

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1146 Session of  
2007

INTRODUCED BY RAFFERTY, NOVEMBER 5, 2007

AS AMENDED ON THIRD CONSIDERATION, JUNE 10, 2008

## AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor and the Department of Military and  
3 Veterans' Affairs, to grant and convey, at a price to be  
4 determined through a competitive bid process, certain lands,  
5 buildings and improvements situate in the Borough of  
6 Pottstown, Montgomery County; ~~and~~ authorizing the Department <—  
7 of General Services, with the approval of the Governor, to  
8 grant and convey, at a price to be determined through a  
9 competitive bid process, certain lands, buildings and  
10 improvements situate in the Township of West Norriton,  
11 Montgomery County; AND AUTHORIZING THE DEPARTMENT OF GENERAL <—  
12 SERVICES, WITH THE APPROVAL OF THE GOVERNOR, TO DEDICATE,  
13 GRANT AND CONVEY TO THE STRASBURG, LANCASTER COUNTY, BOROUGH  
14 AUTHORITY, A WATER MAIN AND APPURTENANCES TO BE CONSTRUCTED  
15 BY THE DEPARTMENT OF GENERAL SERVICES, TOGETHER WITH  
16 EASEMENTS FOR PUBLIC WATER PURPOSES, SITUATE IN STRASBURG  
17 TOWNSHIP, LANCASTER COUNTY, AND TO GRANT SUCH FURTHER  
18 EASEMENTS AND LICENSES AS MAY BE NECESSARY TO PROVIDE THE  
19 RAILROAD MUSEUM OF PENNSYLVANIA WITH ACCESS TO PUBLIC SEWER  
20 SERVICE.

21 The General Assembly of the Commonwealth of Pennsylvania

22 hereby enacts as follows:

23 Section 1. Conveyance in Pottstown, Montgomery County.

24 (a) Authorization.--The Department of General Services, with  
25 the approval of the Department of Military and Veterans' Affairs  
26 and the Governor, is hereby authorized on behalf of the

1 Commonwealth to grant and convey the tract of land described in  
2 subsection (b) together with any buildings, structures or  
3 improvements thereon, situate in the Borough of Pottstown,  
4 Montgomery County, Pennsylvania. The Department of General  
5 Services shall sell the property using, in its discretion, one  
6 of the following methods of sale: an invitation for sealed bids  
7 or public auction.

8 (b) Description of property.--The property to be conveyed  
9 pursuant to this section consists of approximately 0.29-acres  
10 and a building bounded and more particularly described as  
11 follows:

12 ALL THAT CERTAIN tract of land situate in the Borough of  
13 Pottstown, Montgomery County more particularly bounded and  
14 described according to a Survey thereof made by Ruddach and  
15 McCracken, Civil Engineers on March 24, 1906, as follows, to  
16 wit:

17 SITUATE on the north side of King Street (Sixty feet wide) at  
18 the distance of Ninety five feet Westward from the West side of  
19 Charlotte Street (Forty feet wide), containing in front or  
20 breadth on the said King Street Eighty-four feet and extending  
21 of that width in length or depth Northward between lines at  
22 right angles to the said King Street, One hundred and fifty  
23 feet.

24 CONTAINING 0.29-acres more or less.

25 BEING the same premises conveyed by Margaret E. Lee,  
26 Surviving Executrix, to Mary J. Lee Fretz, by deed dated April  
27 25, 1894, and recorded in the Montgomery County Recorder of  
28 Deeds Office, in Deed Book No. 403, Page 90.

29 BEING the same property conveyed to the Commonwealth of  
30 Pennsylvania, from Mary J. Lee Fretz, widow, by deed dated April

1 12, 1906 and recorded in the Montgomery County Recorder of Deeds  
2 Office, in Deed Book 554, Page 140.

3 (c) Conditions of conveyance.--The conveyance shall be made  
4 under and subject to all lawful and enforceable easements,  
5 servitudes and rights of others, including, but not confined to  
6 streets, roadways and rights of any telephone, telegraph, water,  
7 electric, gas or pipeline companies, as well as under and  
8 subject to any lawful and enforceable estates or tenancies  
9 vested in third persons appearing of record, for any portion of  
10 the land or improvements erected thereon.

11 (d) Deed of conveyance.--The deed of conveyance shall be by  
12 Special Warranty Deed and shall be executed by the Secretary of  
13 General Services in the name of the Commonwealth.

14 (e) Deposit of proceeds.--The proceeds from the sale shall  
15 be deposited in the State Treasury Armory Fund.

16 Section 2. Conveyance in West Norriton, Montgomery County.

17 (a) Authorization.--The Department of General Services, with  
18 the approval of the Governor, is hereby authorized on behalf of  
19 the Commonwealth to grant and convey, at a price to be  
20 determined through competitive bidding, the tract of land  
21 described in subsection (b) together with any buildings,  
22 structures or improvements thereon, situate in the Township of  
23 West Norriton, Montgomery County, Pennsylvania.

24 (b) Description of property.--The property to be conveyed  
25 pursuant to this section consists of approximately 0.28-acres  
26 and building bounded and more particularly described as follows:

27 ALL THAT CERTAIN lot or parcel of land being Parcel No. 63-  
28 00-09103-00-5 situate in the Township of West Norriton, County  
29 of Montgomery, more commonly known as 174 N. Whitehall Road,  
30 West Norriton Township, Montgomery County, Pennsylvania.

1 BEING a portion of the lands conveyed to the Commonwealth of  
2 Pennsylvania by John W. Cullen and Betty C. Cullen, and recorded  
3 in Montgomery County Deed Book 1944, Page 176.

4 (c) Conditions of conveyance.--The conveyance shall be made  
5 under and subject to all lawful and enforceable easements,  
6 servitudes and rights of others, including but not confined to  
7 streets, roadways and rights of any telephone, telegraph, water,  
8 electric, gas or pipeline companies, as well as under and  
9 subject to any lawful and enforceable estates or tenancies  
10 vested in third persons appearing of record, for any portion of  
11 the land or improvements erected thereon.

12 (d) Deed of conveyance.--The deed of conveyance shall be by  
13 Special Warranty Deed and shall be executed by the Secretary of  
14 General Services in the name of the Commonwealth of  
15 Pennsylvania.

16 (e) Deposit of proceeds.--The proceeds from the sale shall  
17 be deposited in the General Fund.

18 SECTION 3. WATER MAIN AND EASEMENTS IN STRASBURG TOWNSHIP, <—  
19 LANCASTER COUNTY.

20 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH  
21 THE APPROVAL OF THE GOVERNOR, IS HEREBY AUTHORIZED ON BEHALF OF  
22 THE COMMONWEALTH OF PENNSYLVANIA TO DEDICATE, GRANT AND CONVEY  
23 TO THE STRASBURG, LANCASTER COUNTY, BOROUGH AUTHORITY, FOR \$1, A  
24 WATER MAIN AND APPURTENANCES TO SUCH WATER MAIN TO BE  
25 CONSTRUCTED BY THE DEPARTMENT OF GENERAL SERVICES AS PART OF  
26 PROJECT NO. DGS 980-6, TOGETHER WITH SUCH EASEMENTS AS MAY BE  
27 NECESSARY FOR PURPOSES OF THE OPERATION, MAINTENANCE, REPAIR AND  
28 REPLACEMENT OF SUCH WATER MAIN AND APPURTENANCES, OVER, THROUGH,  
29 AND IN CERTAIN PROPERTY CONSTITUTING, OR ADJACENT TO, THE  
30 GROUNDS OF THE RAILROAD MUSEUM OF PENNSYLVANIA, AS DESCRIBED IN

1 SUBSECTION (B).

2 (B) DESCRIPTION OF EASEMENT.--PURSUANT TO SUBSECTION (A):

3 (1) THE DEPARTMENT OF GENERAL SERVICES IS AUTHORIZED TO  
4 GRANT TO THE STRASBURG, LANCASTER COUNTY, BOROUGH AUTHORITY A  
5 PERMANENT EASEMENT, NOT TO EXCEED 25 FEET IN WIDTH, OVER,  
6 THROUGH, AND IN THE REAL PROPERTY CONSTITUTING THE GROUNDS OF  
7 THE RAILROAD MUSEUM OF PENNSYLVANIA, CONSISTING OF THE REAL  
8 PROPERTY ACQUIRED BY THE GENERAL STATE AUTHORITY PURSUANT TO  
9 DEEDS RECORDED AT THE OFFICE OF THE RECORDER OF DEEDS OF  
10 LANCASTER COUNTY AT RECORD BOOK W, VOLUME 56, PAGE 212,  
11 RECORD BOOK O, VOLUME 60, PAGE 527, AND RECORD BOOK D, VOLUME  
12 57, PAGE 123.

13 (2) THE DEPARTMENT OF GENERAL SERVICES IS FURTHER  
14 AUTHORIZED TO TRANSFER, CONVEY OR ASSIGN TO THE STRASBURG,  
15 LANCASTER COUNTY, BOROUGH AUTHORITY ANY EASEMENT ACQUIRED BY  
16 THE DEPARTMENT OF GENERAL SERVICES AS PART OF PROJECT NO. DGS  
17 980-6 FOR PURPOSES OF THE CONSTRUCTION, OPERATION,  
18 MAINTENANCE, REPAIR, AND REPLACEMENT OF THE WATER MAIN AND  
19 APPURTENANCES.

20 (3) ALL OF THE ABOVE DESCRIBED EASEMENTS TO BE USED FOR  
21 PURPOSES OF THE OPERATION, MAINTENANCE, REPAIR, AND  
22 REPLACEMENT OF THE WATER MAIN AND APPURTENANCES TO BE  
23 CONSTRUCTED BY THE DEPARTMENT OF GENERAL SERVICES AS PART OF  
24 PROJECT NO. DGS 980-6.

25 (C) EXECUTION OF DEED.--ANY DEED OR OTHER CONVEYANCE  
26 DOCUMENT EXECUTED PURSUANT TO THIS SECTION SHALL BE EXECUTED BY  
27 THE SECRETARY OF GENERAL SERVICES IN THE NAME OF THE  
28 COMMONWEALTH OF PENNSYLVANIA.

29 (D) COVENANT TO REPAIR.--ANY DEED CONVEYING AN EASEMENT  
30 OVER, THROUGH, AND IN THE GROUNDS OF THE RAILROAD MUSEUM OF

1 PENNSYLVANIA SHALL CONTAIN A COVENANT REQUIRING THE GRANTEE TO  
2 REPAIR, TO THE SATISFACTION OF THE COMMONWEALTH OF PENNSYLVANIA,  
3 ANY DAMAGE TO THE EASEMENT AREA CAUSED BY THE GRANTEE'S  
4 OPERATION, MAINTENANCE, REPAIR OR REPLACEMENT OF SAID WATER MAIN  
5 AND APPURTENANCES.

6 (E) EASEMENTS OR LICENSES FOR PUBLIC SEWER SERVICE.--THE  
7 DEPARTMENT OF GENERAL SERVICES IS FURTHER AUTHORIZED TO TRANSFER  
8 AND CONVEY, WITH THE APPROVAL OF THE GOVERNOR, ANY EASEMENTS OR  
9 LICENSES NECESSARY TO PROVIDE THE RAILROAD MUSEUM OF  
10 PENNSYLVANIA WITH ACCESS TO PUBLIC SEWER SERVICE. ACCESS TO  
11 PUBLIC SEWER SERVICE MAY BE PROVIDED BY MEANS OF A CONNECTION TO  
12 PRIVATELY OWNED SEWER FACILITIES.

13 (F) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THE  
14 CONVEYANCES AUTHORIZED BY SUBSECTION (A) SHALL BE BORNE BY THE  
15 COMMONWEALTH OF PENNSYLVANIA.

16 Section 3 4. Effective date.

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17 This act shall take effect immediately.