
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1631

Session of
1991

INTRODUCED BY CESSAR, JUNE 11, 1991

SENATOR LEMMOND, STATE GOVERNMENT, IN SENATE, AS AMENDED,
JANUARY 27, 1992

AN ACT

1 Authorizing the Department of Transportation, with the approval
2 of the Governor, to sell and convey to the Borough of
3 Aspinwall certain excess land situate in the Borough of
4 Aspinwall, Allegheny County.

5 The General Assembly of the Commonwealth of Pennsylvania
6 hereby enacts as follows:

7 Section 1. Conveyance authorization.

8 The Department of Transportation, with the approval of the
9 Governor, is hereby authorized and directed on behalf of the
10 Commonwealth of Pennsylvania to grant, sell and convey to the
11 Borough of Aspinwall for consideration equal to one-half the
12 fair market value as determined by an independent appraiser
13 appointed by the Department of Transportation the tract of land
14 described in section 2.

15 Section 2. Property description.

16 The property to be conveyed pursuant to section 1 is the
17 following tract of land situate in the Borough of Aspinwall,

1 Allegheny County, Pennsylvania, bounded and described as
2 follows:

3 Beginning at a point on the northerly line of Fifth Avenue at
4 the southeast corner of Lot. No. 379 in plan of the Aspinwall
5 Land Company, as recorded in the Recorder's Office of Allegheny
6 County in Plan Book Volume 9, pages 84 and 85; thence north 22
7 degrees 13 minutes east, 100 feet to Sixth Street; thence north
8 67 degrees 47 minutes west, 159.4 feet to a point; thence north
9 84 degrees 38 minutes 30 seconds west, 68.96 feet to a point;
10 thence south 22 degrees 13 minutes west, 80 feet, this line
11 being 9 feet east of and parallel to the easterly line of
12 Western Avenue, to a point on the northerly line of Fifth
13 Avenue; and thence south 67 degrees 47 minutes east, 225.4 feet
14 to the place of beginning.

15 Section 3. Easements, etc.

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

23 Section 4. Deposit of proceeds.

24 The proceeds of this sale shall be paid into the State
25 Treasury and deposited in the Motor License Fund.

26 Section 5. Approval and execution of deed.

27 The deed of conveyance shall be approved as provided by law
28 and shall be executed by the Secretary of Transportation in the
29 name of the Commonwealth of Pennsylvania.

30 Section 6. Costs and fees.

1 Costs and fees incidental to the conveyance shall be borne by
2 the grantee.

3 SECTION 7. THE DEED OF CONVEYANCE SHALL CONTAIN A CLAUSE <—
4 THAT THE PROPERTY CONVEYED SHALL BE USED FOR MUNICIPAL PURPOSES
5 BY THE BOROUGH OF ASPINWALL AND IF AT ANY TIME THE BOROUGH OF
6 ASPINWALL OR ITS SUCCESSOR IN FUNCTION CONVEYS THE PROPERTY OR
7 PERMITS THE PROPERTY TO BE USED FOR ANY PURPOSE OTHER THAN THOSE
8 SPECIFIED IN THIS SECTION, THE TITLE TO THE PROPERTY SHALL
9 IMMEDIATELY REVERT TO AND REVEST IN THE COMMONWEALTH OF
10 PENNSYLVANIA.

11 Section 7 8. Effective date. <—

12 This act shall take effect immediately.