

No. 2002-204

AN ACT

SB 1179

Authorizing and directing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to accept by donation a tract of land situate in the Borough of Ambridge, Beaver County; authorizing and directing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Tinicum Township certain lands and buildings situate in the Township of Tinicum, County of Delaware; authorizing and directing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Liberty Township certain lands and monument situate in the Township of Liberty, County of Bedford; authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to the County of Montgomery certain lands and buildings situate in the Borough of Pottstown, Montgomery County; authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Greene County certain lands and building situate in Jefferson Township, Greene County; and authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Northumberland County Historical Society certain lands and building situate in the City of Sunbury, County of Northumberland and Commonwealth of Pennsylvania.

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

Section 1. Land acquisition in Borough of Ambridge, Beaver County.

(a) **Authorization.**—The Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, is hereby authorized on behalf of the Commonwealth of Pennsylvania to accept by donation a tract of land described in subsection (b).

(b) **Property description.**—The parcel to be donated by the Ambridge Area School District pursuant to subsection (a) is located in the Borough of Ambridge, County of Beaver, bounded as described as follows:

ALL THAT CERTAIN piece, parcel or plot of land situate in the Borough of Ambridge, County of Beaver and Commonwealth of Pennsylvania containing lots number 2, 3, 4, 5, 6, 7, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 in Block Number 10 as depicted in the “Economy Plan of French Point and Village Lots,” recorded in the Recorder’s Office in and for said County of Beaver in Plan Book Vol. 1, Page 234.

CONTAINING an area of .9924 acres.

(c) **Easements.**—The donation shall be made under and subject to all recordable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, cable, sewer, gas or pipeline companies, as well as under and

subject to any recordable interest, estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Deed.—The deed shall be prepared by the grantor as provided by law, subject to approval by the Department of General Services, and accepted on behalf of the Commonwealth by the Department of General Services.

(e) Costs and fees.—Costs and fees incidental to this donation shall be borne by the grantee unless otherwise stipulated by previous agreement.

Section 2. Conveyance of land to Tincum Township.

(a) Authorization.—The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to Tincum Township for one dollar approximately 7.224 acres of land and buildings as described in subsection (b).

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of all that certain tract or piece of land with the buildings and improvements thereon erected, situate in the Township of Tincum, County of Delaware and Commonwealth of Pennsylvania, and bounded and described as follows, to wit:

BEGINNING at the point of intersection of the middle line of Second Street and the middle line of Taylor Avenue; extending thence by the middle line of said Taylor Avenue South ten degrees, four minutes West, nine hundred forty-three feet more or less, to low water mark of the Delaware River; extending thence by the said River and along the said low water mark North fifty-six degrees, seventeen minutes West three hundred eighty feet more or less to lands of the Corinthian Yacht Club; extending thence by the said lands North nine degrees fifty-five minutes East, eight hundred thirty-seven feet more or less to the middle of the said Second Street; and thence extending by the said middle line of Second Street South eighty degrees, sixteen minutes East, three hundred fifty-three and fifty-nine one-hundredths feet to the place of beginning.

CONTAINING Seven and Two hundred and twenty-four one-thousands (7.224) acres, more or less, according to Survey made October 20th, 1926 by Damon & Power, Civil Engineers.

(c) Easements.—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) Deed.—The deed of conveyance shall be by special warranty deed or quit claim deed, as the Commonwealth's interests permit, and shall be

executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania. The restrictive covenants in subsections (e) and (f) shall only pertain to the above-mentioned special warranty deed.

(e) Public access, etc.—The deed of conveyance shall contain a clause requiring that Tincum Township provide public access to the park and facilities and maintain and preserve the premises as a historic park. No new construction, excavation, ground disturbance, demolition, alteration, remodeling or landscaping/site work shall be undertaken or permitted to be undertaken on the property without prior written approval of the Pennsylvania Historical and Museum Commission.

(f) Other terms and conditions.—Under and subject to the condition that the land herein conveyed shall be used as a permanent, noncommercial historical park, if at any time the grantee or its successors in function convey said property or authorize or permit said property to be used for any purpose other than those aforementioned, the title to the land herein conveyed shall immediately revert to and revest in the Commonwealth of Pennsylvania.

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

Section 3. Conveyance of land to Liberty Township.

(a) Authorization.—The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to Liberty Township for one dollar approximately 20.87 acres of land and monument as described in subsection (b).

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of all that certain tract or piece of land with the monument and improvements thereon erected, situate in the Township of Liberty, County of Bedford and Commonwealth of Pennsylvania, and bounded and described as follows, to wit:

BEGINNING at the center of a certain shaft or marker erected by the Fisher's Summit Memorial Association as a marker, or monument or the spot where Captain Phillips' Scouts were massacred by Indians, and where the remains of the said Scouts are interred in a certain vault or grave, and extending from the said marker or monument in all directions by a radius of 500 feet from the center of said marker as aforesaid and containing approximately 785,400 square feet, and also that portion or piece of ground beginning at the said monument or marker and used as a certain road, extending in an easterly direction to the old highway formerly know as Route 26, for a width of 50 feet between said marker and the aforesaid highway; and thence from the old highway hereinbefore mentioned continuing in an easterly direction to the new concrete highway, between Bedford and Huntingdon, and known as Route 26, for a width of 50 feet, between the old and new highways herein before mentioned.

(c) Easements.—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) Deed.—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.

(e) Public access, etc.—The deed of conveyance shall contain a clause requiring that Liberty Township provide public access to the park and monument and maintain and preserve the premises as a historic park. No new construction, excavation, ground disturbance, demolition, alteration, remodeling or landscaping/site work shall be undertaken or permitted to be undertaken on the property without prior written approval of the Pennsylvania Historical and Museum Commission.

(f) Covenants.—Under and subject to the condition that the land herein conveyed shall be used as a permanent, noncommercial historical park, if at any time the grantee or its successors in function convey said property or authorize or permit said property to be used for any purpose other than those aforementioned, the title to the land herein conveyed shall immediately revert to and revest in the Commonwealth of Pennsylvania.

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

Section 4. Conveyance of land to Montgomery County.

(a) Authorization.—The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the County of Montgomery certain lands and buildings as described in subsection (b) for fair consideration equal to the fair market value of the property as determined by an independent appraisal in accordance with an agreement of sale.

(b) Property description.—The tracts to be conveyed are situate in the Borough of Pottstown, Montgomery County, Pennsylvania, bounded and described as follows:

Parcel 1

ALL THAT CERTAIN lot or piece of land with the buildings thereon erected, situate in the Borough of Pottstown, County of Montgomery, and State of Pennsylvania, described according to the survey of Will D. Hiltner, May 1959, as follows, to wit:

BEGINNING at a point on the Northeast side of High Street; thence along land now or late of Gabel Estate North Twenty-nine degrees Thirty-five minutes East Three Hundred feet to a point on the South side of King Street; thence South Sixty-six degrees Thirty-five minutes East, Two

Hundred Nineteen and Seventy-two hundredths feet along said South side of King Street to a point in the center of a public road Thirty-three feet wide; thence South Fourteen degrees Twenty-six minutes West, along the center line of said public road Three Hundred Ten and Six tenths feet to a point on the North side of High Street aforesaid; thence North Sixty degrees Twenty-five minutes West along said of High Street Three Hundred feet to the point of place of BEGINNING.

Parcel 2

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate in the Borough of Pottstown, County of Montgomery, and Commonwealth of Pennsylvania, bounded and described according to a Survey thereof made December 28, 1944 by Ralph E. Shaner and Son, Engineers, as follows, to wit:

BEGINNING at a point of the intersection of the Northeast side of High Street and the Southeast side of a public road; thence extending along the South side of said public road North 11 Degrees 35 Minutes East 320.19 feet to a point of intersection of the Southeast side of said public road with the Southeast side of King Street; thence extending along the said Southwest side of King Street South 60 Degrees 25 Minutes East 22 feet to a point a corner on the Westerly right of way line of the Colebrookdale Railroad; thence along said right of way line, on line curving to the left having a radius of 1812.27 feet to the arc or distance of 360.64 feet to a point on the Northeast side of High Street aforesaid; thence extending along the said Northeast side of High Street North 60 Degrees 25 Minutes West 114.14 feet to the first mentioned point and place of BEGINNING.

(c) Easements.—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 telephone, telegraph, cable, water, electric, sewer, 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) Deed.—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.

(e) Covenants.—The deed of conveyance shall contain a clause requiring the County of Montgomery or their successors to ensure that any design for new construction, rehabilitation, alteration or demolition work on the property is compatible with its original architectural design and landscape/site plan in terms of scale, massing, fenestration, materials and color and is consistent with the recommended approaches in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, and no new construction, excavation, ground disturbance, demolition, alteration, remodeling or landscaping/site work shall be undertaken or permitted to be undertaken on the property

without prior written approval of the Pennsylvania Historical and Museum Commission.

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

Section 5. Conveyance of land to Greene County.

(a) Authorization.—The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to Greene County for one dollar approximately 1.82 acres of land, more or less, and a stone building known as the “Thomas Hughes House” as described in subsection (b).

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of all that certain tracts or lots of land situate in the Township of Jefferson, County of Greene and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

ALL THOSE CERTAIN pieces, parcels or plots of land situate in the Township of Jefferson, County of Greene and Commonwealth of Pennsylvania being all of Parcel No. 1- Containing 1.11 acres with improvements, Parcel No. 2- Lots No.5, 6, 7 and 8 containing 0.58 acres more or less and Parcel No. 7- Lot No.54, containing 0.13 acres more or less. Parcels and lots being shown on revised Hatfield Plan as recorded in Greene County Plan Book 1, at page 119 on August 24, 1946.

CONTAINING an area of 1.82 acres of land, more or less.

(c) Easements.—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) Deed.—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.

(e) Covenants.—The deed of conveyance shall contain a clause requiring the County of Greene and their successors to maintain and preserve the premises to ensure that any improvements to the property are compatible with its original architectural design and landscape/site plan in terms of scale, massing, fenestration, materials and color and are consistent with the recommended approaches in the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. No new construction, excavation, ground disturbance, demolition, alteration, remodeling or landscaping/site work shall be undertaken or permitted to be undertaken on the property without prior

written approval by the Pennsylvania Historical and Museum Commission. This clause shall run with the land.

(f) Other restrictions.—The deed of conveyance shall also contain a clause permitting Greene County to sell the property for fair market value as determined by an independent appraiser acceptable to the Commonwealth, with the proceeds, less Greene County's sales costs, sent to the Commonwealth.

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

Section 6. Conveyance to Northumberland County Historical Society.

(a) Authorization.—The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Northumberland County Historical Society for one dollar approximately 0.82 acres of land and a building as described in an indenture dated November 27, 1931.

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of all that certain tract or lot of land at 1150 North Front Street, situate in the City of Sunbury, Northumberland County, Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pipe in the eastern line of Front Street in the dividing line between the property hereby conveyed and the property now or late of Max L. Kronberg, thence in a southerly direction along the eastern line of Front Street a distance of eighty eight (88) feet, more or less to a stake being the northwestern corner of property in tenure of George W. Rockwell, thence in an easterly direction along the property now or late of the said Rockwell a distance of three hundred sixteen (316) feet, more or less, to a stake in the western line of Fort Augusta Avenue

thence in a northerly direction along the western line of Fort Augusta Avenue a distance of one hundred thirty nine (139) feet, more or less, to an iron pipe at the intersection of the property hereby conveyed and the property in tenure of Max L. Kronberg,

thence in a westerly direction along the property now or late of Max L. Kronberg, a distance of two hundred eight (208) feet more or less, to the place of beginning.

It being the same property conveyed to Ella G. Rossiter by Amelia Gross, by deed dated July 27, 1929, recorded in Deed Book No.238, Page 93.

Also part of the same property conveyed to Amelia Gross by John Noriconk, Sheriff of Northumberland County, by deed dated May 17, 1895, recorded in Deed Book No.115, Page 325.

The twelve (12) foot private driveway extending from Front Street eastward to Fort Augusta Avenue along the southern line of the property hereby conveyed, is to be used jointly by the grantee and George W. Rockwell, his heirs and assignees, owner of the property adjoining on the South.

CONTAINING approximately 35,723 square feet of land. It is comprised of two separate and noncontiguous parcels of land. The main site measures approximately 88 feet by 280 feet by 139 feet by 310 feet while the smaller parcel measures 30 feet by 175 feet.

WHEREON IS ERECTED a brick house dwelling, known as the "Hunter House."

(c) Easements.—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) Deed.—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.

(e) Covenants.—The conveyance shall be made under and subject to the condition that the buildings and lands conveyed herein shall be accessible to the public, owned by a nonprofit organization as defined by the Bureau of Charitable Organizations, Commonwealth of Pennsylvania, and be restricted to permanent, noncommercial use as a historic site or museum. Should the buyer allow the property to be used for any other purpose, ownership will revert to the Commonwealth of Pennsylvania.

Buyer shall maintain and preserve the premises to ensure that any improvements to the property are compatible with its original architectural design and landscape/site plan in terms of scale, massing, fenestration, materials and color and are consistent with the recommended approaches in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. No new construction, excavation, ground disturbance, demolition, alteration, remodeling or landscaping/site work shall be undertaken or permitted to be undertaken on the property without prior written approval of the Pennsylvania Historical and Museum Commission and signed by a duly authorized representative hereof.

These covenants are binding to the buyer, its heirs, successors and assigns in perpetuity.

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

Section 7. Effective date.

This act shall take effect as follows:

- (1) Section 1 shall take effect in 60 days.
- (2) The remainder of this act shall take effect immediately.

APPROVED—The 9th day of December, A.D. 2002.

MARK S. SCHWEIKER