

## No. 1998-148

## AN ACT

## SB 1529

Authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to sell and convey to Stewardson Township a certain tract of land situate in the Township of Stewardson, Potter County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor, to purchase certain tracts of land situate in Benner Township, Centre County, Pennsylvania; and authorizing and directing the Department of General Services, with the approval of the Governor, to convey to the Centre County Solid Waste Authority certain tracts of land situate in College Township, Centre County, Pennsylvania.

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

Section 1. Potter County conveyance.

(a) The Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant, sell and convey to Stewardson Township, for fair consideration equal to the fair market value as established by an independent appraiser, a tract of land as further described below. The property to be conveyed is a single tract of land situate in the Township of Stewardson, Potter County, Pennsylvania, bounded and described as follows:

Beginning at the intersection of State Route 144 and the center line of Cross Fork Creek; thence easterly along the center line of said highway the following courses and distances: North 70 degrees 05 minutes 11 seconds East, a distance of 18.14 feet; thence North 70 degrees 08 minutes 47 seconds East, a distance of 72.16 feet; thence North 71 degrees 06 minutes 38 seconds East, a distance of 70.03 feet; thence North 73 degrees 45 minutes 19 seconds East, a distance of 73.00 feet; thence North 78 degrees 25 minutes 35 seconds East, a distance of 71.58 feet; thence North 84 degrees 29 minutes 57 seconds East, a distance of 72.59 feet; thence South 89 degrees 54 minutes 57 seconds East, a distance of 67.45 feet; thence South 84 degrees 33 minutes 11 seconds East, a distance of 65.31 feet; thence South 78 degrees 41 minutes 25 seconds East, a distance of 70.24 feet; thence South 72 degrees 43 minutes 46 seconds East, a distance of 74.52 feet; thence South 67 degrees 38 minutes 59 seconds East, a distance of 71.11 feet; thence South 65 degrees 08 minutes 53 seconds East, a distance of 37.12 feet, to a point in the center line of State Route 144; thence leaving said road, South 33 degrees 26 minutes 03 seconds West, a distance of 230.24 feet, to a point on the Northern edge of Kettle Creek; thence down Kettle Creek the following courses and distances: North 60 degrees 39

minutes 46 seconds West, a distance of 22.66 feet; thence North 64 degrees 08 minutes 47 seconds West, a distance of 57.11 feet; thence North 53 degrees 40 minutes 22 seconds West, a distance of 55.82 feet; thence North 58 degrees 10 minutes 34 seconds West, a distance of 49.92 feet; thence North 43 degrees 11 minutes 37 seconds West, a distance of 56.13 feet; thence North 56 degrees 46 minutes 30 seconds West, a distance of 56.79 feet; thence South 88 degrees 27 minutes 55 seconds West, a distance of 47.81 feet; thence South 78 degrees 41 minutes 35 seconds West, a distance of 57.19 feet; thence South 75 degrees 47 minutes 38 seconds West, a distance of 52.67 feet; thence North 88 degrees 47 minutes 45 seconds West, a distance of 49.91 feet; thence South 84 degrees 43 minutes 40 seconds West, a distance of 59.07 feet; thence South 69 degrees 34 minutes 12 seconds West, a distance of 61.40 feet; thence South 69 degrees 34 minutes 12 seconds West, a distance of 38.41 feet, to the center line of Cross Fork Creek; thence North 05 degrees 07 minutes 34 seconds West, a distance of 79.40 feet, along the center line of Cross Fork Creek to the point of beginning.

Containing 2.23 acres, more or less.

(b) The conveyance authorized by this section shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, cable, water, electric, sewer, gas or pipeline companies, as well as under and subject to any lawful and enforceable interest, estates or tenancies vested in third persons, appearing of record, for any portion of the land or improvement erected thereon.

(c) The deed of conveyance authorized by this section shall be by special warranty deed and shall contain a clause that the Grantee shall utilize the property for municipal purposes. If at any time the Grantee or their successor in function conveys said property or authorizes or permits said property to be used for any purpose other than those aforementioned, the property shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(d) The deed of conveyance authorized by this section shall contain a clause that the Grantee shall allow pedestrian access across the premises to Kettle Creek and Cross Fork Creek.

(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. 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.

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

**Section 2. Centre County conveyance.**

(a) Conveyance.—The Department of General Services, with the approval of the Governor and the Secretary of Corrections, is authorized to convey to the Centre County Solid Waste Authority, for a fair consideration, the following tracts of land situate in College Township, Centre County, Pennsylvania, described as follows:

**TRACT NO. 1**

All that certain tract of land situated in College Township, Centre County, Pennsylvania, being land for the Transfer Station, as shown on the Land Development Plan for Dale Summit Transfer Station, for the Centre County Solid Waste Authority, by Uni-Tec, Inc., State College, Pennsylvania, being bounded and described as follows:

Beginning at an iron pin lying in an easterly right-of-way of Transfer Road (60-foot right-of-way) and being a southerly corner of lands owned now or formerly by the Commonwealth of Pennsylvania, Rockview State Correctional Institution; thence along said lands, North 60 degrees, 14 minutes, 15 seconds East, 360.00 feet to an iron pin; thence continuing along said lands, South 71 degrees, 20 minutes, 45 seconds East, 474.61 feet to a concrete monument; thence continuing along said lands, South 29 degrees, 45 minutes, 45 seconds East, 700.00 feet to an iron pin; thence continuing along said lands, South 60 degrees, 14 minutes, 15 seconds West, 675.00 feet to an iron pin lying in a northerly line of the Rockview State Correctional Institution lands and being an easterly corner of lands owned now or formerly by Corning Glass Works (Deed Book 287, Pg. 988); thence along the Corning Glass Works lands and lands owned now or formerly by the Bellefonte Borough Authority (Deed Book 292, Pg. 301) and other lands of the Corning Glass Works (Deed Book 287, Pg. 988) and along the Transfer Road right-of-way, North 29 degrees, 45 minutes, 45 seconds West, 1,055.00 feet to an iron pin being the place of beginning.

Containing 15.065 acres.

**TRACT NO. 2**

All that certain tract of land situated in College Township, Centre County, Pennsylvania, being land for the Centre County Solid Waste Authority, Dale Summit Transfer Station, as shown on the Centre County Solid Waste Authority Dale Summit Transfer Station and Recycling Center, Lease No. 2 Site Plan, dated September 1993, by Blazosky and Associates, Inc., being bounded and described as follows:

Beginning at an iron pin lying in a westerly line of lands owned now or formerly by the Commonwealth of Pennsylvania, Department of Corrections, State Correctional Institution at Rockview, and being an easterly corner of Lease No. 1 of the Centre County Solid Waste Authority, Dale Summit Station; thence along said lands, South 60 degrees, 14 minutes, 15 seconds West, 675.00 feet to an iron pin, lying in a westerly line of said lands and lying in an easterly line of lands owned now or formerly by Corning Glass Works; thence along said line and lands owned now or formerly by

Bellefonte Borough Water Authority and lands of the Commonwealth of Pennsylvania, Department of Corrections, South 29 degrees, 45 minutes, 45 seconds East, 203.62 feet to an iron pin; thence continuing along said lands, South 55 degrees, 58 minutes, 18 seconds West, 417.75 feet to a point; thence South 27 degrees, 07 minutes, 53 seconds East, 337.04 feet to a point; thence South 38 degrees, 30 minutes, 04 seconds East, 72.14 feet to a point; thence South 54 degrees, 31 minutes, 34 seconds East, 54.01 feet to a point; thence South 66 degrees, 52 minutes, 35 seconds East, 42.04 feet to a point; thence North 46 degrees, 17 minutes, 39 seconds East, 277.98 feet to a point; thence North 36 degrees, 02 minutes, 19 seconds East, 62.41 feet to a point; thence North 20 degrees, 33 minutes, 58 seconds East, 126.37 feet to a point; thence North 36 degrees, 37 minutes, 58 seconds East, 54.59 feet to a point; thence North 48 degrees, 13 minutes, 53 seconds East, 186.58 feet to a point; thence North 64 degrees, 01 minute, 08 seconds East, 194.74 feet to a point; thence North 55 degrees, 31 minutes, 41 seconds East, 197.97 feet to a point; thence North 29 degrees, 45 minutes, 45 seconds West, 487.93 feet to an iron pin being the place of beginning.

Containing 12.35 acres.

#### TRACT NO. 3

All that certain parcel of land situated in College Township, Centre County, Pennsylvania, being a western portion of lands now or formerly of Rockview State Penitentiary which lie south of lands now or formerly of the Nittany and Bald Eagle Railroad Company (a 60-foot-wide right-of-way), east of Transfer Road (a 60-foot-wide right-of-way) and north of lands now or formerly of the Centre County Solid Waste Authority, more particularly bounded and described as follows:

Beginning at a concrete monument at the intersection of the eastern right-of-way line of Transfer Road (a 60-foot-wide right-of-way) with the southern right-of-way line of the Nittany and Bald Eagle Railroad Company (a 60-foot-wide right-of-way) at the northwestern corner of the herein-described parcel;

Thence along said southern right-of-way line of the Nittany and Bald Eagle Railroad Company (a 60-foot-wide right-of-way) the following two (2) courses:

(1) North 51 degrees 49 minutes 48 seconds east, 33.60 feet to a point of curvature; thence

(2) By the arc of a curve to the left having a radius of 11,525.46 feet, central angle of 03 degrees 14 minutes 25 seconds, chord bearing and distance of north 50 degrees 12 minutes 38 seconds east, 651.71 feet, an arc distance of 651.80 feet to a point at the northeastern corner of the herein-described parcel;

Thence through lands now or formerly of Rockview State Penitentiary south 29 degrees 45 minutes 45 seconds east, 1067.46 feet to a point at the common northeastern corner of lands now or formerly of the Centre County

Solid Waste Authority and the southeastern corner of the herein-described parcel;

Thence along said lands of the Centre County Solid Waste Authority the following two (2) courses:

(1) North 71 degrees 20 minutes 45 seconds west, 474.61 feet to a point; thence

(2) South 60 degrees 14 minutes 15 seconds west, 360.00 feet to a point in said eastern right-of-way line of Transfer Road (a 60-foot-wide right-of-way) at the common northwestern corner of said lands of the Centre County Solid Waste Authority and the southwestern corner of the herein-described parcel;

Thence along said eastern right-of-way line of Transfer Road (a 60-foot-wide right-of-way) north 29 degrees 45 minutes 45 seconds west, 594.07 feet to the point of beginning.

Containing 11.3534 acres of land gross area.

(b) Costs and fees.—The costs and fees incidental to this conveyance shall be borne by the grantee.

(c) Reverter clause.—The deed of conveyance authorized under this section shall contain a clause which provides for its reversion to the Commonwealth should the property cease to be used for Centre County Solid Waste Authority purposes.

(d) Easements and other interests.—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.

(e) Approval and execution.—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.

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

Section 3. Centre County acquisition.

(a) The Department of General Services, with the approval of the Governor, is authorized to purchase on behalf of the Department of Corrections, for fair market value as determined by an independent appraisal, the following tracts of land situate in Benner Township, Centre County, Pennsylvania, described as follows:

#### TRACT NO. 1

Beginning at a rock oak; thence by land of Valentins, South 30 degrees East, 85 perches to a red oak; thence North 72 degrees East, 32 perches; thence by land of Christian Dale, North 2 degrees East, 40 perches to a rock oak; thence North 33 degrees West, 24 perches to a chestnut oak; thence North 57 degrees East, 10 perches to a chestnut oak; thence by land of J.

Noll, North 26 degrees West, 18 perches to a black oak; thence North 42 degrees West, 20 perches to stones; thence South 58 degrees West, 60 perches to the place of beginning.

Containing approximately 28.86 acres and being known as Centre County Uniform Parcel Identifier Tax Parcel Number 12-05-036.

TRACT NO. 2

Beginning at a red oak; thence by land of Wistars, South 57 degrees West, 40 5/10 perches to stones; thence by land of William Simmons heirs, South 42 degrees East, 20 perches to black oak; thence by same, South 26 degrees East, 18 perches to chestnut oak; thence by same, South 57 degrees West, 10 perches to chestnut oak; thence by same, South 33 degrees East, 24 perches to chestnut oak; thence by land of Siney Hoy, North 57 degrees East, 55 perches to stones; thence by land of Henry Noll, North 38 degrees West, 61 perches to the place of beginning and being known as Centre County Uniform Parcel Identifier Tax Parcel Number p/o 12-5/36.

Being the same premises which became vested in Neil Walker the Grantor herein by a Decree Awarding Real Estate from the Margaret A. Hild Estate dated October 27, 1994, as recorded in Centre County Record Book 784, Page 978.

Containing approximately 17.46 acres and being known as Centre County Uniform Parcel Identifier Tax Parcel Number 12-05-036.

Both parcels being the same premises as described in Centre County Deed Book 195, Page 385, consisting of approximately 46.32 acres.

(b) The costs and fees incurred by the Department of General Services for the acquisition of the tracts of land described in this section shall be reimbursed by the Department of Corrections.

Section 4. Effective date.

This act shall take effect immediately.

APPROVED—The 21st day of December, A.D. 1998.

THOMAS J. RIDGE