

No. 1996-96

AN ACT

SB 208

Providing for the transfer of certain roadways between the County of Lackawanna and the Department of Transportation and for the adoption of Township Road 632 in Susquehanna County as a State highway; directing the Department of Transportation to transfer a portion of Maclay Street in the City of Harrisburg to the City of Harrisburg and to assume temporary responsibility for the Paxtang Parkway in the Borough of Paxtang and the Township of Swatara from the City of Harrisburg; providing for the transfer of a roadway from the Borough of Wormleysburg, Cumberland County, to the Department of Transportation; authorizing and directing the Department of General Services, with the approval of the Department of Public Welfare and the Governor, to convey to the 900 North Broad Corporation certain real estate situate in the City and County of Philadelphia and the Commonwealth of Pennsylvania; and making repeals.

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

Section 1. Transfer from County of Lackawanna to Department of Transportation.

The following county road is hereby adopted as a State highway:

County road, described as Main Street in the Borough of Moosic, from the intersection of S.R. 3015 to the intersection of S.R. 3019. The total length of this roadway is 2,953 lineal feet, which is equal to 0.56 miles. The total roadway has a constant width of 30.5 feet which equates to 10,007 square yards of pavement surface. The bridge over Springbrook Creek will remain a county bridge.

Section 2. Transfer from Department of Transportation to County of Lackawanna.

The following State roadway is hereby vacated as a State roadway and transferred to the County of Lackawanna:

State Route 1021 (Gordon Avenue) in the City of Carbondale. This roadway would extend from Segment 10, Offset 0000 to Segment 10, Offset 3304 which equates to 3,304 lineal feet or 0.62 miles with a constant width of 23 feet and 8,433 square yards of pavement surface.

Section 3. Adoption.

Township Road 632 in Middletown Township, Susquehanna County, known as Irish Hill Road, beginning at the end of S.R. 4015 from segment 0060, 0130 offset 2183, 2242 to segment 0120, 0160 offset 2334, 1434 for a distance of 4.41 miles, is hereby adopted as a State highway.

Section 4. Maintenance.

Middletown Township is hereby relieved of all responsibility for maintenance of Township Road 632.

Section 5. Transfer of Maclay Street.

(a) Limited transfer.—Except as provided in subsections (b) and (c), the Department of Transportation is hereby directed to transfer to the City of Harrisburg jurisdiction of and responsibility for that portion of S.R. 3022 (Maclay Street) in the City of Harrisburg, County of Dauphin, which lies between Segment 0010, Offset 0000 to Segment 0030, Offset 0967, a distance of 1.0534 miles.

(b) Exceptions.—This transfer shall not include the following:

(1) Responsibility for a concrete arch located on S.R. 3022, Segment 0030, Offset 0000 which carries Maclay Street over Paxton Creek.

(2) Responsibility for the seven span structure located on S.R. 3022, Segment 0020, Offset 0250 which carries Maclay Street over Conrail.

(c) Other duties.—Notwithstanding the exceptions under subsection (b), the City of Harrisburg shall be responsible for snow removal on the bridge and approach roadway surfaces.

Section 6. Transfer of Paxtang Parkway.

(a) Temporary transfer.—Except as provided in subsection (b), the Department of Transportation shall assume jurisdiction of and responsibility from the City of Harrisburg for the Paxtang Parkway from the intersection with Derry Street in Paxtang Borough to the intersection with Paxton Street in Swatara Township.

(b) Retransfer of parkway.—Upon completion of repairs to the Paxtang Parkway to restore that highway to sound condition, the Department of Transportation shall transfer jurisdiction of and responsibility for such highway to the Borough of Paxtang and the Township of Swatara.

(c) Railroad overpass.—Nothing in this section shall affect the ownership of the railroad overpass which crosses Paxtang Parkway.

Section 7. Transfer from Borough of Wormleysburg, Cumberland County, to Department of Transportation.

The following borough roadway is hereby adopted as a State roadway:

Beginning at a point in the Borough of Wormleysburg, Cumberland County, Pennsylvania, which is the western right-of-way line of the Pennsylvania Railroad (now Conrail) and Stella Street; thence in an easterly direction on Stella Street to a point which is the center line of Second Street in the Borough of Wormleysburg, Cumberland County, a distance of approximately 416 feet.

Section 8. Conveyance.

(a) Authorization.—The Department of General Services, with the approval of the Department of Public Welfare and the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to sell and convey to the 900 North Broad Corporation, a Pennsylvania corporation, the following tract of land situate in the City and County of Philadelphia and the Commonwealth of Pennsylvania, for such consideration as an independent appraisal obtained through the Department of General Services shall determine:

All that certain lot or piece of ground with the buildings and improvements thereon erected described according to a survey and plan thereof made by William K. Carlile, Esq., Survey and Regulator of the 7th District, on January 20, 1916, as follows:

Situate on the west side on Broad Street, as widened to 113 feet, and the north side of Poplar Street, as widened to 60 feet, in the 47th Ward of the City of Philadelphia.

Containing in front or breadth on Broad Street 65 feet and extending that width in length or depth westward along Poplar Street 160 feet to a 40-foot-wide street called Carlisle Street.

(b) Responsibility for costs.—Reasonable costs and fees related to the transfer shall be borne by the grantee.

(c) Restrictive covenant.—The deed of conveyance shall contain a restrictive use clause which prohibits the grantee or any successor in title from using the property conveyed as a homeless shelter and which provides for the property to divert to the Commonwealth upon failure of the grantee or any successor entitled to comply with the restrictive use clause.

Section 9. Repeal.

Section 2 of the act of December 7, 1994 (P.L.692, No.104), entitled "An act amending the act of April 15, 1976 (P.L.116, No.51), entitled 'An act authorizing and directing the Department of General Services, with the approval of the Department of Public Welfare and the Governor to convey to the Township of Newton 7.091 acres of land, more or less, situate in the Township of Newton, Lackawanna County, Commonwealth of Pennsylvania,' authorizing conveyance of the property to the Abington Heights School District; authorizing and directing the Department of General Services, with the approval of the Secretary of Public Welfare and the Governor, to convey to The Association for Independent Growth, Inc., a tract of land situate in the City of Philadelphia, Philadelphia County; authorizing the conveyance of a permanent right-of-way over certain State land to the Middletown Fire Company No. 1, Delaware County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Corrections, to convey a tract of land in Mount Joy Township, Lancaster County; authorizing and directing the Department of General Services, with the approval of the Governor, to convey to East Pikeland Township a tract of land situate in East Pikeland Township, Chester County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, to sell and convey to Mr. and Mrs. Harold Harris certain land situate in the Borough of South Philipsburg, Township of Rush, Centre County; authorizing and directing the Department of General Services, with the approval of the Governor, to convey to Glade Township Volunteer Fire Department, Inc., a tract of land situate in Glade Township, Warren County; authorizing and directing the Department of General Services, with the approval of the Governor, to convey to the Borough of Somerset two tracts of land, and the

water tanks thereon, situate in Somerset Township, Somerset County, Pennsylvania; and authorizing the Department of General Services, with the approval of the Governor, to convey a tract of land situate in Frenchcreek Township, Venango County," is repealed.

Section 10. This act shall take effect as follows:

- (1) The provisions of sections 8 and 9 and this section shall take effect immediately.
- (2) The remainder of this act shall take effect in 60 days.

APPROVED—The 11th day of July, A.D. 1996.

THOMAS J. RIDGE