

## No. 2007-4

## AN ACT

## SB 21

Authorizing the Department of General Services, with the approval of the Governor, to enter into an agreement or other legal instrument with Chester County to alter use restrictions and reversionary covenants on real estate conveyed to Chester County, situate in Newlin and West Bradford Townships; and making inconsistent repeals.

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

Section 1. Chester County parcel No. 1.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to enter into an agreement or other legal instrument with Chester County to execute a deed to alter a use restriction and reversionary covenant placed on lands conveyed to Chester County under section 2 of the act of December 11, 1986 (P.L.1508, No.163), entitled, as amended, “An act authorizing and directing the Department of General Services, with the approval of the Governor, to convey to Emsworth Borough 7.5 acres of land, more or less, situate in Kilbuck Township, Allegheny County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey to the County of Chester 230.693 acres of land, more or less, situate in Newlin and West Bradford Townships, Chester County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey to North Penn Comprehensive Health Services 8.7 acres of land, more or less, situate in the Borough of Blossburg, Tioga County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey to Gilbert Collussy, Lena M. Collussy, James T. Dresher and Virginia M. Dresher, a tract of land situate in North Shenango Township, Crawford County, Pennsylvania, in exchange for a tract of land in the same township, and for other consideration; authorizing and directing the Department of General Services, with the approval of the Governor and the Departments of Environmental Resources and Transportation, to convey to the Mid-State Regional Airport Authority a tract of land situate in Rush Township, Centre County, Pennsylvania; and authorizing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to sell and convey to West Bradford Township a tract of land situate in West Bradford Township, Chester County.” The agreement or other legal instrument shall provide that the deed contain a clause that the lands

conveyed shall be used for recreation, open space or agricultural purposes and that the existing improvements upon the lands may be renovated and utilized for county and local government programs and services and if at any time the county or its successor in function conveys all or a portion of the property not conveyed to West Bradford Township under the authority of section 5.1 of the act of December 11, 1986 (P.L.1508, No.163) to any entity other than the Natural Lands Trust, Inc., or permits the property to be used for any purpose other than those specified in this section, and subject to the additional condition that, notwithstanding the foregoing provisions, no portion of the property conveyed shall be used as a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law, the title to the property shall immediately revert to and revest in the Commonwealth of Pennsylvania. All conditions of this section shall be covenants running with the land and shall be binding upon the grantee, its successors and assigns. The deed of conveyance from Chester County to Natural Lands Trust, Inc., shall: (1) contain a clause permitting Chester County to retain a conservation easement with the Natural Lands Trust, Inc., consistent with the uses specified in this section; (2) contain a clause that the lands conveyed shall be used for recreation, open space or agricultural purposes and if at any time Natural Lands Trust, Inc., conveys or authorizes or permits the property to be used for any purpose other than those in this section, the title to the property shall immediately revert to Chester County under and subject to the terms and conditions of the conservation easement retained by Chester County.

(b) Costs and fees.—Costs and fees incidental to altering the use restriction and reversionary covenant under this section shall be borne by the grantee.

Section 2. Chester County parcel No. 2.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to enter into an agreement or other legal instrument with Chester County to execute a deed to alter a use restriction and reversionary covenant placed on lands conveyed to Chester County under the act of January 15, 1988 (P.L.10, No.5), entitled “An act authorizing and directing the Department of General Services, with the approval of the Governor, to convey to Chester County a tract of land situate in Newlin Township, Chester County, Pennsylvania.” The agreement or other legal instrument shall provide that the deed contain a clause that the lands conveyed shall be used for park, open space or conservancy purposes and that the existing improvements may be renovated and if at any time Chester County or its successor in function conveys the property to any entity other than the Natural Lands Trust, Inc., and subject to the additional condition that, notwithstanding the foregoing provisions, no portion of the property conveyed shall be used as a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under

State law, the title to the property shall immediately revert to the Commonwealth of Pennsylvania. All conditions of this section shall be covenants running with the land and shall be binding upon the grantee, its successors and assigns. The deed of conveyance from Chester County to Natural Lands Trust, Inc., shall: (1) contain a clause permitting Chester County to retain a conservation easement with the Natural Lands Trust, Inc., consistent with the uses specified in this section; (2) contain a clause that the lands conveyed shall be used for park, open space or conservancy purposes and if at any time Natural Lands Trust, Inc., conveys or authorizes or permits the property to be used for any purposes other than those in this section, the title to the property shall immediately revert to Chester County under and subject to the terms and conditions of the conservation easement retained by Chester County.

(b) Costs and fees.—Costs and fees incidental to altering the use restriction and reversionary covenant under this section shall be borne by the grantee.

### Section 3. Repeals.

The following acts and parts of acts are repealed to the extent specified:

(1) Section 2(b) of the act of December 11, 1986 (P.L.1508, No.163), entitled, as amended, "An act authorizing and directing the Department of General Services, with the approval of the Governor, to convey to Emsworth Borough 7.5 acres of land, more or less, situate in Kilbuck Township, Allegheny County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey to the County of Chester 230.693 acres of land, more or less, situate in Newlin and West Bradford Townships, Chester County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey to North Penn Comprehensive Health Services 8.7 acres of land, more or less, situate in the Borough of Blossburg, Tioga County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey to Gilbert Collussy, Lena M. Collussy, James T. Dresher and Virginia M. Dresher, a tract of land situate in North Shenango Township, Crawford County, Pennsylvania, in exchange for a tract of land in the same township, and for other consideration; authorizing and directing the Department of General Services, with the approval of the Governor and the Departments of Environmental Resources and Transportation, to convey to the Mid-State Regional Airport Authority a tract of land situate in Rush Township, Centre County, Pennsylvania; and authorizing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to sell and convey to West Bradford Township a tract of land situate in West Bradford Township, Chester County," insofar as it is inconsistent with section 1.

(2) The act of January 15, 1988 (P.L.10, No.5), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to convey to Chester County a tract of land situate in Newlin Township, Chester County, Pennsylvania," insofar as it is inconsistent with section 2.

Section 4. Expiration.

In the event that the conveyances from Chester County to the Natural Lands Trust, Inc., under sections 1 and 2 are not executed within 60 months of the effective date of this act, the authorization to alter the deed restriction under section 1 or 2, as applicable, shall expire.

Section 5. Effective date.

This act shall take effect immediately.

APPROVED—The 23rd day of May, A.D. 2007.

EDWARD G. RENDELL