

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

# HOUSE BILL

## No. 2509

Session of  
1992

---

INTRODUCED BY CAPPABIANCA, BOYES, KRUSZEWSKI, SCRIMENTI AND  
MERRY, MARCH 17, 1992

---

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF  
REPRESENTATIVES, AS AMENDED, MAY 12, 1992

---

## AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to sell and convey a certain lot or  
3 tract of land situate in the City of Erie, Erie County,  
4 Pennsylvania.

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

7 Section 1. The Department of General Services with the  
8 approval of the Governor, is hereby authorized and directed on  
9 behalf of the Commonwealth of Pennsylvania, to grant and convey  
10 to Citadel Development Company, a Pennsylvania corporation, its  
11 successors and assigns, for a consideration of \$13,275 a tract  
12 of land situate in the City of Erie, County of Erie,  
13 Commonwealth of Pennsylvania, bounded and described as follows:

14 Tract No. 1

15 All that certain land or property situated in the City of  
16 Erie, encompassing a portion of Front Street, an unopened and  
17 unused portion of a street in the City of Erie, and more  
18 particularly bounded and described as follows to wit:

1       Beginning at the southwesterly corner of the piece at a point  
2   in the southerly line of Front Street (variable width), said  
3   point of beginning being the northwesterly corner of Parcel "E"  
4   and the northeasterly corner of Parcel "F" as per record in Erie  
5   County Map Book 34, Page 98; thence north 13 degrees 02 minutes  
6   32 seconds west, passing through said Front Street, a distance  
7   of 101.61 feet to a point; thence north 28 degrees 39 minutes 26  
8   seconds west, continuing through said Front Street, a distance  
9   of 41.36 feet to a point in the northerly line of said Front  
10   Street; thence north 63 degrees 41 minutes 35 seconds east,  
11   along the northerly line of said Front Street and along the  
12   southerly line of the Water Lots in front of the Second Section  
13   of the City of Erie, as established by an Act of the General  
14   Assembly of Pennsylvania dated January 23, 1838, a distance of  
15   527.00 feet to a point at its intersection with the northerly  
16   line of the Bayfront Parkway (70 foot right-of-way); thence in a  
17   southwesterly direction, along said northerly line of the  
18   Bayfront Parkway, and along a curve to the left, having a radius  
19   of 751.20 feet, an arc length of 275.29 feet to a point of  
20   tangency; thence south 25 degrees 56 minutes 30 seconds west,  
21   continuing along said northerly line of the Bayfront Parkway, a  
22   distance of 33.92 feet to a point in the southerly line of said  
23   West Front Street; thence south 64 degrees 54 minutes 22 seconds  
24   west, along said southerly line of West Front Street, a distance  
25   of 278.50 feet to a point and the place of beginning.

26       Containing 54,379 square feet, or 1.248 acres of land,  
27   therein, net measure. It is the expressed intent of the  
28   foregoing Legal Description to include all of Front Street (as  
29   Front Street may lie, by described or be shown on maps, plats,  
30   plans, surveys or statutes) bound on the east by the Bayfront

1 Parkway (70 foot right-of-way) and bound on the west by the  
2 eastern bank of Cascade Creek (said bank shown as a dashed line  
3 labeled north 13 degrees 02 minutes 32 seconds west 101.61 feet  
4 and north 28 degrees 39 minutes 26 seconds west 100.77 feet on a  
5 plan of subdivision recorded in Erie County Map Book 34, Page  
6 98).

7 Tract No. 2

8 All that certain piece or parcel of land situated in the City  
9 of Erie, County of Erie, State of Pennsylvania, being part of  
10 the Fourth Ward and being more particularly bounded and  
11 described as follows, to wit:

12 Beginning at the southwesterly corner of the piece at a point  
13 in the center line of Cranberry Street (60 foot right-of-way),  
14 distance thereon north 26 degrees 20 minutes 50 seconds west  
15 378.22 feet from it's intersection with the center line of West  
16 Second Street (60 foot right-of-way), said point of beginning  
17 also being at the intersection of the center line of said  
18 Cranberry Street with the westerly extension of the southerly  
19 line of West Front Street (Variable Width); thence north 26  
20 degrees 20 minutes 50 seconds west, along the center line of  
21 said Cranberry Street, a distance of 100.28 feet to a point in  
22 the westerly extension of the northerly line of West Front  
23 Street; thence north 63 degrees 41 minutes 35 seconds east,  
24 along the northerly line of said West Front Street and along the  
25 southerly line of the Water Lots in front of the Second Section  
26 of the City of Erie, as established by an Act of the General  
27 Assembly of Pennsylvania, dated January 23, 1838, a distance of  
28 995.98 feet to a point; thence south 28 degrees 39 minutes 26  
29 seconds east, passing through said Front Street, a distance of  
30 41.36 feet to a point; thence south 13 degrees 02 minutes 32

1 seconds west, continuing through said Front Street, a distance  
2 of 101.61 feet to a point in the southerly line of said West  
3 Front Street, said point being the northwesterly corner of  
4 Parcel "E" and the northeasterly corner of Parcel "F" as per  
5 record in Erie County Map Book 34, Page 98; of a 2.949 Acre  
6 parcel of land Portion of West Front Street (Variable Width)  
7 which is to be vacated through lands under contract to be  
8 purchased by Citadel Development Company; thence south 64  
9 degrees 54 minutes 22 seconds west, along said southerly line of  
10 West Front Street, a distance of 223.29 feet to a point in the  
11 easterly line of Raspberry Street (60 foot right-of-way); thence  
12 south 63 degrees 39 minutes 35 seconds west, passing through  
13 said Raspberry Street, a distance of 30 feet to a point in the  
14 center line of said Raspberry Street; thence south 26 degrees 20  
15 minutes 25 seconds west along the center line of said Raspberry  
16 Street, a distance of 15.96 feet to a point; thence south 63  
17 degrees 39 minutes 35 seconds west, passing through said  
18 Raspberry Street, a distance of 30.00 feet to a point in the  
19 westerly line of said Raspberry Street; thence south 67 degrees  
20 55 minutes 56 seconds west, along the southerly line of said  
21 West Front Street and along the north line of Square No. 1, as  
22 shown on the General Plan of the Second Section, of the Town of  
23 Erie, a distance of 692.96 feet to a point in the center line of  
24 Cranberry Street and the place of beginning.

25       Containing 128,465 square feet, or 2.949 acres of land,  
26 therein, net measure. It is the expressed intent of the  
27 foregoing Legal Description to include all of West Front Street  
28 (as West Front Street may lie, be described or be shown on maps,  
29 plats, plans, surveys or statutes) being bound on the west by  
30 the centerline of Cranberry Street and bound on the east by the

1 east bank of Cascade Creek (said bank shown as a dashed line  
2 labeled north 13 degrees 02 minutes 32 seconds west 101.61 feet  
3 and north 28 degrees 39 minutes 26 seconds west 100.77 feet, on  
4 a plan of subdivision recorded in Erie County Map Book 34, Page  
5 98).

6 Section 2. The conveyance shall be made under and subject to  
7 all easements, servitudes and rights of others, including, but  
8 not confined to, streets, roadways and right of any telephone,  
9 telegraph, water, electric, sewer, gas or pipe line companies,  
10 as well as under and subject to any interest, estates or  
11 tenancies vested in third persons, whether or not appearing of  
12 record, for any portion of the land or improvements erected  
13 thereon.

14 Section 3. Costs and fees incidental to this conveyance  
15 shall be borne by the grantee.

16 Section 4. The deed of conveyance shall be approved as  
17 provided by law and shall be executed by the Secretary of  
18 General Services in the name of the Commonwealth of  
19 Pennsylvania. THE DEED OF CONVEYANCE SHALL CONTAIN COVENANTS  
20 ASSURING ADEQUATE PROVISIONS FOR:

21 (1) PUBLIC ACCESS TO CASCADE CREEK WHERE THAT CREEK  
22 PASSES THROUGH THE FORMER RIGHT-OF-WAY OF FRONT STREET A  
23 DISTANCE OF 100.00 FEET AND A DEPTH OF 25.00 FEET ON EACH  
24 BANK OF CASCADE CREEK.

25 (2) MAINTENANCE BY THE GRANTEE OF AN UNDEVELOPED GREEN  
26 AREA ON LANDS OWNED BY GRANTEE ALONG THE BANK OF CASCADE  
27 CREEK A DISTANCE OF APPROXIMATELY 400.00 FEET AND A DEPTH OF  
28 25.00 FEET FROM THE INTERSECTION OF CRANBERRY STREET AND  
29 FRONT STREET ALONG THE WESTERN RIGHT-OF-WAY OF THE BAYFRONT  
30 HIGHWAY IN A NORTHERLY DIRECTION TO THE PUBLIC PARKING AREA.

1       Section 5. The Department of General Services is authorized  
2 to take such proceedings as are by general law authorized to  
3 convey so much of Front Street, as above-described, without  
4 regard to the fact that some, but not the above-described  
5 portion, of said Front Street shall have been heretofore open  
6 for public use.

7       Section 6. This act shall take effect immediately.