

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. **617** Session of
2019

INTRODUCED BY CORMAN, MAY 3, 2019

SENATOR FOLMER, STATE GOVERNMENT, AS AMENDED, MAY 7, 2019

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to grant and convey to the County
3 of Mifflin certain lands of the Commonwealth of Pennsylvania
4 at the State Fire Academy situate in the Borough of
5 Lewistown, Mifflin County, together with appurtenant parking,
6 for the benefit of the general public.

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

9 Section 1. Conveyance in the Borough of Lewistown, Mifflin
10 County.

11 (a) Authorization.--The Department of General Services, with
12 the approval of the Governor and the State Fire Commissioner, is
13 hereby authorized on behalf of the Commonwealth of Pennsylvania
14 to grant and convey to Mifflin County a permanent easement from
15 lands of the Commonwealth of Pennsylvania at the State Fire
16 Academy situate in the Borough of Lewistown, Mifflin County, for
17 the purpose of establishing and maintaining a recreational
18 hiking trail, together with appurtenant parking for the benefit
19 of the general public for \$1 and under terms and conditions to
20 be established in an easement agreement.

1 (b) Property description.--The permanent easement to be
2 conveyed pursuant to ~~section 1~~ SUBSECTION (A) consists of an <--
3 area of approximately 1.02-acres, bounded and more particularly
4 described as follows:

5 ALL that certain piece, parcel or lot of land situate in the
6 Borough of Lewistown, County of Mifflin, Commonwealth of
7 Pennsylvania, depicted on a plan prepared by The EADS Group,
8 dated March 2019, as last revised, and being more fully
9 described as follows:

10 BEGINNING at a point along Riverside Drive, THENCE North
11 $57^{\circ}22'17''$ East, 247.79 feet to a point of non-tangency;

12 THENCE South $85^{\circ}11'29''$ East, 166.94 feet to the beginning of
13 a curve concave southerly, said curve has a radius of 65.00
14 feet;

15 THENCE easterly along said curve through a central angle of
16 $25^{\circ}36'54''$ an arc distance of 29.06 feet to a point of tangency;

17 THENCE South $59^{\circ}34'35''$ East, 81.41 feet to the beginning of a
18 non-tangent curve concave southwesterly, said curve has a radius
19 of 42.38 feet, to which a radial line bears North $30^{\circ}45'54''$
20 East;

21 THENCE southeasterly along said curve through a central angle
22 of $71^{\circ}20'32''$ an arc distance of 52.77 feet to a point of non-
23 tangency;

24 THENCE South $7^{\circ}38'35''$ West, 28.79 feet to a point of non-
25 tangency;

26 THENCE North $65^{\circ}11'11''$ East, 72.23 feet to a point of non-
27 tangency; to a shared boundary with now or formerly Mifflin
28 Concrete, Inc, THENCE along that boundary South $46^{\circ}20'50''$ East,
29 32.25 feet to a point of non-tangency;

30 THENCE South $65^{\circ}11'11''$ West, 96.68 feet to the beginning of a

1 curve concave southeasterly, said curve has a radius of 85.00
2 feet;

3 THENCE southwesterly along said curve through a central angle
4 of $25^{\circ}30'52''$ an arc distance of 37.85 feet to a point of
5 tangency;

6 THENCE South $39^{\circ}40'19''$ West, 344.42 feet to the beginning of
7 a curve concave southeasterly, said curve has a radius of 85.00
8 feet;

9 THENCE southwesterly along said curve through a central angle
10 of $14^{\circ}14'23''$ an arc distance of 21.13 feet to a point of
11 tangency;

12 THENCE South $25^{\circ}25'56''$ West, 442.21 feet to a point of non-
13 tangency; to a shared boundary with now or formerly Lowes Home
14 Center, Inc;

15 THENCE along that boundary, North $77^{\circ}36'20''$ West, 30.79 feet
16 to a point of non-tangency;

17 THENCE North $25^{\circ}25'56''$ East, 449.15 feet to the beginning of
18 a curve concave southeasterly, said curve has a radius of 115.00
19 feet;

20 THENCE northeasterly along said curve through a central angle
21 of $14^{\circ}14'23''$ an arc distance of 28.58 feet to a point of
22 tangency;

23 THENCE North $39^{\circ}40'19''$ East, 344.42 feet to the beginning of
24 a curve concave southeasterly, said curve has a radius of 115.00
25 feet;

26 THENCE northeasterly along said curve through a central angle
27 of $10^{\circ}19'14''$ an arc distance of 20.71 feet to a point of reverse
28 curvature, said curve is concave northwesterly and has a radius
29 of 15.00 feet;

30 THENCE northeasterly along said curve through a central angle

1 of 42°20'58" an arc distance of 11.09 feet to a point of
2 tangency;

3 THENCE North 7°38'35" East, 46.54 feet to the beginning of a
4 non-tangent curve concave westerly and has a radius of 12.38
5 feet, to which a radial line bears South 74°05'35" East;

6 THENCE northerly along said curve through a central angle of
7 74°51'05" an arc distance of 16.18 feet to a point of non-
8 tangency;

9 THENCE North 59°34'35" West, 81.29 feet to the beginning of a
10 curve concave southerly and has a radius of 35.00 feet;

11 THENCE westerly along said curve through a central angle of
12 25°36'54" an arc distance of 15.65 feet to a point of tangency;

13 THENCE North 85°11'29" West, 192.42 feet to a point of non-
14 tangency;

15 THENCE South 32°21'43" East, 21.67 feet to a point of non-
16 tangency;

17 THENCE South 57°22'19" West, 119.98 feet to a point of non-
18 tangency;

19 THENCE North 32°25'08" West, 14.73 feet to a point of non-
20 tangency;

21 THENCE South 57°34'52" West, 89.30 to a point of non-
22 tangency;

23 THENCE North 32°37'41" West, 14.95 feet to the point of
24 beginning.

25 CONTAINING 1.02-acres.

26 The permanent easement is located entirely within the lands
27 known as the State Fire Academy, acquired by an Indenture dated
28 November 13, 1986 from the General State Authority to the
29 Commonwealth of Pennsylvania, acting by and through the
30 Department of General Services, and recorded at the Office of

1 the Recorder of Deeds of Mifflin County at Deed Book 318, Page
2 998.

3 (c) Agreement.--The easement agreement, and any other
4 documents necessary to effectuate the above described
5 conveyance, shall be executed by the Secretary of General
6 Services in the name of the Commonwealth of Pennsylvania.

7 (d) ~~Restriction~~ RESTRICTIVE COVENANTS.--The easement <--
8 agreement shall contain a ~~condition~~ PROVISION that the easement <--
9 shall be utilized by the grantee, its successors or assigns,
10 solely for the purposes of establishing and maintaining a
11 recreational HIKING trail, together with appurtenant parking, <--
12 for the benefit of the general public and for no other purpose.
13 Should the easement not be utilized for the purposes set forth
14 in this section, the easement shall automatically extinguish.

15 (e) Costs and fees.--Costs and fees incidental to the
16 conveyance described herein shall be borne by the grantee.

17 (f) Expiration.--If the parties have not entered into an
18 easement agreement within two years of the effective date of
19 this act, the authorization contained herein shall expire.

20 Section 2. Effective date.

21 This act shall take effect immediately.