

No. 2002-137

AN ACT

SB 1461

Authorizing the Department of General Services, with the approval of the Governor, to grant and convey certain tracts of land situate in Haverford Township, Delaware County.

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

Section 1. Haverford Township, Delaware County.

(a) The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Haverford Township, or its assigns, certain land and buildings known as Haverford State Hospital, described in subsection (b), under terms and conditions established in the Agreement of Sale with the Department of General Services dated September 10, 2002.

(b) The property to be conveyed pursuant to subsection (a) consists of approximately 212.17 acres and numerous buildings bounded and more particularly described as follows:

Parcel 1

BEGINNING at a point along the Northern right-of-way line of Marple Road, point being the Southernmost corner of property herein described; thence along property now or formerly of Peco Energy Company the following; North 71 degrees, 15 minutes, 21 seconds West for a distance of 21.65 feet to a point; thence North 32 degrees, 41 minutes, 58 seconds East for a distance of 438.89 feet to an iron rod; thence North 65 degrees, 24 minutes, 37 seconds West for a distance of 33.86 feet to an iron rod; thence North 38 degrees, 58 minutes, 11 seconds West for a distance of 68.90 feet to a concrete monument; thence North 40 degrees, 00 minutes, 53 seconds West for a distance of 134.41 feet to a concrete monument; thence North 45 degrees, 32 minutes, 05 seconds West for a distance of 254.83 feet to an iron rod; thence North 39 degrees, 10 minutes, 01 seconds West for a distance of 51.00 feet to an iron rod; thence South 55 degrees, 01 minutes, 19 seconds West for a distance of 169.64 feet to a point in Darby Creek; thence along Darby Creek North 86 degrees, 22 minutes, 37 seconds West for a distance of 39.46 feet to a point on the Northeastern Right-of-Way line of Interstate 476 (formerly LR 1010); thence North 26 degrees, 18 minutes, 27 seconds West for a distance of 1691.24 feet to a point; thence South 63 degrees, 41 minutes, 33 seconds West for a distance of 60.00 feet to a point; thence North 26 degrees, 18 minutes, 27 seconds West for a distance of 924.46 feet to an iron rod; thence along property now or formerly of Philip & Grace Sharples North 13 degrees, 18 minutes, 34 seconds West for a distance of 239.35 feet to a point in Haverford Darby Road; thence North 79

degrees, 03 minutes, 30 seconds East for a distance of 49.88 feet to a point; thence leaving said road and along property now or formerly of Herbert W. Schmidt, Jr. and Deborah Schmidt South 13 degrees, 20 minutes, 30 seconds East for a distance of 374.64 feet to a concrete monument; thence North 72 degrees, 04 minutes, 19 seconds East for a distance of 165.17 feet to a concrete monument; thence North 58 degrees, 15 minutes, 21 seconds East for a distance of 37.34 feet to a concrete monument; thence along same and also lots 2 and 1 respectively as shown in Plan Book Volume 16, Page 56 North 59 degrees, 37 minutes, 15 seconds East for a distance of 414.07 feet to a concrete monument; thence along property now or formerly of John P. Rosin North 68 degrees, 08 minutes, 03 seconds East for a distance of 399.97 feet to a stone monument; thence North 21 degrees, 52 minutes, 25 seconds West for a distance of 281.08 feet to a point in said Haverford and Darby Road; thence North 72 degrees, 35 minutes, 45 seconds East for a distance of 50.14 feet to a point; thence leaving said road and along property now or formerly of Eliz K. Van Allen South 21 degrees, 52 minutes, 25 seconds East for a distance of 277.15 feet to a stone monument; thence North 68 degrees, 07 minutes, 26 seconds East for a distance of 189.26 feet to a stone monument; thence along property now or formerly of Samuel M. Lennox North 43 degrees, 31 minutes, 38 seconds East for a distance of 347.87 feet to a stone monument; thence North 46 degrees, 28 minutes, 15 seconds West for a distance of 320.13 feet to a point in said Haverford and Darby Road; thence North 43 degrees, 30 minutes, 36 seconds East for a distance of 49.97 feet to a point; thence leaving said road and along property now or formerly of Albert S. Woodward South 46 degrees, 28 minutes, 53 seconds East for a distance of 320.18 feet to a stone monument; thence North 43 degrees, 35 minutes, 40 seconds East for a distance of 226.49 feet to an iron pipe; thence along property known as Allgates West Development South 18 degrees, 47 minutes, 51 seconds East for a distance of 879.23 feet to a pipe monument; thence North 50 degrees, 39 minutes, 14 seconds East for a distance of 968.63 feet to an iron rod; thence along Parcel 2 of the Plan of Haverford Hospital Property North 79 degrees, 29 minutes, 35 seconds East for a distance of 790.88 feet to an iron rod; thence North 34 degrees, 05 minutes, 28 seconds East for a distance of 318.67 feet to a point in said Haverford and Darby Road; thence South 75 degrees, 20 minutes, 21 seconds East for a distance of 104.80 feet to a point; thence South 75 degrees, 04 minutes, 47 seconds East for a distance of 30.18 feet to a point; thence leaving said Haverford and Darby Road and along property now or formerly of Marriott Corporation South 34 degrees, 05 minutes, 28 seconds West for a distance of 567.23 feet to an iron rod; thence South 35 degrees, 02 minutes, 28 seconds West for a distance of 630.55 feet to a concrete monument; thence South 60 degrees, 12 minutes, 29 seconds East for a distance of 443.19 feet to an iron rod; thence South 35 degrees, 11 minutes, 31 seconds West for a distance of 468.57 feet to a concrete monument; thence South 81 degrees, 21 minutes, 33 seconds East

for a distance of 967.92 feet to a concrete monument; thence South 81 degrees, 13 minutes, 05 seconds East for a distance of 426.29 feet to a concrete monument; thence along property now or formerly of Robert C. Clarison South 22 degrees, 57 minutes, 44 seconds West for a distance of 214.99 feet to a concrete monument; thence South 66 degrees, 59 minutes, 14 seconds East for a distance of 325.93 feet to a point in Marple Road; thence South 23 degrees, 00 minutes, 32 seconds West for a distance of 50.10 feet to a point; thence leaving said Marple Road and along property now or formerly of John G. Person North 66 degrees, 59 minutes, 14 seconds West for a distance of 325.93 feet to a concrete monument; thence South 22 degrees, 59 minutes, 31 seconds West for a distance of 220.21 feet to an iron pipe; thence along properties now or formerly of Robert W. Copeland, Samuel L. Floyd and Malcom D. Kerbaugh South 60 degrees, 28 minutes, 20 seconds West for a distance of 411.12 feet to a concrete monument; thence along property now or formerly of said Malcom D. Kerbaugh South 29 degrees, 41 minutes, 10 seconds East for a distance of 113.81 feet to a concrete monument; thence along property now or formerly of John G. Lennon South 64 degrees, 04 minutes, 32 seconds West for a distance of 175.58 feet to a concrete monument; thence North 29 degrees, 32 minutes, 56 seconds West for a distance of 436.21 feet to a concrete monument; thence South 40 degrees, 51 minutes, 47 seconds West for a distance of 196.62 feet to a concrete monument; thence along property now or formerly of said John G. Lennon and also Ahmand Nazari South 76 degrees, 19 minutes, 06 seconds West for a distance of 1096.77 feet to an iron rod; thence along property of said Nazari and also property known as The McDee Partnership Subdivision South 26 degrees, 33 minutes, 20 seconds West for a distance of 1322.96 feet to an iron rod; thence South 24 degrees, 55 minutes, 03 seconds East for a distance of 115.94 feet to an iron rod; thence along Northern right-of-way line of said Marple Road on a curve to the left having a radius of 250.37 feet, an arc length of 354.91 feet and a chord bearing of South 83 degrees, 19 minutes, 37 seconds West for a chord distance of 434.61 feet to the POINT OF BEGINNING.

CONTAINING 184.64 acres as shown on survey prepared by Precision Land Surveyors dated 12 July 1998, being Parcel 1.

Parcel 2

BEGINNING at an iron rod at corner of property now or formerly of Philip and Grace Sharples and along the Southwest right-of-way line of Interstate 476 (formerly LR 1010); thence along said right-of-way line South 26 degrees, 18 minutes, 27 seconds East for a distance of 753.00 feet to a point; thence South 63 degrees, 41 minutes, 33 seconds West for a distance of 40.00 feet to a point; thence South 26 degrees, 18 minutes, 27 seconds East for a distance of 1402.03 feet to a point in Darby Creek; thence along said creek the following: North 82 degrees, 38 minutes, 35 seconds West for a distance of 62.32 feet to a point; thence North 84 degrees, 25 minutes, 59 seconds West for a distance of 209.98 feet to a point; thence

North 73 degrees, 43 minutes, 48 seconds West for a distance of 77.60 feet to a point; thence North 79 degrees, 24 minutes, 39 seconds West for a distance of 100.07 feet to a point; thence North 76 degrees, 32 minutes, 40 seconds West for a distance of 22.26 feet to a point; thence North 76 degrees, 33 minutes, 53 seconds West for a distance of 78.16 feet to a point; thence North 78 degrees, 32 minutes, 33 seconds West for a distance of 118.86 feet to a point; thence North 55 degrees, 00 minutes, 14 seconds West for a distance of 100.01 feet to a point; thence North 58 degrees, 26 minutes, 21 seconds West for a distance of 200.13 feet to a point; thence North 48 degrees, 12 minutes, 48 seconds West for a distance of 294.44 feet to a point; thence North 60 degrees, 07 minutes, 19 seconds West for a distance of 225.11 feet to a point; thence North 47 degrees, 40 minutes, 25 seconds West for a distance of 227.68 feet to a point; thence North 55 degrees, 59 minutes, 10 seconds West for a distance of 192.35 feet to a point; thence North 29 degrees, 41 minutes, 40 seconds East for a distance of 353.49 feet to a point; thence leaving said creek and along property of said Sharples South 56 degrees, 23 minutes, 44 seconds East for a distance of 334.37 feet to an iron rod; thence South 59 degrees, 15 minutes, 08 seconds East for a distance of 100.13 feet to an iron rod; thence South 57 degrees, 48 minutes, 37 seconds East for a distance of 200.09 feet to an iron rod; thence South 50 degrees, 26 minutes, 35 seconds East for a distance of 36.60 feet to an iron rod; thence North 14 degrees, 12 minutes, 46 seconds West for a distance of 704.98 feet to an iron rod; thence North 15 degrees, 49 minutes, 11 seconds East for a distance of 489.97 feet to an iron rod; thence North 78 degrees, 53 minutes, 40 seconds East for a distance 36.55 feet to the POINT OF BEGINNING.

CONTAINING 27.53 acres as shown on survey prepared by Precision Land Surveyors dated 12 July 1998, being Parcel 2.

(c) The conveyance 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, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record for any portion of the land or improvements erected thereon.

(d) The deed of conveyance shall contain the following restrictive covenant: UNDER AND SUBJECT to the restrictions, limitations and conditions that the land herein depicted on the attached site plan shall be used and limited to permitted open space benefits as defined in section 2 of the act of January 19, 1968 (1967 P.L.992, No.442), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses."

(e) The restrictive covenant in the deed of conveyance shall contain approximately 135 acres of open space recreation restrictions on a portion of the currently undeveloped lands conveyed, consistent with the terms

established in the agreement of sale, to include approximately 120 acres to be reserved strictly for passive recreation where active sports fields are prohibited and that may include hiking and biking trails and picnic pavilions.

(f) The deed of conveyance shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

(h) The cost and fees incurred by the Department of General Services for preparing the property for sale, including, but not limited to, environmental assessments, marketing services, title searches, advertising, appraisal, auctioneer fees and surveys, and by the Department of Public Welfare for protecting and securing the property shall be deducted from the purchase price, and that amount shall be an executively authorized augmentation to the appropriation from which the costs and fees were paid by the departments, with priority reimbursements being made to the Department of General Services and then the Department of Public Welfare.

Section 2. This act shall take effect immediately.

APPROVED—The 25th day of November, A.D. 2002.

MARK S. SCHWEIKER