

---

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

SENATE BILL

No. 1232 Session of  
2015

---

INTRODUCED BY CORMAN, MAY 9, 2016

---

REFERRED TO STATE GOVERNMENT, MAY 9, 2016

---

AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to grant and convey to Moshannon  
3 Valley Economic Development Partnership, Inc., certain lands  
4 and improvements situate in Rush Township, Centre County.

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

7 Section 1. Conveyance in Rush Township, Centre County.

8 (a) Authorization.--The Department of General Services, with  
9 the approval of the Governor, is hereby authorized on behalf of  
10 the Commonwealth of Pennsylvania to grant and convey to  
11 Moshannon Valley Economic Development Partnership, Inc., certain  
12 land together with any improvements thereon, situate in Rush  
13 Township, Centre County, for \$150,000 and under terms and  
14 conditions to be established in an agreement of sale.

15 (b) Property description.--The property to be conveyed  
16 pursuant to this section consists of approximately 14.797 acres  
17 of land and improvements thereon, bounded and more particularly  
18 described as follows:

19 ALL THAT CERTAIN lot, parcel, tract or piece of land, situate

1 in the Township of Rush, County of Centre and Commonwealth of  
2 Pennsylvania, in accordance with Property Plan by H.F. Lenz  
3 Company, dated 11/3/14, bounded and described as follows:

4 BEGINNING at an iron pin with aluminum cap set at the  
5 intersection of the northerly line of land of Rebecca Young with  
6 the easterly right of way line of Loch Lomond Road (Township  
7 Road No. 804);

8 Thence, along said easterly right of way line, North Twenty-  
9 Two degrees Twenty-Three minutes Thirty-One seconds East (N  
10  $22^{\circ}23'31''$  E), a distance of Nine Hundred Thirty and Sixteen  
11 hundredths feet (930.16') to a railroad spike set in pavement on  
12 the southerly right of way line of Medical Center Drive  
13 (Township Road No. 951);

14 Thence, along said southerly right of way line, South Sixty-  
15 Seven degrees Sixteen minutes Eight seconds East (S  $67^{\circ}16'08''$   
16 E), a distance of Seven Hundred Eleven and Twenty-Three  
17 hundredths feet (711.23') to a railroad spike set in pavement  
18 the westerly line of land of Penn State Geisinger Clinic;

19 Thence, along said westerly line and the westerly line of  
20 lands of James Croyle and of Deloris L. Kozak, South Twenty-One  
21 degrees Forty-Nine minutes Six seconds West (S  $21^{\circ}49'06''$  W), a  
22 distance of Seven Hundred Seventeen and Ninety hundredths feet  
23 (717.90') to an extant concrete monument of the northerly line  
24 of land of R. Jean Clinton;

25 Thence, along said land of R. Jean Clinton, the following Two  
26 (2) courses:

27 (1) North Sixty-Seven degrees Fifty minutes Zero seconds  
28 West (N  $67^{\circ}50'00''$  W), a distance of One Hundred and Four  
29 hundredths feet (100.04') to an extant concrete monument and

30 (2) South Twenty-Two degrees Nine minutes Three seconds

1 West (S 22°09'03" W) and passing through an extant concrete  
2 monument, a distance of One Hundred Ninety-Two and Eighty-Two  
3 hundredths feet (192.82') to an iron pin with aluminum cap  
4 set on the northerly right of way line of Black Moshannon  
5 Road (State Road No. 0504)

6 Thence, along said northerly right of way line, by a non-  
7 tangential curve to the left having a radius of Two Hundred  
8 Ninety and Forty-Four hundredths feet (290.44'), a chord bearing  
9 South Sixty-Four degrees Twenty-Six minutes Ten seconds West (S  
10 64°26'10" W) for a distance of Twenty-Five and Sixty hundredths  
11 feet (25.60') and an arc length of Twenty-Five and Sixty-One  
12 hundredths feet (25.61') to an iron pin with aluminum cap set on  
13 the northerly right of way line of Philipsburg-Osceola Area  
14 School District;

15 Thence, along said northerly line and the northerly line of  
16 land of Rebecca Young, North Sixty-Seven degrees Twelve minutes  
17 Fifty-One seconds West (N 67°12'51" W), a distance of Six  
18 Hundred Two and Five hundredths feet (602.05') to the Point of  
19 Beginning.

20 Encompassing an area of Six Hundred Forty-Four Thousand Five  
21 Hundred Seventy-One square feet (644,571 sq. ft.) or Fourteen  
22 and Seven Hundred Ninety-Seven thousandths acres (14.797 ac.)

23 Being comprised of lands acquired by the Commonwealth of  
24 Pennsylvania by the following Five (5) deeds:

25 (1) deed of Frederick and Bertha S. Smith dated April  
26 29, 1889 and recorded in Centre County Deed Book Volume 60 on  
27 Page 104 on February 8, 1890,

28 (2) deed of Frederick and Bertha S. Smith dated August  
29 6, 1923 and recorded in Centre County Deed Book Volume 129 on  
30 Page 622 on August 14, 1923,

1 (3) Deed of Austin Chalmer and Henrietta Briel Lynn  
2 dated June 8, 1949 and recorded in Centre County Deed Book  
3 Volume 205 on Page 384 on June 11, 1949,

4 (4) deed of Samuel L. Barr, William H. Lynn and Michael  
5 Maines, Executors of the last will and testament of Austin C.  
6 Lynn dated February 1954 and recorded in Centre County Deed  
7 Book Volume 222 on Page 369 on March 12, 1954 and

8 (5) Parcels 5, 6, 7, 8 and 9 of the deed of the General  
9 State Authority dated June 16, 1989 and recorded in Centre  
10 County Deed Book Volume 533 on Page 121 on July 3, 1990.

11 BEING Tax Parcel No. 5-26A-111

12 (c) Requirement for conveyance.--The conveyance shall be  
13 made under and subject to all lawful and enforceable easements,  
14 servitudes and rights of others, including, but not confined to,  
15 streets, roadways and rights of any telephone, telegraph, water,  
16 electric, gas or pipeline companies, as well as under and  
17 subject to any lawful and enforceable estates or tenancies  
18 vested in third persons appearing of record, for any portion of  
19 the land or improvements erected thereon.

20 (d) Condition.--The conveyance authorized under this section  
21 shall be made under and subject to the condition, which shall be  
22 contained in the deed of conveyance, that no portion of the  
23 property conveyed shall be used as a licensed facility, as  
24 defined in 4 Pa.C.S. § 1103 (relating to definitions), or any  
25 other similar type of facility authorized under State law. The  
26 condition shall be a covenant running with the land and shall be  
27 binding upon the Grantee, its successors and assigns. Should the  
28 Grantee, its successors or assigns, permit any portion of the  
29 property authorized to be conveyed in this act to be used in  
30 violation of this subsection, the title shall immediately revert

1 to and revest in the Grantor.

2 (e) Deed.--The deed of conveyance shall be by special  
3 warranty deed and shall be executed by the Secretary of General  
4 Services in the name of the Commonwealth of Pennsylvania.

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

7 (g) Alternative disposition.--In the event that an agreement  
8 of sale is not executed between the Department of General  
9 Services and the Grantee within one year of the effective date  
10 of this section, the property may be disposed of in accordance  
11 with section 2405-A of the act of April 9, 1929 (P.L.177,  
12 No.175), known as The Administrative Code of 1929.

13 Section 2. Effective date.

14 This act shall take effect immediately.