

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

**SENATE BILL**No. **266** Session of  
2015

INTRODUCED BY EICHELBERGER, JANUARY 16, 2015

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF  
REPRESENTATIVES, AS AMENDED, MAY 4, 2015

## AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor and the Pennsylvania Historical and  
3 Museum Commission, to grant and convey to the Bear Valley  
4 Franklin County Pennsylvania Joint Authority, or its assigns,  
5 two permanent utility and access easements from lands of the  
6 Commonwealth of Pennsylvania at the Fort Loudon Historical  
7 Site situate in Peters Township, Franklin County, for purpose  
8 of groundwater withdrawal.

9 The General Assembly of the Commonwealth of Pennsylvania

10 hereby enacts as follows:

11 Section 1. Easements in Peters Township, Franklin County.

12 (a) Authorization.--The Department of General Services, with  
13 the approval of the Governor and the Pennsylvania Historical and  
14 Museum Commission, is hereby authorized on behalf of the  
15 Commonwealth of Pennsylvania to grant and convey to the Bear  
16 Valley Franklin County Pennsylvania Joint Authority, or its  
17 assigns, two permanent utility and access easements from lands  
18 of the Commonwealth of Pennsylvania at the Fort Loudon  
19 Historical Site situate in Peters Township, Franklin County, for  
20 purposes of groundwater withdrawal for a one-time payment of

1 \$19,500 and under terms and conditions to be established in an  
2 easement agreement.

3 (b) Descriptions.--The permanent utility easements to be  
4 conveyed pursuant to subsection (a) total approximately 6.04  
5 acres bounded and more particularly described as follows:

6 Parcel No. 1

7 Wellhead Protection Easement

8 BEGINNING at a point on the Western right of way line of  
9 Brooklyn Road (T-410), said point being at the division line of  
10 lands of the Grantors and lands of Ann Dunn; thence from the  
11 point of beginning, along the Western right of way line of  
12 Brooklyn Road (T-410), S20°56'40"W a distance of 22.34 feet to a  
13 point; thence through the lands of the Grantors, S84°28'31"W a  
14 distance of 88.04 feet to a point on a nontangent curve concave  
15 Northwesterly and having a radius of 150.00 feet; thence from a  
16 radial bearing of S51°13'35"W run Southeasterly along the arc of  
17 said curve to the right through a central angle of 128°06'42" an  
18 arc distance of 335.40 feet, through a chord bearing of  
19 S25°16'56"W and a chord length of 269.77 feet to a point; thence  
20 continuing through the lands of the Grantors the following (5)  
21 bearings and distances:

22 (1) S17°07'36"W a distance of 81.92 feet to a point;

23 (2) S23°15'33"W a distance of 253.94 feet to a point;

24 (3) S27°25'44"W a distance of 20.72 feet to a point;

25 (4) S28°40'31"E a distance of 88.88 feet to a point;

26 (5) S70°18'26"E a distance of 38.60 feet to a point on the

27 Western right of way line of Brooklyn Road (T-410); thence along

28 the Western right of way line of Brooklyn Road (T-410),

29 S20°47'17"W a distance of 20.00 feet to a point; thence through

30 the lands of the Grantors, N70°18'26"W a distance of 61.02 feet

1 to a point; thence continuing through the lands of the Grantors,  
2 S40°18'02"W a distance of 38.52 feet to a point on a nontangent  
3 curve concave Northeasterly and having a radius of 150.00 feet;  
4 thence from a radial bearing of S49°03'30"W run Southeasterly  
5 along the arc of said curve to the right through a central angle  
6 of 334°32'52" an arc length of 875.84 feet, through a chord  
7 bearing of N53°40'04"W and a chord length of 66.09 feet to a  
8 point; thence continuing through the lands of the Grantors,  
9 N27°25'44"E a distance of 119.85 feet to a point; thence  
10 continuing through the lands of the Grantors, N23°15'38"E a  
11 distance of 251.94 feet to a point; thence continuing through  
12 the lands of the Grantors, N17°07'36"E a distance of 76.04 feet  
13 to a point on a nontangent curve concave Northeasterly and  
14 having a radius of 150.00 feet; thence from a radial bearing of  
15 N07°12'45"E run Northwesterly along the arc of said curve to the  
16 right through a central angle of 120°13'57" an arc length of  
17 314.77 feet, through a chord bearing of N23°52'59"W and a chord  
18 length of 261.88 feet to a point on the line 2 of lands of Ann  
19 Dunn; thence along the line of lands of Ann Dunn, N84°28'31"E a  
20 distance of 333.20 feet to the point and place of BEGINNING.

21 CONTAINING 3.515-acres as shown on Wellhead Protection and  
22 Permanent Easement Plan, prepared by Gwin, Dobson & Foreman,  
23 Inc. and dated February 27, 2013.

24 Parcel No. 2

25 Wellhead, Utility and Access Easement

26 BEGINNING at a point being located S19°45'10"W a distance of  
27 21.78 feet from a point on the Eastern right of way line of  
28 Brooklyn Road (T-410), said point being at the division line of  
29 lands of the Grantors and lands of Bear Valley Franklin County  
30 Pennsylvania Joint Authority; thence from the point of

1 beginning, through the lands of the Grantors, S27°56'31"E a  
2 distance of 99.43 feet to a point; thence continuing through the  
3 lands of the Grantors, S06°56'36"E a distance of 31.82 feet to a  
4 point on a nontangent curve concave Northwesterly and having a  
5 radius of 185.00 feet; thence from a radial bearing of  
6 S10°00'06"E run Southeasterly along the arc of said curve to the  
7 right through a central angle of 353°46'00" an arc length of  
8 1,142.26 feet, through a chord bearing of S76°52'54"W and a  
9 chord length of 20.12 feet to a point; thence continuing through  
10 the lands of the Grantors, N06°56'36"W a distance of 30.03 feet  
11 to a point; thence continuing through the lands of the Grantors,  
12 N28°33'15"W a distance of 77.70 feet to a point on the Eastern  
13 right of way line of Brooklyn Road (T-410); thence along the  
14 Eastern right of way line of Brooklyn Road (T-410), S20°56'40"E  
15 a distance of 27.76 feet to the point and place of BEGINNING.

16 CONTAINING 2.525-acres as shown on Wellhead Protection and  
17 Permanent Easement Plan, prepared by Gwin, Dobson & Foreman,  
18 Inc. and dated February 27, 2013.

19 (c) Agreement.--The easement agreement shall be executed by  
20 the Secretary of General Services in the name of the  
21 Commonwealth of Pennsylvania.

22 (d) Costs and fees.--Costs and fees incidental to this  
23 conveyance of the two utility easements shall be borne by the  
24 grantee.

25 (e) Expiration.--In the event that the parties have not  
26 entered into an easement agreement within one year of the  
27 effective date of this section, the authorization contained in  
28 subsection (a) shall expire.

29 Section 2. Effective date.

30 This act shall take effect ~~in 60 days~~ IMMEDIATELY.

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