

No. 1998-32

AN ACT

HB 1495

Authorizing and directing the Department of General Services, with the approval of the Governor, to sell and convey to James E. Hedglin and Cheryl Hedglin, husband and wife, certain surplus land situate in Sandy Creek Township, Venango County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Department of Environmental Protection and the Governor, to sell and convey to Marc G. and Susan K. Springman certain land situate in Old Lycoming Township, Lycoming County, Pennsylvania; and authorizing the Department of General Services, with the approval of the Governor and the Commissioner of the Pennsylvania State Police, to sell and convey to B.D. and D. Associates certain land situate in the City of Bethlehem.

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

Section 1. Sandy Creek Township, Venango County.

(a) The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant, sell and convey to James E. Hedglin and Cheryl Hedglin, husband and wife, for consideration equal to the fair market value as determined by appraisal by the Department of General Services the following tract of land and buildings.

The property to be conveyed is the following tract of land situate in Sandy Creek Township, Venango County, Pennsylvania, bounded and described as follows:

All that certain parcel of land situate in Sandy Creek Township, Venango County, Pennsylvania, bounded and described in accordance with a survey and plan prepared for the Department of General Services by the Pennsylvania Game Commission, dated April 6, 1994, as follows:

Beginning at a rebar set in the center line of an existing 12-foot-wide earth road, the center line of a certain 25-foot-wide right-of-way, hereinafter described, said point being the northernmost corner of the herein described parcel; thence through land of the Commonwealth (now or formerly Department of Agriculture, Polk State Farm), the eight following courses and distances: south 81 degrees 9 minutes 26 seconds east for a distance of 126.96 feet, along the southeastern terminus of said right-of-way, leaving said earth road and crossing a Pennelec/General Telephone electric/telephone line, to a concrete monument, set; south 4 degrees 8 minutes 21 seconds east for a distance of 164.28 feet, to an existing concrete fence post; south 7 degrees 42 minutes 21 seconds west for a distance of 180.06 feet, in and along a wire fence, to an existing concrete fence post; north 77 degrees 10 minutes 48 seconds west for a distance of 323.09 feet, in and along a wire fence, to an

existing concrete fence post; north 55 degrees 55 minutes 30 seconds west for a distance of 225.91 feet, in and along a wire fence, to an existing concrete fence post; north 4 degrees 20 minutes 31 seconds east for a distance of 34.93 feet, to an existing concrete fence post; north 78 degrees 51 minutes 40 seconds east for a distance of 355.35 feet, in and along a wire fence, and recrossing the aforesaid electric/telephone line, to an existing concrete fence post; and north 32 degrees 6 minutes 58 seconds east for a distance of 70.91 feet, recrossing said electric/telephone line, and along the southwestern terminus of the aforesaid 25-foot right-of-way, to the point of beginning.

Containing by actual survey 2.637 acres and comprising a portion of the William McClaren Warrant.

Together with the right of ingress, egress and regress in and along a 25-foot-wide easement for road purposes, the center line of which is described as follows:

Beginning at a rebar set in the center of an existing 12-foot-wide earth road, the northernmost corner of the parcel hereinabove described; thence through land of the Commonwealth (now or formerly Department of Agriculture, Polk State Farm), north 6 degrees 49 minutes 39 seconds east, a distance of 1352.05 feet, leaving Sandy Creek Township and entering Polk Borough, to a railroad spike set in the center line intersection of said earth road with the center line of State Route S.R. 3024, the northern terminus of said 25-foot-wide right-of-way.

(b) The conveyance authorized by this section 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.

(c) The deed of conveyance authorized by this section shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania. In the event that this conveyance is not executed within 12 months of the effective date of this act, the property shall be disposed of in accordance with Article XXIV-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(d) Costs and fees incidental to the conveyance authorized by this section shall be borne by the grantees.

Section 2. Old Lycoming Township, Lycoming County.

(a) The Department of General Services, with the approval of the Department of Environmental Protection and the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant, sell and convey to Marc G. and Susan K. Springman for consideration in the amount of \$375 the tract of land described in subsection (b).

(b) The property to be conveyed is the following tract of land situate in Old Lycoming Township, Lycoming County, Pennsylvania, bounded and described as follows:

Beginning at an existing iron pin at the intersection of the southern right-of-line of Chatham Lane (also known as Township Road, No. 430) and the northeastern corner of land of Lycoming Creek Realty Company, Inc., said beginning point being N 84 degrees 54 minutes 40 seconds E 262 feet from a point, at the intersection of the southern right-of-way line of said Chatham Lane, projected (also known as Township Road, No. 430), and the center of Pennsylvania State Highway, State Route No. 0015 (also known as Lycoming Creek Road).

Thence from the said place of beginning and continuing along the southern right-of-way line of said Chatham Lane (also known as Township Road, No. 430) N 84 degrees 54 minutes 40 seconds E 31.87 feet to an iron pin at the intersection of the southern right-of-way line of said Chatham Lane (also known as Township Road, No. 430) and the northwestern corner of land of the Commonwealth of Pennsylvania, Flood Control Bureau, District No. 13, Parcel No. 13OL-528. Thence along the western line of land of the Commonwealth of Pennsylvania, Flood Control Bureau, District No. 13, Parcel No. 13OL-528, S 5 degrees 39 minutes 40 seconds E 13.37 feet to an iron pin at the intersection of the southeastern corner of land of the Commonwealth of Pennsylvania, Flood Control Bureau, District No. 13, Parcel No. 13OL-528, and the northern line of land of Marc G. and Susan K. Springman. Thence along the northern line of land of said Marc G. and Susan K. Springman, N 85 degrees 10 seconds W 33.98 feet to an existing iron pin at the intersection of the northwestern corner of land of said Marc G. and Susan K. Springman and the eastern line of land of the aforesaid Lycoming Creek Realty Company, Inc. Thence along the eastern line of land of said Lycoming Creek Realty Company, Inc., N 5 degrees 58 minutes 20 seconds E 7.56 feet to the place of beginning.

Containing 341 square feet.

(c) The conveyance authorized by this section 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.

(d) The proceeds of this sale shall be paid into the State Treasury and deposited in the General Fund.

(e) The deed of conveyance authorized by this section shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Costs and fees incidental to the conveyance authorized by this section shall be borne by the grantee.

Section 3. City of Bethlehem.

(a) The Department of General Services, with the approval of the Governor and the Commissioner of the Pennsylvania State Police, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant, sell and convey to B.D. and D. Associates for consideration equal to the fair market value as determined by an independent appraisal the tract of land described in subsection (b).

(b) The property to be conveyed pursuant to this section is the following tract of land situate in the City of Bethlehem, bounded and described as follows:

All that certain tract of land situate in Ward 13, in the City of Bethlehem, as shown on and described in accordance with a survey prepared by Barry Isett & Associates, P.C., Trexlertown, Pennsylvania, dated February 18, 1997, as follows: commencing at an iron pipe at the northwesterly corner of the lands of B D and D Associates; thence along said lands of B D and D Associates, South 01 degree 02 minutes 50 seconds East, 365.13 feet to a bent iron pipe and the point of beginning of the lands to be described; thence continuing along the same, South 00 degrees 53 minutes 40 seconds East, 476.19 feet; thence along the lands of Joseph A. and Rosaline Colabella, South 88 degrees 57 minutes 50 seconds West, 185.00 feet; thence through the lands of the grantor, North 00 degrees 53 minutes 40 seconds West, 476.15 feet; thence along the lands of Alcom Printing Group, Incorporated, North 88 degrees 57 minutes 10 seconds East, 185.00 feet to the point of beginning.

Containing 2.0223 acres.

Being a portion of that tract which was granted to the Department of General Services by deed dated September 30, 1985, recorded in Deed Book 1364, Page 604.

(c) 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.

(d) The Deed of Conveyance shall contain a clause that directs the Grantee to redesign, modify and maintain the existing storm water retention pond located on the property described in subsection (b) and partially located on the adjacent remaining Commonwealth-owned property. The clause shall also require the Grantee to acquire any Federal, State or local approvals required for said storm water retention pond to handle the storm water requirements of the adjacent remaining Commonwealth-owned property. The clause shall also direct the Grantee to allow Grantor, so long as Grantor owns adjacent property, the opportunity to review and approve all plans associated with the redesign and modification of the storm water retention pond and to require the Grantee to modify the storm water retention pond without disrupting the activities of any Commonwealth agencies on the remaining

adjacent Commonwealth-owned property. Grantee and all heirs and successors in interest are expressly required to maintain the storm water retention pond serving the remaining adjacent Commonwealth property for the benefit of the Commonwealth and its successors in interest to the property.

(e) The Deed of Conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania. In the event this property is not conveyed to B.D. and D. Associates within 12 months of the effective date of this act, at the discretion of the Secretary of General Services the property shall be offered for sale through auction, sealed bid or request for proposal, under terms and conditions in Article XXIV-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(f) Costs and fees incidental to this conveyance shall be borne by the Grantee.

Section 4. This act shall take effect immediately.

APPROVED—The 18th day of February, A.D. 1998.

THOMAS J. RIDGE