

No. 2015-5

AN ACT

SB 266

Authorizing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to grant and convey to the Bear Valley Franklin County Pennsylvania Joint Authority, or its assigns, two permanent utility and access easements from lands of the Commonwealth of Pennsylvania at the Fort Loudon Historical Site situate in Peters Township, Franklin County, for purpose of groundwater withdrawal.

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

Section 1. Easements in Peters Township, Franklin County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Bear Valley Franklin County Pennsylvania Joint Authority, or its assigns, two permanent utility and access easements from lands of the Commonwealth of Pennsylvania at the Fort Loudon Historical Site situate in Peters Township, Franklin County, for purposes of groundwater withdrawal for a one-time payment of \$19,500 and under terms and conditions to be established in an easement agreement.

(b) Descriptions.—The permanent utility easements to be conveyed pursuant to subsection (a) total approximately 6.04 acres bounded and more particularly described as follows:

Parcel No. 1

Wellhead Protection Easement

BEGINNING at a point on the Western right of way line of Brooklyn Road (T-410), said point being at the division line of lands of the Grantors and lands of Ann Dunn; thence from the point of beginning, along the Western right of way line of Brooklyn Road (T-410), S20°56'40"W a distance of 22.34 feet to a point; thence through the lands of the Grantors, S84°28'31"W a distance of 88.04 feet to a point on a nontangent curve concave Northwesterly and having a radius of 150.00 feet; thence from a radial bearing of S51°13'35"W run Southeasterly along the arc of said curve to the right through a central angle of 128°06'42" an arc distance of 335.40 feet, through a chord bearing of S25°16'56"W and a chord length of 269.77 feet to a point; thence continuing through the lands of the Grantors the following (5) bearings and distances:

- (1) S17°07'36"W a distance of 81.92 feet to a point;
- (2) S23°15'33"W a distance of 253.94 feet to a point;
- (3) S27°25'44"W a distance of 20.72 feet to a point;
- (4) S28°40'31"E a distance of 88.88 feet to a point;
- (5) S70°18'26"E a distance of 38.60 feet to a point on the Western right of way line of Brooklyn Road (T-410); thence along the Western right of way line of Brooklyn Road (T-410), S20°47'17"W a distance of 20.00 feet to a

point; thence through the lands of the Grantors, N70°18'26"W a distance of 61.02 feet to a point; thence continuing through the lands of the Grantors, S40°18'02"W a distance of 38.52 feet to a point on a nontangent curve concave Northeasterly and having a radius of 150.00 feet; thence from a radial bearing of S49°03'30"W run Southeasterly along the arc of said curve to the right through a central angle of 334°32'52" an arc length of 875.84 feet, through a chord bearing of N53°40'04"W and a chord length of 66.09 feet to a point; thence continuing through the lands of the Grantors, N27°25'44"E a distance of 119.85 feet to a point; thence continuing through the lands of the Grantors, N23°15'38"E a distance of 251.94 feet to a point; thence continuing through the lands of the Grantors, N17°07'36"E a distance of 76.04 feet to a point on a nontangent curve concave Northeasterly and having a radius of 150.00 feet; thence from a radial bearing of N07°12'45"E run Northwesterly along the arc of said curve to the right through a central angle of 120°13'57" an arc length of 314.77 feet, through a chord bearing of N23°52'59"W and a chord length of 261.88 feet to a point on the line 2 of lands of Ann Dunn; thence along the line of lands of Ann Dunn, N84°28'31"E a distance of 333.20 feet to the point and place of BEGINNING.

CONTAINING 3.515-acres as shown on Wellhead Protection and Permanent Easement Plan, prepared by Gwin, Dobson & Foreman, Inc. and dated February 27, 2013.

#### Parcel No. 2

#### Wellhead, Utility and Access Easement

BEGINNING at a point being located S19°45'10"W a distance of 21.78 feet from a point on the Eastern right of way line of Brooklyn Road (T-410), said point being at the division line of lands of the Grantors and lands of Bear Valley Franklin County Pennsylvania Joint Authority; thence from the point of beginning, through the lands of the Grantors, S27°56'31"E a distance of 99.43 feet to a point; thence continuing through the lands of the Grantors, S06°56'36"E a distance of 31.82 feet to a point on a nontangent curve concave Northwesterly and having a radius of 185.00 feet; thence from a radial bearing of S10°00'06"E run Southeasterly along the arc of said curve to the right through a central angle of 353°46'00" an arc length of 1,142.26 feet, through a chord bearing of S76°52'54"W and a chord length of 20.12 feet to a point; thence continuing through the lands of the Grantors, N06°56'36"W a distance of 30.03 feet to a point; thence continuing through the lands of the Grantors, N28°33'15"W a distance of 77.70 feet to a point on the Eastern right of way line of Brooklyn Road (T-410); thence along the Eastern right of way line of Brooklyn Road (T-410), S20°56'40"E a distance of 27.76 feet to the point and place of BEGINNING.

CONTAINING 2.525-acres as shown on Wellhead Protection and Permanent Easement Plan, prepared by Gwin, Dobson & Foreman, Inc. and dated February 27, 2013.

(c) Agreement.—The easement agreement shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

(e) Expiration.—In the event that the parties have not entered into an easement agreement within one year of the effective date of this section, the authorization contained in subsection (a) shall expire.

Section 2. Effective date.

This act shall take effect immediately.

APPROVED—The 21st day of May, A.D. 2015

TOM WOLF