
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1214 Session of
2020

INTRODUCED BY ARGALL, JUNE 18, 2020

REFERRED TO STATE GOVERNMENT, JUNE 18, 2020

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Department of Corrections and the Governor,
3 to grant and convey to the Schuylkill County Municipal
4 Authority an easement from lands of the Commonwealth of
5 Pennsylvania at the State Correctional Institution Mahanoy
6 situate in Mahanoy Township, County of Schuylkill, for the
7 purpose of establishing, utilizing and maintaining water
8 wells and appurtenances thereto related to potable water
9 production and distribution for the benefit of customers
10 within the authority's service territory.

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

13 Section 1. Conveyance in Mahanoy Township, Schuylkill County.

14 (a) Authorization.--The Department of General Services, with
15 the approval of the Department of Corrections and the Governor,
16 is hereby authorized on behalf of the Commonwealth of
17 Pennsylvania to grant and convey to the Schuylkill County
18 Municipal Authority a permanent easement from lands of the
19 Commonwealth of Pennsylvania at the State Correctional
20 Institution Mahanoy, situate in Mahanoy Township, County of
21 Schuylkill, for the purpose of establishing, utilizing and
22 maintaining water wells and appurtenances thereto related to

1 potable water production and distribution for the benefit of
2 customers within the authority's service territory for \$1.00 and
3 under terms and conditions to be established in an easement
4 agreement.

5 (b) Property description.--The permanent utility easement to
6 be conveyed pursuant to subsection (a) shall initially consist
7 of an easement area totaling approximately 23.74 acres of land,
8 bounded and more particularly described as follows:

9 BEGINNING at a concrete monument, located on the North Right-
10 of-Way line of Morea Road (S.R. 1008) and on the line between
11 West Mahanoy and Mahanoy Townships, said point being a common
12 corner with the John Riele tract of property of GCC Realty, Inc.
13 and Township line N 01° 14' 46" W a distance of 849.26' to a
14 point on the South Right-of-Way of Pennsylvania Power and Light
15 Company, being 100' wide; thence along said South Right-of-Way
16 lien of Pennsylvania Power and Light Company S 80° 35' 34" E a
17 distance of 1,300.00' to a point; thence leaving said Right-of-
18 Way S 20° 20' 11" E a distance of 577.51' feet to a point on the
19 North Right-of-Way lien of Morea Road (S.R. 1008); thence along
20 said Right-of-Way of Morea Road the following three (3) courses
21 and distances:

22 1. S 68° 57' 07" W a distance of 25.00' to a point.

23 2. Along a curve to the right having a radius of 1,940.30',
24 an arc length of 835.86', and a long chord bearing and distance
25 of S 81° 17' 35" W, 829.41' to a point.

26 3. N 86° 21' 57" W a distance of 622.82' to a concrete
27 monument, the point of BEGINNING.

28 CONTAINING 23.74-acres (1,034,151.43 square feet) of land.

29 (c) Easement agreement.--The easement agreement shall
30 provide for the easement area to be reduced after initial

1 installation of the Schuylkill County Municipal Authority's
2 potable water production and distribution facilities to include
3 only such area as is reasonably required for the operation,
4 maintenance, repair and replacement of the facilities. The
5 easement agreement and any other documents necessary to
6 effectuate the conveyance in this section shall be executed by
7 the Secretary of General Services in the name of the
8 Commonwealth of Pennsylvania.

9 (d) Restrictive covenants.--The easement agreement shall
10 contain a provision that the easement shall be utilized by the
11 grantee, its successors or assigns, only for establishing,
12 utilizing and maintaining water wells and appurtenances thereto
13 for potable water production and distribution for the benefit of
14 customers within the grantee's service territory and for no
15 other purpose. Should the easement not be utilized for the
16 purposes specified in this subsection, the easement shall
17 automatically extinguish.

18 (e) Costs and fees.--Costs and fees incidental to the
19 conveyance described in this section shall be borne by the
20 grantee.

21 (f) Expiration.--In the event that the parties have not
22 entered into an easement agreement within two years of the
23 effective date of this section, the authorization contained in
24 this section shall expire.

25 Section 2. Effective date.

26 This act shall take effect immediately.