authority a tract of land situate in Conewango Township, Warren County, Pennsylvania.

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

Section 1. The Department of General Services, with the approval of the Governor and the Department of Revenue, is hereby authorized and directed, on behalf of the Commonwealth of Pennsylvania, to grant and convey, for consideration equal to the fair market value as determined by an independent appraiser selected by the Department of General Services, to Mildred L. Brown the following tract of land with buildings and improvements thereon erected, if any:

Beginning at a set railroad spike in the center line of L.R. 28006 at corner lands of Mildred L. Brown; thence along the center line of L.R. 28006, north 11 degrees 44 minutes 50 seconds east 471.90 feet to a set railroad spike at corner lands of Harriett J. Florezak; thence along lands of Harriett J. Florezak and lands of Mildred L. Brown, south 60 degrees 25 minutes 36 seconds east 1511.22 feet to a set iron pin; thence continuing along lands of Mildred L. Brown, north 24 degrees 57 minutes east 881.93 feet to an existing iron pin; thence continuing along the same, south 62 degrees 54 minutes east 741.48 feet to an existing iron pin; thence continuing along the same, north 24 degrees 57 minutes east 854.77 feet; thence continuing along the same, north 68 degrees east 612.50 feet to a set iron pin; thence continuing along the same, north 57 degrees east 145.20 feet to a set iron pin at corner lands of now or formerly C. Earl Brown; thence along lands now or formerly C. Earl Brown, south 25 degrees 22 minutes 13 seconds west 2637.01 feet to a set iron pin on line; thence continuing along the same, south 25 degrees 22 minutes 13 seconds west 25.00 feet to a point in the center line of U.S. Route 30; thence along the center line of U.S. Route 30 on a curve to the right having a radius of 9837.20 feet, an arc length of 156.58 feet and a chord bearing and distance of south 73 degrees 41 minutes 39 seconds west 156.58 feet to a point; thence continuing along the same, south 74 degrees 09 minutes west 340.72 feet to a point at corner lands of Mildred L. Brown; thence along lands of Mildred L. Brown, north 11 degrees east 25.00 feet to a set iron pin on line; thence con-

tinuing along the same, north 11 degrees east 157.01 feet to a set iron pin; thence continuing along the same, north 60 degrees west 2204.17 feet to a set spike, the place of beginning.

Containing 66.4273 acres according to a survey dated May 30, 1991, prepared by William A. Brindle Associates for C. Earl Brown Orchards.

Section 2. (a) The Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to Robert Ekey and Barbara N. Ekey, his wife, all interest in lands described in subsection (c) in exchange for the tract of land described in subsection (b).

(b) The property to be conveyed pursuant to subsection (a) is the following tract of land situate in the Township of Conewango, Warren County, bounded and described as follows:

Commencing at an existing one-inch iron pipe on the easterly right-of-way line of State Route 0062, approximately 912 feet north of (along said right-of-way line) a point where the center line of State Street (Legislative Route 61073) intersects said right-of-way line; thence north 66 degrees 20 minutes 17 seconds east, severing lands formerly of the Penn Central Railroad and now belonging to Robert C. Ekey (Ref. DB 262/284), a distance of 36.45 feet to an existing one-inch pipe, being the southwest corner of the subject parcel and also the point of beginning; thence running northwesterly along land of Robert C. Ekey (Ref. DB 262/284), and about two separate curves described as follows:

curve one:

delta angle = 02 degrees 15 minutes

radius = 5,257.28 feet

curve length = 206.45 feet

curve two:

delta angle = 07 degrees 12 minutes

radius = 3,552.56 feet

curve length = 446.43 feet to a point;

thence north 73 degrees 36 minutes 27 seconds east along lands of Sarv K. Gupta, a distance of 180.84 feet to a point; thence south 08 degrees 32 minutes 27 seconds east along the westerly banks of the Conewango Creek, a distance of 651.82 feet to a point; thence south 66 degrees 20 minutes 17 seconds west, a distance of 25.58 feet to the point of beginning.

Containing 71,607 square feet or 1.64 acres.

This description was written on January 9, 1991, by James P. Hunter, Professional Land Surveyor, Registration Number SU-028159-E.

(c) Robert Ekey and Barbara N. Ekey, his wife, shall, in exchange for the lands described in subsection (b), transfer to the Commonwealth of Pennsylvania all right, title and interest in the following tract of land situate in the Township of Conewango, Warren County, more particularly described as follows:

All that certain parcel of land situated in Conewango Township, Warren County, and the Commonwealth of Pennsylvania, and being a portion of the

land formerly owned by the Penn Central Railroad (and prior to that the New York Central Railroad and the Dunkirk, Warren and Pittsburgh Railroad Company, chronologically), the portion being bounded and described as follows:

Beginning at a point on the easterly right-of-way line of State Route 0062, where said line intersects the center line of North State Street (L.R.61073); thence running along the easterly edge of the Penn Central property, by a curve to the right, having a radius of 1012.27 feet and an arc length of 384.64 feet to a point of tangency; thence continuing along the same easterly edge of the Penn Central property, south 18 degrees 18 minutes 22 seconds west a distance of 3793.36 feet to a set one-inch iron pipe at the southerly edge of a railroad bridge allowing traffic to pass under the subject abandoned railroad line; thence south 87 degrees 54 minutes 27 seconds west along the southerly edge of said railroad bridge, a distance of 41.67 feet, to a set one-inch iron pipe on the easterly right-of-way line of State Route 0062; thence running along the easterly right-of-way line of State Route 0062 the following courses: north 19 degrees 56 minutes 33 seconds east 91.11 feet; north 18 degrees 06 minutes 38 seconds east 307 feet; north 17 degrees 26 minutes 38 seconds east 232.03 feet; north 71 degrees 39 minutes 27 seconds west 2 feet; north 18 degrees 51 minutes 23 seconds east 205.33 feet; north 23 degrees 27 minutes 40 seconds east 68.08 feet; north 18 degrees 07 minutes 12 seconds east 1264.04 feet; north 18 degrees 21 minutes east 767.32 feet; north 17 degrees 13 minutes 43 seconds east 644.50 feet; north 14 degrees 13 minutes 27 seconds east 132.89 feet to a point; thence continuing by a curve to the left, having a radius of 1199.95 feet and an arc length of 325.39 feet to a point of tangency; thence continuing along the easterly right-of-way line of State Route 0062 the following courses: north 13 degrees 48 minutes 14 seconds east 94.92 feet; north 08 degrees 08 minutes 01 second east 17.05 feet; north 03 degrees 30 minutes 43 seconds west 75.92 feet; north 12 degrees 03 minutes 14 seconds west 50.04 feet to a point where the easterly right-of-way line of State Route 0062 intersects the center line of State Street; thence south 28 degrees 55 minutes 40 seconds east along the center line of State Street, a distance of 108.58 feet to a point, said point being the point of beginning.

Containing 173,706 square feet or 3.98 acres.

Section 3. (a) The Department of General Services, with the approval of the Governor and the Department of Public Welfare, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to sell and convey to the North Warren Municipal Authority the following tract of land situate in Conewango Township, Warren County, Pennsylvania, for a consideration of \$15,000:

All that certain portion of land situated in Conewango Township, Warren County, and the Commonwealth of Pennsylvania, being more particularly described as follows:

Beginning at a one-inch pipe found at the northwest corner of Lot 5, on the easterly right-of-way line of Hospital Drive, as shown on a subdivision map by R.G. Reider, April 1986, for the Commonwealth of Pennsylvania, Department of General Services; thence:

(1) Along the easterly right-of-way line of Hospital Drive north 19 degrees 19 minutes 07 seconds east to a point, said point being the northwest corner of property being described herein; thence

(2) South 60 degrees 21 minutes 07 seconds east 459.67 feet to a point; thence

(3) South 37 degrees 10 minutes 54 seconds west 203.76 feet to a one-inch iron pipe, said pipe being the northeast corner of Lot 1 as shown on said subdivision map; thence

(4) Along the north line of Lots 1, 2, 3, 4 and 5 of said subdivision north 60 degrees 21 minutes 17 seconds west 396.14 feet passing through one-inch iron pipes at distances of 63.42 feet, 116.92 feet, 171.00 feet and 241.58 feet to a one-inch iron pipe and the point of beginning.

Containing 1.9843 acres, more or less.

(b) The deed of conveyance for subsection (a) shall contain a clause that the property conveyed shall be used for public and community purposes, including, but not limited to, the supplying of water to North Warren residents by the North Warren Municipal Authority, and if at any time the North Warren Municipal Authority or its successor in function conveys the property or permits the property to be used for any purpose other than those specified in this section, the title to the property shall immediately revert to and revest in the Commonwealth of Pennsylvania.

Section 4. The conveyances in sections 1, 2 and 3 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 5. The deeds 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 of Pennsylvania.

Section 6. Costs and fees incidental to these conveyances shall be borne by the grantees.

Section 7. This act shall take effect immediately.

APPROVED—The 16th day of December, A. D. 1992.

ROBERT P. CASEY