

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 1720 Session of
1974

INTRODUCED BY MESSRS. O'BRIEN AND O'CONNELL, JANUARY 3, 1974

SENATOR NOLAN, STATE GOVERNMENT, IN SENATE, AS AMENDED,
JUNE 12, 1974

AN ACT

1 Authorizing the Department of Property and Supplies, with the
2 approval of the Governor and the Department of Military
3 affairs, to sell and convey to the City of Wilkes-Barre,
4 County of Luzerne, Commonwealth of Pennsylvania, a tract of
5 land situate therein AND PROVIDING FOR A REVERSION UNDER
6 CERTAIN CIRCUMSTANCES. <—

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

9 Section 1. The Department of Property and Supplies, with the
10 approval of the Governor and the Department of Military Affairs,
11 is hereby authorized on behalf of the Commonwealth of
12 Pennsylvania, to sell for a consideration of one dollar (\$1) to
13 the City of Wilkes-Barre, the following described tract of land,
14 situate in the City of Wilkes-Barre, County of Luzerne,
15 Commonwealth of Pennsylvania, bounded and described as follows:

16 Beginning at a point in the southwesterly right-of-way line
17 of Market Street, said point being further described as the most
18 easterly corner of the Pennsylvania State Armory Board lands and
19 the most northerly corner of Kirby Park lands; thence along the

1 dividing line between the Pennsylvania State Armory lands and
2 Kirby Park lands south 53 degrees 39 minutes west, 1064.90 feet
3 to a point in the northeasterly right-of-way line of Northampton
4 Street; thence along said right-of-way line north 36 degrees 21
5 minutes west, 10.00 feet to a point; thence through lands of the
6 Pennsylvania State Armory Board north 53 degrees 39 minutes
7 east, 1064.90 feet to a point in the southwesterly right-of-way
8 line of Market Street; thence along said right-of-way south 36
9 degrees 21 minutes east, 10.00 feet to the place of beginning.
10 Containing 10,649 square feet.

11 Being a part of the same premises conveyed to the
12 Commonwealth of Pennsylvania by deed of the City of Wilkes-Barre
13 dated October 6, 1922 and recorded November 16, 1922 in Luzerne
14 County Deed Book, Volume 573, at page 231.

15 The conveyance shall be made under and subject, nevertheless,
16 to all easements, servitudes and rights of others, including but
17 not confined to streets, roadways and rights of any telephone,
18 telegraph, water, electric, gas or pipeline companies as well as
19 under and subject, nevertheless, to any estate or tenancies
20 vested in third persons whether or not appearing of record for
21 any portion of the said land or improvements erected thereon.

22 SECTION 2. THE CONVEYANCE SHALL BE EXECUTED FOR THE PUBLIC
23 PURPOSE OF CREATING A MAIN ACCESS ROAD TO THE PUBLIC PARK RUNOFF
24 OF MARKET STREET. IF AT ANY TIME THE CITY OF WILKES-BARRE USES
25 THIS PROPERTY FOR ANY PURPOSE OTHER THAN A PUBLIC PURPOSE, THE
26 PROPERTY SHALL REVERT BACK TO THE COMMONWEALTH.

27 Section ~~2~~ 3. The deed of conveyance shall be approved by the
28 Department of Justice and shall be executed by the Secretary of
29 Property and Supplies in the name of the Commonwealth of
30 Pennsylvania.

1 Section 3 4. This act shall take effect immediately.

<—