

## No. 2008-30

## AN ACT

HB 2496

Authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania State Employees Credit Union, certain lands situate in Susquehanna Township, Dauphin County.

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

Section 1. Conveyance in Susquehanna Township, Dauphin County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Pennsylvania State Employees Credit Union certain lands, and any improvements thereon, situate in Susquehanna Township, Dauphin County for \$3,050,000 and under terms and conditions to be established in an agreement of sale with the Department of General Services.

(b) Description.—The property to be conveyed under subsection (a) consists of approximately 47.28 acres, and any improvements thereon, bounded and more particularly described as follows:

BEGINNING at a point on the northerly right-of-way line of Elmerton Avenue, State Route 3026; thence through lands of the Commonwealth of Pennsylvania and Harrisburg State Hospital the following two courses and distances: North 06 degrees 39 minutes 06 seconds East a distance of 1,028.50 feet to a point; thence North 89 degrees 46 minutes 15 seconds East a distance of 1,849.16 feet to a point on the westerly right-of-way line of Kohn Road; thence along said westerly right-of-way line the following seven courses and distances: South 0013 minutes 45 seconds East a distance of 196.65 feet to a point; thence South 03 degrees 11 minutes 45 seconds East a distance of 192.27 feet to a point; thence along a line curving to the right having a radius of 409.91 feet, an arc length of 151.56 feet and a chord bearing South 07 degrees 23 minutes 46 seconds West a distance of 150.69 feet to a point; thence South 17 degrees 59 minutes 17 seconds West a distance of 138.98 feet to a point; thence South 13 degrees 20 minutes 17 seconds West a distance of 283.86 feet to a point; thence South 07 degrees 25 minutes 17 seconds West a distance of 95.46 feet to a point; thence along a line curving to the right having a radius of 25.00 feet, an arc length of 35.63 feet and a chord bearing South 48 degrees 15 minutes 21 seconds West a distance of 32.69 feet to a point on the northerly right-of-way line of Elmerton Avenue, State Route 3026; thence along said northerly right-of-way line of Elmerton Avenue the following ten courses and distances: along a line curving to the left having a radius of 2,525.00 feet, an arc length of 259.95 feet and a chord bearing South 86 degrees 08 minutes 27 seconds West a

distance of 259.84 feet to a point; thence South 83 degrees 11 minutes 30 seconds West a distance of 15.07 feet to a point; thence North 06 degrees 48 minutes 30 seconds West a distance of 5.00 feet to a point; thence North 06 degrees 48 minutes 30 seconds West a distance of 5.00 feet to a point; thence South 83 degrees 11 minutes 30 seconds West a distance of 555.94 feet to a point; thence along a line curving to the right having a radius of 770.00 feet an arc length of 180.89 feet and a chord bearing South 89 degrees 55 minutes 18 seconds West a distance of 180.47 feet to a point; thence North 83 degrees 20 minutes 54 seconds West a distance of 251.13 feet to a point; thence South 06 degrees 39 minutes 06 seconds West a distance of 13.50 feet to a point; thence North 83 degrees 20 minutes 54 seconds West a distance of 490.65 feet to a point; thence North 06 degrees 39 minutes 06 seconds East a distance of 33.50 feet to a point; thence North 83 degrees 20 minutes 54 seconds West a distance of 73.99 feet to a point, the place of BEGINNING. CONTAINING 47.28 - Acres 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 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) Restrictions.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined under 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. If the grantee, its successors or assigns, permits any portion of the property authorized to be conveyed under this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Special warranty 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.

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

(g) Proceeds.—The Department of General Services shall utilize the proceeds from the conveyance to reimburse itself for costs or fees it incurred as a result of this conveyance. Any funds remaining after reimbursement to the Department of General Services shall be deposited into the Agricultural Farm Operations Account established under the act of June 18, 1982 (P.L.549, No.159), entitled "An act providing for the administration of certain Commonwealth farmland within the Department of Agriculture."

(h) Alternate disposal.—If the grantee and the Department of General Services cannot reach a mutually acceptable agreement of sale within 12

months of the effective date of this section, the property may be disposed of in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 2. Effective date.

This act shall take effect immediately.

APPROVED—The 27th day of June, A.D. 2008.

EDWARD G. RENDELL