

Resolutions of The Board of Trustees

Lincoln University, PA

RESOLUTION 444
March 23, 2013

**DECLARATION OF OLD DGS-OWNED
WELL RES444_032313
TRACT AS SURPLUS PROPERTY**

WHEREAS, The Commonwealth of Pennsylvania Department of General Services (DGS) is title owner in fee simple of that certain small landlocked tract containing 1,344 square feet (the “Well Tract”), situated in Lower Oxford Township, Chester County, Pennsylvania, more particularly described in the Property Description set forth in “Exhibit A” hereto, which is incorporated herein by reference; and

WHEREAS, The Well Tract prior to its use being abandoned by the University in approximately 1976 had been used as a well to supply water to the University, and

WHEREAS, All access from the University to the Well Tract, which is not contiguous with the campus property, has been abandoned of record; and

WHEREAS, Following conveyance of the Well Tract by the University to the Commonwealth by deed dated March 23, 1971, and recorded in the Office of the Recorder of Deeds for Chester County, Pennsylvania, in Book V-39, page 767, the entire property surrounding the Well Tract was conveyed by Lincoln University to Chester M. Gibson and 123 East Linden Street Partnership by Deed dated September 14, 2002, and recorded in the said Office of the Recorder of Deeds in Book 5409, page 2134, which property was subsequently conveyed to the present owner, Willow Creek, LLC, by Deed dated January 12, 2004, and recorded in the said Office of the Recorder of Deeds in Book 6057, page 1302; and

WHEREAS, The remains of an abandoned well and pump station on the Well Tract are in unusable and dilapidated condition and must be demolished and removed; and

WHEREAS, The Well Tract is surplus to the needs of Lincoln University, and, as a small landlocked tract, has no practical current or foreseeable future use for the University; and

WHEREAS, Willow Creek, LLC has requested that DGS put the abandoned Well Tract up for sale; and

WHEREAS, DGS is willing to treat the old abandoned, landlocked Well Tract as surplus so that it may be put up for sale by the Commonwealth provided that the University confirms to DGS that the Well Tract is surplus to the University's needs; and

WHEREAS, The University would incur no costs and no future liability as a result of the potential disposition by DGS of the old abandoned Well Tract; and

WHEREAS, The old abandoned Well Tract is of no practical value or use to Lincoln University; now, therefore be it

RESOLVED, That the DGS-owned Well Tract, as defined above and as more particularly described in Exhibit A, which is attached hereto and incorporated herein by reference, is hereby determined and declared to be land that is surplus to the University's needs and of no practical use or value to the University; and further

RESOLVED, That the President and the Vice President for Fiscal Affairs are each hereby authorized to confirm to DGS that the University considers the said Well Tract to be surplus land for the University's purposes and that the University has no objections to any action that the Commonwealth may determine is appropriate to have the said Well Tract treated as surplus pursuant to Chapter 2 of The Administrative Code of 1929, Article XXIV-A-Disposition of Commonwealth Surplus Land (71 P.S. § 651.1, et seq.), or to otherwise dispose of the old abandoned Well Tract.

EXHIBIT A

**Lincoln University Board of Trustees
DRAFT RESOLUTION
March 23, 2013**

DECLARATION OF OLD DGS-OWNED WELL TRACT AS SURPLUS PROPERTY

Property Description for Well Tract

ALL THAT CERTAIN lot of tract of land with small pump house building thereon erected, situated in Lower Oxford Township, Chester County, Pennsylvania, being more particularly described as follows, to wit:

Building 102 (No. 6 Pump House)

BEGINNING at a point set at the southwesterly corner of this about to be described

lease boundary, said point being formed by the intersection of lines being 10 feet South and parallel to the south wall of the building hereon erected and also by a line being 10 feet West of the west wall of the building, said point being set the following two courses and distances from a point set in the centerline of Public Road T-331 marking a corner of land of Arthur Wichart and a corner of Lincoln University: South 05 degrees 16 minutes West 764.85 feet to a concrete monument, North 19 degrees 50 minutes 49 seconds East, 50.96 feet to a point being the Place of Beginning; thence leaving said Point of Beginning and by other land of Lincoln University, of which this was a part, the following courses and distances to wit:

North 12 degrees 17 minutes East 32.00 feet to a point
South 77 degrees 43 minutes East 42.00 feet to a point
South 12 degrees 17 minutes West 32.00 feet to a point
North 77 degrees 43 minutes West 42.00 feet to a point being the Place of Beginning.
Containing .030 acres or 1,344 square feet of land be the same more or less.

BEING PART OF THE SAME PREMISES which Lincoln University, a Corporation, by Deed dated March 23, 1971, and recorded in the Office of the Recorder of Deeds in and for Chester County, Pennsylvania in Book V-39, page 767, granted and conveyed unto The General State Authority.

Tax Parcel: 56-4-39.6A-E

The motion was properly moved and seconded.

Motion carried unanimously.