

No. 1978-126

## AN ACT

HB 1684

Authorizing the Department of General Services with the concurrence of the Department of Environmental Resources, in the name of the Commonwealth of Pennsylvania to sell and convey to ARCO Pipe Line Company a tract of land within the bed of the Delaware River in the Township of Tincum, Delaware County, Pennsylvania, lying between the Mean Low Water Line and the Pierhead Line of the Delaware River adjacent to and having a common boundary with lands presently owned by the same company to the north containing 7.117 acres, more or less.

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

Section 1. The Department of General Services with the concurrence of the Department of Environmental Resources, acting on behalf of the Commonwealth of Pennsylvania for a consideration which shall be the actual market value of the tract of property hereinafter described as determined by an independent appraisal service paid for by the grantee and chosen by the Secretary of General Services is hereby authorized to convey in fee to ARCO Pipe Line Company, a corporation with offices in the City of Philadelphia, Pennsylvania, its successors and assigns, a tract of land within the bed of the Delaware River in the Township of Tincum, Delaware County, Pennsylvania, lying between the Mean Low Water Line and the Pierhead Line as approved by the War Department on September 10, 1940, adjacent to and having a common boundary with lands presently owned by the company to the north containing 7.117 acres, more or less described as follows:

Fort Mifflin, Pennsylvania

All that certain tract or parcel of ground situate in the Township of Tincum, County of Delaware and Commonwealth of Pennsylvania, as shown on a plan entitled "Property Plan of Riparian Grant" File Number Af 1303 Drawing Number 1 of 1 prepared by Hudson Engineers, Inc., Philadelphia, Pennsylvania dated April 23, 1976, being particularly described as follows:

Beginning at a point in the Mean Low Water Line of the Delaware River as of May 26, 1938 and the Henson Line (being the westerly line of the land formerly owned by Edward F. Henson and John E. DuBois and conveyed by John E. DuBois, Jr., et al to the Atlantic Refining Company by deed dated January 5, 1939, recorded in the office for recording of deeds of Delaware County in Deed Book No.1084, Page 252, and conveyed in part by the Atlantic Refining Company to the Atlantic Pipe Line Company by deed dated June 30, 1959, recorded in the said office for recording of deeds

of Delaware County in Deed Book No.2005, Page 9,) said beginning point being 2,379.67 feet measured along the said Henson Line south 13 degrees 13 minutes 14 seconds east from its intersection with the county line between Delaware County and Philadelphia County; extending thence:

(1) Along the said Mean Low Water Line the following four courses and distances:

- (a) North 52 degrees 31 minutes 46 seconds east, 267.58 feet to a point;
- (b) From the last named point north 44 degrees 54 minutes 46 seconds east, 506.88 feet to a point;
- (c) From the last named point north 47 degrees 06 minutes 46 seconds east, 363.70 feet to a point;
- (d) From the last named point north 43 degrees 04 minutes 46 seconds east, 190.62 feet to a point in the western line of lands of Fort Mifflin Reservation of the United States Government;

(2) From the last named point along the western boundary of lands of Fort Mifflin Reservation south 2 degrees 54 minutes 26 seconds west, 386.56 feet to a point being the intersection of the western boundary of the lands of Fort Mifflin Reservation and the approved Pierhead Line of the Delaware River of September 10, 1940, and extending thence:

(3) From the last named point along said Pierhead Line the following three courses and distances:

- (a) South 54 degrees 37 minutes 21.8 seconds west, 1,124.74 feet (calculated) Corps of Engineers, approved September 10, 1940, to a point;
- (b) From the last named point south 54 degrees 39 minutes 29.7 seconds west, 50.444 feet to a point;
- (c) From the last named point south 61 degrees 05 minutes 52.3 seconds west, 1,300.00 feet to a point;

(4) From the last named point north 28 degrees 35 minutes 04 seconds west, 114.99 feet to a point on the said Mean Low Water Line said point being the intersection of the western boundary of lands of ARCO Pipe Line Company, formerly Atlantic Pipe Line Company and the Mean Low Water Line thence:

(5) From the last named point along said Mean Low Water Line the following four courses and distances:

- (a) North 66 degrees 49 minutes 11 seconds east, 247.84 feet to a point;
- (b) From the last named point north 70 degrees 44 minutes 41 seconds east, 416.014 feet to a point;
- (c) From the last named point north 56 degrees 46 minutes 31 seconds east, 641.797 feet to a point;
- (d) From the last named point north 43 degrees 39 minutes 11 seconds east, 81.10 feet to a point on the aforementioned Henson Line thence:

(6) From the last named point along the said Henson Line and the said Mean Low Water Line which are colinear throughout the following course and distance: north 13 degrees 13 minutes 14 seconds west, 41.27 feet to the point of beginning. Containing 7.117 acres (more or less).

Section 2. The deed of conveyance hereby contemplated shall be executed by the Department of General Services in the name of the Commonwealth of Pennsylvania after approval by the Department of Justice with the concurrence of the Department of Environmental Resources.

Section 3. This act shall take effect immediately.

APPROVED—The 1st day of July, A. D. 1978.

MILTON J. SHAPP