

No. 1992-63

AN ACT

HB 2069

Authorizing the Department of Transportation, with the approval of the Governor, to sell and convey to the Borough of Olyphant certain land situate in the Borough of Olyphant, Lackawanna County.

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

Section 1. Conveyance authorization.

The Department of Transportation, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant, sell and convey to the Borough of Olyphant for consideration equal to one-half the fair market value as determined by an independent appraiser appointed by the Department of Transportation the tract of land described in section 2.

Section 2. Property description.

The property to be conveyed pursuant to section 1 is the following tract of land situate in the Borough of Olyphant, Lackawanna County, Pennsylvania, bounded and described as follows:

Beginning at an iron pin corner on the southwesterly right-of-way line of State Route 0347, said corner being the common corner of land of Pawnee Pants Manufacturing Company and land of Pennsylvania Department of Transportation; thence along the division line of said land south 48 degrees 30 minutes west a distance of 140 feet to an iron pin corner; thence south 87 degrees 19 minutes 36 seconds west a distance of 4.91 feet to a corner of a two-story block warehouse; thence along said warehouse south 54 degrees 40 minutes 8 seconds west a distance of 25.09 feet to a point; thence along said warehouse south 46 degrees 8 minutes 21 seconds west a distance of 61.27 feet to a corner; thence along the back of said warehouse north 41 degrees 42 minutes 23 seconds west a distance of 30.21 feet to an iron pin corner on the southerly bank of the Lackawanna River; thence along the bank of said river north 33 degrees 31 minutes 47 seconds east a distance of 89.68 feet to a wood stake corner; thence along bank of said river north 50 degrees 4 minutes 38 seconds east a distance of 114.03 feet to a drill hole; thence south 39 degrees 37 minutes 51 seconds east a distance of 8.69 feet to an iron pin; thence north 66 degrees 34 minutes 2 seconds east a distance of 31.61 feet to an iron pin corner on the southwesterly right-of-way line of State Route 0347; thence along said right-of-way line south 41 degrees east a distance of 35 feet to an iron pin corner, the place of beginning.

Containing 10,963 square feet, more or less.

Section 3. 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.

Section 4. Deposit of proceeds.

The proceeds of this sale shall be paid into the State Treasury and deposited in the Motor License Fund.

Section 5. Reversion.

The deed of conveyance shall contain a provision that if the grantee or its successors or assigns fail to use the land described in section 2 for municipal purposes the title to the land shall immediately revert to the Department of Transportation.

Section 6. Approval and execution of deed.

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.

Section 7. Costs and fees.

Costs and fees incidental to the conveyance shall be borne by the grantee.

Section 8. Effective date.

This act shall take effect immediately.

APPROVED—The 25th day of June, A. D. 1992.

ROBERT P. CASEY