

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1896 Session of 2019

INTRODUCED BY HENNESSEY, SEPTEMBER 30, 2019

SENATOR PHILLIPS-HILL, STATE GOVERNMENT, IN SENATE, AS AMENDED, NOVEMBER 18, 2019

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to release a use restriction and
3 reversionary interest affecting certain real property situate
4 in the Township of East Vincent, Chester County, to
5 facilitate the grant and conveyance of the real property from
6 the Owen J. Roberts School District to Pennsylvania American
7 Water Company; AUTHORIZING THE DEPARTMENT OF GENERAL
8 SERVICES, WITH THE APPROVAL OF THE GOVERNOR, TO GRANT AND
9 CONVEY TO CENTRE COUNTY INDUSTRIAL DEVELOPMENT CORPORATION,
10 CERTAIN LANDS SITUATE IN BENNER TOWNSHIP, CENTRE COUNTY; AND
11 AUTHORIZING THE DEPARTMENT OF GENERAL SERVICES, WITH THE
12 APPROVAL OF WEST CHESTER UNIVERSITY OF PENNSYLVANIA OF THE
13 STATE SYSTEM OF HIGHER EDUCATION AND THE GOVERNOR, TO GRANT
14 AND CONVEY TO AQUA PENNSYLVANIA, INC., OR ITS ASSIGNS, AN
15 EXISTING WATER TOWER AND PERMANENT UTILITY EASEMENT FROM
16 LANDS OF THE COMMONWEALTH OF PENNSYLVANIA AT WEST CHESTER
17 UNIVERSITY OF PENNSYLVANIA SITUATE IN THE BOROUGH OF WEST
18 CHESTER, COUNTY OF CHESTER, FOR THE PURPOSE OF PUBLIC WATER
19 DISTRIBUTION.

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

22 Section 1. Authorization for release affecting property in
23 Chester County.

24 (a) Authorization.--The Department of General Services, with
25 the approval of the Governor, is hereby authorized on behalf of
26 the Commonwealth of Pennsylvania to release the use restriction

1 and associated reversionary interest affecting certain real
2 property previously conveyed to the Owen J. Roberts School
3 District by the Commonwealth of Pennsylvania, through the
4 Department of General Services, pursuant to the authority
5 contained in section 1 of Act 41 of 1996, on such terms,
6 conditions and for such consideration as is acceptable to the
7 Secretary of General Services, so that the Owen J. Roberts
8 School District can grant and convey to Pennsylvania American
9 Water Company the subject real property for the construction of
10 a water treatment facility for no less than fair market value as
11 established by an independent appraisal. The use restriction and
12 associated reversionary interest to be released is specifically
13 set forth in section 1(e) of Act 41 of 1996.

14 (b) Property description.--The real property to be released
15 from the use restriction and associated reversionary interest
16 and conveyed by Owen J. Roberts School District to Pennsylvania
17 American Water Company is situate in the Township of East
18 Vincent, Chester County, bounded and described as follows:

19 All that certain tract of land situate along the southerly
20 side of Brown Drive and the westerly side of Pennhurst Road in
21 the Township of East Vincent, County of Chester, Commonwealth of
22 Pennsylvania, bounded and described as follows:

23 Beginning at a spike (set) marking the intersection of the
24 titleline of Pennhurst Road (proposed right-of-way to be 50 feet
25 wide) and the titleline in Brown Drive (proposed right-of-way to
26 be 50 feet wide);thence from the place of beginning, along the
27 titleline in Pennhurst Road, south 11 degrees 5 minutes 52
28 seconds east 1,018.78 feet to a spike (set) for a corner of
29 remaining lands of the Commonwealth of Pennsylvania, thence
30 along the same, crossing the proposed westerly right-of-way line

1 of Pennhurst Road 25.05 feet distant and extending along the
2 northerly side of a proposed 25 foot-wide access right-of-way,
3 the six following courses and distances: (1) south 75 degrees 26
4 minutes 3 seconds west 50.89 feet to an iron pin (set), (2)
5 south 80 degrees 49 minutes 35 seconds west 89.60 feet to an
6 iron pin (set), (3) south 83 degrees 59 minutes 34 seconds west
7 425.56 feet to an iron pin (set), (4) south 80 degrees 35
8 minutes 53 seconds west 128.88 feet to an iron pin (set), (5)
9 south 80 degrees 27 minutes west 106.10 feet to an iron pin
10 (set), and (6) north 84 degrees 45 minutes west 370.14 feet to
11 an iron pin (set) in line of lands of Spring Hollow Golf Course,
12 Inc.; thence along the same, north 3 degrees 42 minutes 57
13 seconds east 456.84 feet to a concrete monument (found), a
14 corner of lands of David A. Buchanan; thence along the same,
15 north 4 degrees 10 minutes 57 seconds east 534.24 feet to a
16 spike (found) in the aforementioned titleline in Brown Drive,
17 having crossed an iron pin set at the southerly proposed right-
18 of-way line of Brown Drive, 25.11 feet distant from the last
19 mentioned spike; thence along the titleline in Brown Drive,
20 north 88 degrees 56 minutes 46 seconds east 133.32 feet to a
21 point of curve, and continuing along the titleline in Brown
22 Drive, along a curve to the left, having a radius of 3,020 feet,
23 through a central angle of 3 degrees 44 minutes 56 seconds and
24 an arc distance of 197.60 feet (Chord; north 87 degrees 4
25 minutes 18 seconds east 197.57 feet to a spike (set) for a
26 corner of still other remaining lands of the Commonwealth of
27 Pennsylvania, which includes an existing dwelling and various
28 outbuildings; thence along the same, the three following courses
29 and distances; (1) recrossing the southerly proposed right-of-
30 way line of Brown Drive, 25.04 feet distant, south 7 degrees 56

1 minutes 55 seconds east 230.60 feet to an iron pin (set), (2)
2 north 82 degrees 3 minutes 5 seconds east 326.70 feet to an iron
3 pin (set), and (3) north 7 degrees 56 minutes 55 seconds west
4 225 feet to a spike (set), again in the titleline in Brown
5 Drive, having crossed the proposed southerly right-of-way line
6 25 feet distant from the last mentioned spike; thence again
7 along the titleline in Brown Drive, north 81 degrees 41 minutes
8 59 seconds east 244.23 feet to the place of beginning.

9 Containing 22.4623 acres gross or 21.5574 acres net of land.

10 UNDER AND SUBJECT to all easements, servitudes and rights of
11 others, including but not confined to streets, roadways, and
12 rights of any telephone, telegraph, water, electric, sewer, gas
13 or pipeline companies, as well as under and subject to any
14 interest, estates, or tenancies vested in third persons, whether
15 or not appearing of record, for any portion of the land or
16 improvements erected thereon.

17 RIGHTS-OF-WAY - The property being conveyed shall include the
18 following rights-of-way which were granted to the Owen J.

19 Roberts School District:

20 (1) Pennhurst Road as described below:

21 All that certain right-of-way referred to as Pennhurst Road
22 situate in the Township of East Vincent, County of Chester,
23 Commonwealth of Pennsylvania, bounded and described according to
24 a survey and subdivision plan by Conver and Smith Engineering,
25 Inc., Royersford, Pennsylvania, dated June 30, 1995, last
26 revised March 4, 1996, Plan No. D-95-032, Sheet 2 of 2.

27 Beginning at the intersection of the titleline in the
28 hereindescribed Pennhurst Road (50 feet wide) and the southerly
29 right-of-way line of Brown Drive (50 feet wide), the said corner
30 being also south 11 degrees 5 minutes 52 seconds east 25.03 feet

1 from the intersection of the titleline in Pennhurst Road and the
2 titleline in Brown Drive; thence from the place of beginning,
3 along the southerly right-of-way line of Brown Drive, north 81
4 degrees 41 minutes 59 seconds east 46.03 feet to a corner;
5 thence along the easterly right-of-way line of Pennhurst Road,
6 the five (5) following courses and distances; (1) along a curve
7 to the southeast, having a radius of 20-feet, through a central
8 angle of 92 degrees 47 minutes 51 seconds and an arc distance of
9 32.39 feet (Chord: south 35 degrees 18 minutes 3 seconds west
10 28.97 feet) to a point of tangent, (2) crossing the westerly
11 terminus of Dunlap Road, near the end of this course, south 11
12 degrees 5 minutes 52 seconds east 1,021.35 feet to a corner, (3)
13 south 11 degrees 53 minutes 58 seconds east 698.13 feet to a
14 point of curve, (4) along a curve to the right, having a radius
15 of 1350 feet, through a central angle of 9 degrees 3 minutes 25
16 seconds and an arc distance of 213.40 feet (Chord: south 7
17 degrees 22 minutes 16 seconds east 213.18 feet) to a point of
18 tangent, and (5) south 2 degrees 50 minutes 33 seconds east
19 36.02 feet, more or less, to a corner; thence crossing the
20 northerly terminus of the public portion of Pennhurst Road (T-
21 483-33 feet wide), south 86 degrees 52 minutes 4 seconds west 50
22 feet to a corner on the westerly right-of-way of the
23 hereindescribed Pennhurst Road; thence along the same , the five
24 (5) following courses and distances: (1) north 2 degrees 50
25 minutes 33 seconds west 36.27 feet, more or less, to a point of
26 curve, (2) along a curve to the left, having a radius of 1300
27 feet, through a central angle of 9 degrees 3 minutes 25 seconds
28 and an arc distance of 205.50 feet (Chord: north 7 degrees 22
29 minutes 16 seconds west 205.28 feet) to a point of tangent, (3)
30 north 11 degrees 53 minutes 58 seconds west 698.48 feet to a

1 corner, (4) crossing the easterly terminus of a certain 25-foot
2 wide access right-of-way, north 11 degrees 5 minutes 52 seconds
3 west 1026.10 feet to a point of curve, and (5) along a curve to
4 the left, having a radius of 20 feet, through a central angle of
5 87 degrees 12 minutes 9 seconds and an arc distance of 30.44
6 feet (Chord: north 54 degrees 41 minutes 56 seconds west 27.59
7 feet) to a point of tangent on the aforementioned southerly
8 right-of-way line of Brown Drive; thence along the same, north
9 81 degrees 41 minutes 59 seconds east 44.08 feet to the place of
10 beginning.

11 (2) Brown Drive as described below:

12 All that certain right-of-way referred to as Brown Drive
13 situate in the Township of East Vincent, County of Chester,
14 Commonwealth of Pennsylvania, bounded and described according to
15 a survey and subdivision plan by Conver and Smith Engineering,
16 Inc., Royersford, Pennsylvania, dated June 30, 1995, last
17 revised March 4, 1996, Plan No. D-95-032, sheet 2 of 2.

18 Beginning at the intersection of the southerly right-of-way
19 line of the herein-described Brown Drive (50 feet wide) and the
20 titleline in Pennhurst Road; (50 feet wide); the said corner
21 being also south 11 degrees 5 minutes 52 seconds east 25.03 feet
22 from the intersection of the titleline in Brown Drive and the
23 titleline in Pennhurst Road; thence from the place of beginning,
24 along the southerly right-of-way line of Brown Drive, the four
25 (4) following courses and distances: (1) south 81 degrees 41
26 minutes 59 seconds west 245.61 feet to a corner, (2) south 82
27 degrees 24 minutes 11 seconds west 179.67 feet to a point of
28 curve, (3) along a curve to the right, having a radius of 3045
29 feet, through an central angle of 6 degrees 32 minutes 35
30 seconds and an arc distance of 347.73 feet (Chord: south 85

1 degrees 40 minutes 28 seconds west 347.54 feet) to a point of
2 tangent, and (4) south 88 degrees 56 minutes 46 seconds west
3 135.61 feet to a corner in line of lands of David A. Buchanan
4 which are located southerly of Brown Drive; thence along the
5 same and also along lands of Citizens Utilities Home Water
6 Company which are located northerly of Brown Drive, also
7 crossing the eastern terminus of that portion of Brown Drive
8 which is currently public right-of-way, north 4 degrees 10
9 minutes 57 seconds east 50.22 feet to a corner on the northerly
10 side of the herein-described right-of-way of Brown Drive; thence
11 along the same, the four (4) following courses and distances:
12 (1) north 88 degrees 56 minutes 46 seconds east 131.03 feet to a
13 point of curve, (2) along a curve to the left, having a radius
14 of 2995 feet, through a central angle of 6 degrees 32 minutes 35
15 seconds, and an arc distance of 342.02 feet (Chord: north 85
16 degrees 40 minutes 28 seconds east 341.84 feet) to a point of
17 tangent, (3) north 82 degrees 24 minutes 11 seconds east 179.36
18 feet to a corner, and (4) partly crossing the terminus of
19 Commonwealth Drive (a private road), North 81 degrees 41 minutes
20 59 seconds east 291.33 feet to a corner; thence crossing the bed
21 of the herein-described Brown Drive; south 8 degrees 18 minutes
22 1 second east 50 feet to a corner on the aforementioned
23 southerly right-of-way line of Brown Drive; thence along the
24 same, south 81 degrees 41 minutes 59 seconds west 46.03 feet to
25 the place of beginning.

26 (c) Description of restriction and reversionary interest to
27 be released.--The use restriction and associated reversionary
28 interest to be released is set forth in section 1(e) of Act 41
29 of 1996 and states as follows:

30 UNDER AND SUBJECT to a restriction that the property be used

1 for educational purposes only. If the Grantee or successor in
2 function uses the property for non-educational purposes, leases
3 the land for non-educational or nonagricultural purposes, or
4 attempts to sell the property within 25 years from the date the
5 property is deeded to the Grantee, the property shall
6 immediately revert to and revest in the Commonwealth of
7 Pennsylvania. This restriction shall cease 25 years after the
8 date the property is deeded to the Grantee.

9 (d) Legal instruments.--Any legal instruments necessary to
10 release the use restriction and reversionary interest shall be
11 executed by the Secretary of General Services in the name of the
12 Commonwealth of Pennsylvania.

13 (e) Costs and fees.--Any costs and fees incidental to the
14 release hereby authorized shall be borne by the grantee.

15 (f) Proceeds.--Any proceeds received by the Department of
16 General Services for the release hereby authorized shall be
17 deposited into the General Fund.

18 SECTION 2. CONVEYANCE IN BENNER TOWNSHIP, CENTRE COUNTY. <--

19 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
20 THE APPROVAL OF THE GOVERNOR, IS AUTHORIZED ON BEHALF OF THE
21 COMMONWEALTH OF PENNSYLVANIA TO GRANT AND CONVEY TO THE CENTRE
22 COUNTY INDUSTRIAL DEVELOPMENT CORPORATION APPROXIMATELY 14.67
23 ACRES OF LAND AS DESCRIBED IN SUBSECTION (B) FOR \$1,500,000.00.

24 (B) PROPERTY DESCRIPTION.--THE PROPERTY TO BE CONVEYED UNDER
25 SUBSECTION (A) CONSISTS OF APPROXIMATELY 14.67 ACRES OF LAND
26 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

27 ALL THAT CERTAIN PARCEL OF LAND SITUATE IN BENNER TOWNSHIP,
28 CENTRE COUNTY PENNSYLVANIA SHOWN AS LOT 3 ON A PLAN PREPARED BY
29 SWEETLAND ENGINEERING AND ASSOCIATES, INC. ENTITLED "4 LOT
30 SUBDIVISION OF LANDS OF THE COMMONWEALTH OF PENNSYLVANIA FOR THE

1 CENTRE COUNTY CORRECTIONAL FACILITY", DRAWING NUMBER E-2065
2 DATED JUNE 7, 2001, REVISED FEBRUARY 12, 2002, BEING PART OF
3 LANDS NOW OR FORMERLY OF THE COMMONWEALTH OF PENNSYLVANIA (SCI-
4 ROCKVIEW), RECORD BOOK 533, PAGE 121, PLAT BOOK 68 PAGES 126-
5 127, DESCRIBED AS FOLLOWS:

6 BEGINNING AT A $\frac{3}{4}$ INCH RE-BAR, IN THE NORTHEAST CORNER OF LOT
7 3; THENCE ALONG THE WESTERN SIDE OF A VARIABLE WIDTH RIGHT-OF-
8 WAY OF THE BENNER PIKE (SR 0150) THE FOLLOWING (3) COURSES; (1)
9 SOUTH 15 DEGREES 07 MINUTES 54 SECONDS EAST, 400.76 FEET, TO A $\frac{3}{4}$
10 INCH RE-BAR, A POINT OF CURVATURE, THENCE; (2) TANGENT TO THE
11 PREVIOUS COURSE, BY THE ARC OF A CURVE TO THE RIGHT, HAVING A
12 RADIUS OF 6,815.55 FEET, A CENTRAL ANGLE OF 7 DEGREES 19 MINUTES
13 34 SECONDS, A CHORD BEARING AND DISTANCE OF SOUTH 11 DEGREES 28
14 MINUTES 07 SECONDS EAST, 870.88 FEET, AND AN ARCH LENGTH OF
15 871.47 FEET, TO A $\frac{3}{4}$ INCH RE-BAR, THENCE; (3) NOT TANGENT TO THE
16 PREVIOUS COURSE, SOUTH 32 DEGREES 39 MINUTES 16 SECONDS WEST,
17 78.44 FEET, TO A $\frac{3}{4}$ INCH RE-BAR; THENCE ALONG THE NORTHERN SIDE
18 OF THE 33 FOOT RIGHT-OF-WAY OF PARADISE ROAD (SR 3004) THE
19 FOLLOWING (3) COURSES; (1) NORTH 73 DEGREES 17 MINUTES 38
20 SECONDS WEST, 296.22 FEET, TO A $\frac{3}{4}$ INCH RE-BAR, A POINT OF
21 CURVATURE, THENCE; (2) TANGENT TO THE PREVIOUS COURSE, BY THE
22 ARC OF A CURVE RIGHT, HAVING A RADIUS OF 583.50 FEET, A CENTRAL
23 ANGLE OF 53 DEGREES 49 MINUTES, 24 SECONDS, A CHORD BEARING AND
24 DISTANCE OF NORTH 46 DEGREES 22 MINUTES 56 SECONDS WEST, 528.20
25 FEET, AND AN ARCH LENGTH OF 548.14 FEET, TO A $\frac{3}{4}$ INCH RE-BAR, A
26 POINT OF TANGENCY, THENCE; (3) NORTH 19 DEGREES 28 MINUTES 14
27 SECONDS WEST, 343.99 FEET, TO A $\frac{3}{4}$ INCH RE-BAR; THENCE ALONG THE
28 SOUTHERN SIDE OF LANDS NOW OR FORMERLY ROBERT E. COMPOLONGO,
29 RECORD BOOK 1050, PAGE 994, AND ALSO ALONG THE SOUTHERN BOUNDARY
30 OF A 20 FOOT WIDE PERMANENT SANITARY SEWER RIGHT-OF-WAY, RECORD

1 BOOK 1240 PAGE 529, NORTH 34 DEGREES 09 MINUTES 55 SECONDS EAST,
2 334.57 FEET TO AN EXISTING IRON PIPE FOUND; THENCE ALONG THE
3 SOUTHERN SIDE OF LANDS NOW OR FORMERLY SPRING-BENNER-WALKER
4 JOINT AUTHORITY, DEED BOOK 427, PAGE 540, AND ALSO ALONG THE
5 SOUTHERN SIDE OF LANDS NOW OR FORMERLY HARRY K. SICKLER, RECORD
6 BOOK 947 PAGE 879, NORTH 54 DEGREES 25 MINUTES 12 SECONDS EAST,
7 439.49 FEET TO A ¾ INCH RE-BAR, THE POINT OF BEGINNING.

8 CONTAINING: 14.67-ACRES OF LAND MORE OR LESS AND BEING KNOWN
9 AS CENTRE COUNTY TAX PARCEL NUMBER 12-3/214.

10 BEING THE SAME PARCEL OF LAND CENTRE COUNTY CONVEYED TO THE
11 COMMONWEALTH OF PENNSYLVANIA BY ITS DEED DATED MAY 6, 2008 AND
12 RECORDED AT THE OFFICE OF THE CENTRE COUNTY RECORDER OF DEEDS AT
13 BOOK R 02016 - 0590.

14 UNDER AND SUBJECT TO A REQUIRED DRAINAGE EASEMENT PER SR 6026
15 SECTION C03 PLANS, AT THE SOUTH EAST CORNER OF THE PROPERTY, AS
16 SHOWN ON THE ABOVE-MENTIONED PLAN.

17 UNDER AND SUBJECT TO AN 8.5-FOOT-WIDE RESERVED RIGHT-OF-WAY
18 FOR FUTURE DEDICATION, ALONG PARADISE ROAD AND PARALLEL WITH THE
19 BOUNDARY OF LOT 3, AS SHOWN ON THE ABOVE-MENTIONED PLAN.

20 UNDER AND SUBJECT TO ALL EXISTING EASEMENTS, CONDITIONS,
21 RESTRICTIONS, AND COVENANTS OF RECORD, INCLUDING WITHOUT
22 LIMITATION THOSE CONTAINED IN THE PRIOR DEED OF RECORD AS SET
23 FORTH ABOVE.

24 (C) EXISTING ENCUMBRANCES.--THE CONVEYANCE SHALL BE MADE
25 UNDER AND SUBJECT TO ALL LAWFUL AND ENFORCEABLE EASEMENTS,
26 SERVITUDES AND RIGHTS OF OTHERS, INCLUDING, BUT NOT CONFINED TO,
27 STREETS, ROADWAYS AND RIGHTS OF ANY TELEPHONE, TELEGRAPH, WATER,
28 ELECTRIC, GAS OR PIPELINE COMPANIES, AS WELL AS UNDER AND
29 SUBJECT TO ANY LAWFUL AND ENFORCEABLE ESTATES OR TENANCIES
30 VESTED IN THIRD PERSONS APPEARING OF RECORD, FOR ANY PORTION OF

1 THE LAND OR IMPROVEMENTS ERECTED THEREON.

2 (D) DEED OF CONVEYANCE.--THE CONVEYANCE SHALL BE BY SPECIAL
3 WARRANTY DEED THAT SHALL BE EXECUTED BY THE SECRETARY OF GENERAL
4 SERVICES IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

5 (E) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THIS
6 CONVEYANCE SHALL BE BORNE BY THE GRANTEE.

7 (F) ALTERNATE DISPOSITION.--IN THE EVENT THAT THE PARTIES
8 HAVE NOT ENTERED INTO AN AGREEMENT OF SALE WITHIN 24 MONTHS
9 AFTER THE EFFECTIVE DATE OF THIS SUBSECTION, THE AUTHORIZATION
10 CONTAINED HEREIN SHALL EXPIRE.

11 SECTION 3. CONVEYANCE IN THE BOROUGH OF WEST CHESTER, COUNTY OF
12 CHESTER.

13 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
14 THE APPROVAL OF THE WEST CHESTER UNIVERSITY OF PENNSYLVANIA OF
15 THE STATE SYSTEM OF HIGHER EDUCATION AND THE GOVERNOR, IS HEREBY
16 AUTHORIZED ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA TO
17 GRANT AND CONVEY TO AQUA PENNSYLVANIA, INC., OR ITS ASSIGNS, A
18 POTABLE WATER TOWER AND ALL APPURTENANCES THERETO, TOGETHER WITH
19 A PERMANENT UTILITY EASEMENT FROM LANDS OF THE COMMONWEALTH OF
20 PENNSYLVANIA AT WEST CHESTER UNIVERSITY OF PENNSYLVANIA SITUATE
21 IN THE BOROUGH OF WEST CHESTER, COUNTY OF CHESTER FOR THE
22 PURPOSE OF PUBLIC WATER DISTRIBUTION FOR \$1.00 AND UNDER TERMS
23 AND CONDITIONS TO BE ESTABLISHED IN AN EASEMENT AGREEMENT.

24 (B) PROPERTY DESCRIPTION.--THE PERMANENT UTILITY EASEMENT TO
25 BE CONVEYED UNDER SUBSECTION (A) TOTAL APPROXIMATELY 4,484
26 SQUARE FEET OF LAND AND BOUNDED AND MORE PARTICULARLY DESCRIBED
27 AS FOLLOWS:

28 ALL THAT CERTAIN WATER TANK EASEMENT SITUATE IN THE BOROUGH
29 OF WEST CHESTER, COUNTY OF CHESTER, COMMONWEALTH OF
30 PENNSYLVANIA, AS SHOWN ON THE PLAN ENTITLED "PERMANENT EASEMENT,

1 WEST CHESTER UNIVERSITY POTABLE WATER TANK" PREPARED FOR AQUA
2 PENNSYLVANIA, INC., DATED JUNE 15, 2015, BY HOWELL KLINE
3 SURVEYING, LLC., WESTER CHESTER, PA, BEING MORE PARTICULARLY
4 DESCRIBED AS FOLLOWS:

5 BEING A CIRCULAR EASEMENT, HAVING A DIAMETER OF 75.6 FEET,
6 CENTERED ON THE EXISTING WATER TANK, AND EXTENDING RADially IN
7 ALL DIRECTIONS A DISTANCE OF 37.8 FEET, (10 FEET FROM THE DRIP
8 LINE OF THE EXISTING TANK), AS SHOWN ON SAID PLAN, THE RADIUS
9 POINT OF SAID CIRCULAR EASEMENT BEING LOCATED THE FOLLOWING FIVE
10 (5) COURSES AND DISTANCES FROM A REMOTE POINT OF BEGINNING, A
11 POINT AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE
12 OF SOUTH CHURCH STREET (50' WIDE RIGHT-OF-WAY) AND THE
13 SOUTHEASTERLY RIGHT-OF-WAY OF SHARPLESS STREET (50' WIDE RIGHT-
14 OF-WAY): 1) ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE OF
15 SHARPLESS STREET, SOUTH 58 05' 18" WEST, 1051.36 FEET, TO A
16 POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF NEW STREET (60'
17 WIDE RIGHT-OF-WAY); 2) ALONG SAID RIGHT-OF-WAY LINE OF NEW
18 STREET, SOUTH 29 40' 17" EAST, 306.41 FEET, TO A POINT, A CORNER
19 OF A PROPOSED 20' WIDE ACCESS EASEMENT; 3) LEAVING SAID RIGHT-
20 OF-WAY AND CONTINUING ALONG SAID EASEMENT THE NEXT TWO COURSES
21 AND DISTANCES, NORTH 57 01' 40" EAST, 151.76 FEET, TO A POINT;
22 4) SOUTH 62 06' 19" WEST, 300.83 FEET, TO A POINT; AND 5) NORTH
23 68 53' 40" EAST, 219.94 FEET, TO THE CENTER OF THE EXISTING
24 WATER TANK, AND THE RADIUS POINT FOR THE AFORESAID EASEMENT.

25 CONTAINING 4,484 SQUARE FEET OF LAND, BE THE SAME MORE OR
26 LESS.

27 ALONG WITH AN APPROPRIATE MEANS OF INGRESS AND EGRESS THERETO
28 THROUGH THE LANDS OF THE COMMONWEALTH OF PENNSYLVANIA AT WEST
29 CHESTER UNIVERSITY OF PENNSYLVANIA.

30 (C) EXECUTION.--THE BILL OF SALE, EASEMENT AGREEMENT AND ANY

1 OTHER DOCUMENTS NECESSARY TO EFFECTUATE THE CONVEYANCE SHALL BE
2 EXECUTED BY THE SECRETARY OF GENERAL SERVICES IN THE NAME OF THE
3 COMMONWEALTH OF PENNSYLVANIA.

4 (D) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THE
5 CONVEYANCE SHALL BE BORNE BY THE GRANTEE.

6 (E) EXPIRATION.--IN THE EVENT THAT THE PARTIES HAVE NOT
7 ENTERED INTO A BILL OF SALE AND EASEMENT AGREEMENT WITHIN THREE
8 YEARS OF THE EFFECTIVE DATE OF THIS SECTION, THE AUTHORIZATION
9 CONTAINED IN THIS SECTION SHALL EXPIRE.

10 Section 2 4. Effective date.

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11 This act shall take effect immediately.