

CHAPTER 133. VACANT AND UNAPPROPRIATED LAND

Sec.	
133.1.	Board of appraisers.
133.2.	Remittances after valuation.
133.3.	Procedure for filing caveat.
133.4.	Issuance of warrant.

§ 133.1. Board of appraisers.

(a) In the case of vacant and unappropriated land where no office rights are outstanding, the Commission will appoint a board of appraisers upon receipt and approval of the proof of publication and receipt for payment as required in § 131.3 (relating to advertisement).

(b) The board of appraisers shall consist of an attorney-at-law, who shall act as chairperson; one registered professional engineer; and one licensed real estate broker.

(c) Each member of the board of appraisers shall swear or affirm before an officer authorized to administer oaths that he shall faithfully perform the duties prescribed and that he is not directly or indirectly interested in the application.

(d) The members of the Board shall value the land by going upon it and considering the soil, timber, fisheries, minerals, location and other attributes. Within 30 days after the appointment of the Board, the chairperson shall forward a report of such valuation, signed by the Board members, to the Land Office Section, Historical and Museum Commission, Post Office Box 1026, Harrisburg, Pennsylvania 17108-1026.

(e) The applicant shall forward three remittances by certified check or bank or postal money order to the Commission, one of which shall be in the amount of \$50 and the other two for \$25 each. The remittances shall be used as prescribed in subsection (f).

(f) Payment of the Board members shall be made by the Commission upon acceptance and approval of their report. Each member shall receive \$25, and the chairperson shall receive an additional \$25 for preparation and submission of the report of appraisal.

§ 133.2. Remittances after valuation.

Upon determination of the value of the land, the applicant shall remit separately, upon request from the Commission, the following:

- (1) Warrant fee.
- (2) Evaluated price or consideration.
- (3) Patent fee.

§ 133.3. Procedure for filing caveat.

(a) Anyone filing a caveat under this chapter shall pay a fee of \$2.00 and submit a bond, or other security approved by the Commission, in an amount equal to the evaluated price of the land in question, plus appraisers' fees.

(b) Upon receipt of the caveat the Commission will notify the original applicant of the caveat and forward the application for warrant and the caveat with all related documents to the Board.

Cross References

This section cited in 4 Pa. Code § 131.4 (relating to caveat).

§ 133.4. Issuance of warrant.

(a) If no caveat is entered on the land, or after disposition of caveat in favor of the applicant, and upon receipt of the prescribed fees, the Commission will prepare and transmit the warrant to survey, at least 10 days after the date of last publication of the notice of filing, to the surveyor or engineer designated by the applicant to complete the warrant.

(b) The applicant shall receive each of the following:

- (1) Connected draft of area.
- (2) Return of survey form.
- (3) Calculation sheet form.
- (4) Report of the Commission.
- (5) Receipt for warrant fee.

[Next page is 135-1.]