

AMENDMENTS TO HOUSE BILL NO. 2158

Sponsor: SENATOR WONDERLING

Printer's No. 4083

1 Amend Title, page 1, line 5, by striking out "AND"

2 Amend Title, page 1, line 12, by removing the period after
3 "COUNTY" and inserting

4 ; authorizing the Department of General Services, with the
5 approval of the Governor and the Department of Military and
6 Veterans' Affairs, to grant and convey, at a price to be
7 determined through a competitive bid process, certain lands,
8 buildings and improvements situate in the Borough of Pottstown,
9 Montgomery County; authorizing the Department of General
10 Services, with the approval of the Governor, to grant and
11 convey, at a price to be determined through a competitive bid
12 process, certain lands, buildings and improvements situate in
13 the Township of West Norriton, Montgomery County; authorizing
14 the Department of General Services, with the approval of the
15 Governor, to dedicate, grant and convey to the Strasburg,
16 Lancaster County, Borough Authority, a water main and
17 appurtenances to be constructed by the Department of General
18 Services, together with easements for public water purposes,
19 situate in Strasburg Township, Lancaster County, and to grant
20 such further easements and licenses as may be necessary to
21 provide the Railroad Museum of Pennsylvania with access to
22 public sewer service; authorizing the Department of General
23 Services, with the approval of the Governor and the Department
24 of Transportation, to grant and convey to Parkwood Real Estate
25 Trust LLC, approximately 1.645 acres including a building and
26 all improvements thereon, situate at Parkwood Drive in the City
27 of Allentown and Salisbury Township, Lehigh County; and
28 authorizing the Department of General Services, with the
29 approval of the Governor, to grant and convey to the County of
30 Lackawanna Transit System Authority (COLTS), certain lands
31 situate in the City of Scranton, Lackawanna County, in exchange
32 for a certain tract of land from COLTS situate in the City of
33 Scranton, Lackawanna County.

34 Amend Bill, page 18, by inserting between lines 10 and 11

35 Section 3. Conveyance in Pottstown, Montgomery County.

36 (a) Authorization.--The Department of General Services, with
37 the approval of the Department of Military and Veterans' Affairs
38 and the Governor, is hereby authorized on behalf of the
39 Commonwealth to grant and convey the tract of land described in

subsection (b) together with any buildings, structures or improvements thereon, situate in the Borough of Pottstown, Montgomery County, Pennsylvania. The Department of General Services shall sell the property using, in its discretion, one of the following methods of sale: an invitation for sealed bids or public auction.

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

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

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

CONTAINING 0.29-acres more or less.

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

BEING the same property conveyed to the Commonwealth of Pennsylvania, from Mary J. Lee Fretz, widow, by deed dated April 12, 1906 and recorded in the Montgomery County Recorder of Deeds Office, in Deed Book 554, Page 140.

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

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

(e) Deposit of proceeds.--The proceeds from the sale shall be deposited in the State Treasury Armory Fund.
Section 4. Conveyance in West Norriton, Montgomery County.

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

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

ALL THAT CERTAIN lot or parcel of land being Parcel No. 63-00-09103-00-5 situate in the Township of West Norriton, County of Montgomery, more commonly known as 174 N. Whitehall Road, 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 5. 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
31 subsection (b).

32 (b) Description of easement.--Pursuant to subsection (a):

33 (1) The Department of General Services is authorized to
34 grant to the Strasburg, Lancaster County, Borough Authority a
35 permanent easement, not to exceed 25 feet in width, over,
36 through, and in the real property constituting the grounds of
37 the Railroad Museum of Pennsylvania, consisting of the real
38 property acquired by the General State Authority pursuant to
39 deeds recorded at the Office of the Recorder of Deeds of
40 Lancaster County at Record Book W, Volume 56, Page 212,
41 Record Book O, Volume 60, Page 527, and Record Book D, Volume
42 57, Page 123.

43 (2) The Department of General Services is further
44 authorized to transfer, convey or assign to the Strasburg,
45 Lancaster County, Borough Authority any easement acquired by
46 the Department of General Services as part of Project No. DGS
47 980-6 for purposes of the construction, operation,
48 maintenance, repair, and replacement of the water main and
49 appurtenances.

50 (3) All of the above described easements to be used for
51 purposes of the operation, maintenance, repair, and
52 replacement of the water main and appurtenances to be
53 constructed by the Department of General Services as part of
54 Project No. DGS 980-6.

55 (c) Execution of deed.--Any deed or other conveyance
56 document executed pursuant to this section shall be executed by
57 the Secretary of General Services in the name of the
58 Commonwealth of Pennsylvania.

59 (d) Covenant to repair.--Any deed conveying an easement

1 over, through, and in the grounds of the Railroad Museum of
2 Pennsylvania shall contain a covenant requiring the grantee to
3 repair, to the satisfaction of the Commonwealth of Pennsylvania,
4 any damage to the easement area caused by the Grantee's
5 operation, maintenance, repair or replacement of said water main
6 and appurtenances.

7 (e) Easements or licenses for public sewer service.--The
8 Department of General Services is further authorized to transfer
9 and convey, with the approval of the Governor, any easements or
10 licenses necessary to provide the Railroad Museum of
11 Pennsylvania with access to public sewer service. Access to
12 public sewer service may be provided by means of a connection to
13 privately owned sewer facilities.

14 (f) Costs and fees.--Costs and fees incidental to the
15 conveyances authorized by subsection (a) shall be borne by the
16 Commonwealth of Pennsylvania.

17 Section 6. Conveyance in City of Allentown and Salisbury
18 Township, Lehigh County.

19 (a) Authorization.--The Department of General Services, with
20 the approval of the Governor and the Department of
21 Transportation, is hereby authorized on behalf of the
22 Commonwealth of Pennsylvania to grant and convey to Parkwood
23 Real Estate Trust LLC, approximately 1.645 acres including a
24 building and all improvements thereon, as described in
25 subsection (b), for \$805,000, in accordance to an Agreement of
26 Sale dated September 12, 2007, with the Department of General
27 Services, the Department of Transportation and Parkwood Real
28 Estate Trust LLC.

29 (b) Property description.--The property to be conveyed,
30 pursuant to subsection (a) consists of approximately 1.645
31 acres, building and improvements, more particularly described as
32 follows as shown on a plan titled "Plan Showing Property Of The
33 Commonwealth Of Pennsylvania - Department Of Transportation,
34 Located in City of Allentown and Salisbury Township, Lehigh
35 County, PA," dated November 6, 2007, bearing File No. S-11018,
36 as prepared by The Pidcock Company, Civil Engineering and Land
37 Planning - Architecture - Land Surveying, Oxford Drive at Fish
38 Hatchery Road, Allentown, Pennsylvania:

39 Beginning at the intersection of the northerly legal right-
40 of-way line for limited access for Pennsylvania State Route 0078
41 (variable width) with the westerly legal right-of-way line for
42 Pennsylvania State Route 2007, also known as Oxford Drive (60.00
43 feet wide), and in line of lands of the Commonwealth of
44 Pennsylvania, Department of Transportation; thence along the
45 northerly legal right-of-way line for limited access for
46 Pennsylvania State Route 0078 the seven following courses: (1) N
47 53 degrees 34 minutes 02 seconds W 58.25 feet to a point, (2) S
48 77 degrees 23 minutes 12 seconds W 210.41 feet to a point, (3) S
49 05 degrees 05 minutes 09 seconds W 22.50 feet to a point, (4) N
50 84 degrees 29 minutes 51 seconds W 275.01 feet to a point, (5) N
51 05 degrees 05 minutes 09 seconds E 14.50 feet to a point, (6) N
52 30 degrees 27 minutes 07 seconds W 43.01 feet to a point, and
53 (7) N 83 degrees 51 minutes 55 seconds W 50.84 feet to a
54 concrete monument in line of lands of Parkwood Real Estate Trust
55 LLC; thence (8) along lands of the Parkwood Real Estate Trust
56 LLC, N 39 degrees 54 minutes 00 seconds E 109.25 feet to a
57 concrete monument in the southerly property line of Parkwood
58 Drive (a private road); continuing along lands of the Parkwood
59 Real Estate Trust LLC and along the southerly property line of

1 Parkwood Drive the eight following courses: (9) on a curve to
2 the left having a radius of 60.00 feet (delta 118 degrees 48
3 minutes 33 seconds, tangent 101.47 feet, chord N 70 degrees 30
4 minutes 09 seconds E 103.29 feet) for an arc distance of 124.42
5 feet to a point of reverse curvature, (10) on a curve to the
6 right having a radius of 20.00 feet (delta 82 degrees 49 minutes
7 09 seconds, tangent 17.64 feet, chord N 52 degrees 30 minutes 27
8 seconds E 26.46 feet) for an arc distance of 28.91 feet to a
9 point of tangency, (11) S 86 degrees 04 minutes 58 seconds E
10 81.93 feet to a point of curvature, (12) on a curve to the right
11 having a radius of 175.00 feet (delta 30 degrees 00 minutes 00
12 seconds, tangent 46.89 feet, chord S 71 degrees 04 minutes 58
13 seconds E 90.59 feet) for an arc distance of 91.63 feet to a
14 point of tangency, (13) S 56 degrees 04 minutes 58 seconds E
15 101.82 feet to a point of curvature, (14) on a curve to the left
16 having a radius of 150.00 feet (delta 27 degrees 30 minutes 00
17 seconds, tangent 36.70 feet, chord S 69 degrees 49 minutes 58
18 seconds E 71.31 feet) for an arc distance of 71.99 feet to a
19 point of tangency, (15) S 83 degrees 34 minutes 58 seconds E
20 40.41 feet to a point of curvature, and (16) on a curve to the
21 right having a radius of 44.00 feet (delta 60 degrees 00 minutes
22 00 seconds, tangent 25.40 feet, chord S 53 degrees 34 minutes 58
23 seconds E 44.00 feet) for an arc distance of 46.08 feet to a
24 point of tangency in the westerly right-of-way line of
25 Pennsylvania State Route 2007; thence (17) along the westerly
26 right-of-way line of Pennsylvania State Route 2007, S 23 degrees
27 34 minutes 58 seconds E 40.32 feet to the point of beginning.

28 CONTAINING 1.645 acres or 71,652 Square Feet.

29 (c) Conditions.--The conveyance shall be made under and
30 subject to all lawful and enforceable easements, servitudes and
31 rights of others, including but not confined to streets,
32 roadways and rights of any telephone, telegraph, water,
33 electric, gas or pipeline companies, as well as under and
34 subject to any lawful and enforceable estates or tenancies
35 vested in third persons appearing of record, for any portion of
36 the land or improvements erected thereon.

37 (d) Land restrictions.--Any conveyance authorized under this
38 act shall be made under and subject to the condition, which
39 shall be contained in the deed of conveyance, that no portion of
40 the property conveyed shall be used as a licensed facility, as
41 defined in 4 Pa.C.S. 1103 (relating to definitions), or any
42 other similar type of facility authorized under State law. The
43 condition shall be a covenant running with the land and shall be
44 binding upon the Grantee, its successors and assigns. Should the
45 Grantee, its successors or assigns, permit any portion of the
46 property authorized to be conveyed in this act to be used in
47 violation of this subsection, the title shall immediately revert
48 to and revest in the Grantor.

49 (e) Deed of conveyance.--The deed of conveyance shall be
50 executed by the Secretary of General Services in the name of the
51 Commonwealth of Pennsylvania.

52 (f) Deposit of proceeds.--Proceeds from this conveyance
53 shall be deposited in the Motor License Fund.

54 (g) Costs and fees.--Costs and fees incidental to this
55 conveyance shall be borne by the Grantee.

56 (h) Disposal.--In the event that this conveyance is not
57 executed in accordance with the Agreement of Sale, the property
58 may be disposed of in accordance with section 2003 of act of
59 April 9, 1929 (P.L.177, No.175), known as The Administrative

1 Code of 1929.

2 Section 7. Conveyance in City of Scranton, Lackawanna County.

3 (a) Authorization.--The Department of General Services, with
4 the approval of the Governor, is hereby authorized on behalf of
5 the Commonwealth of Pennsylvania to grant and convey to the
6 County of Lackawanna Transit System Authority (hereinafter
7 COLTS) certain lands situate in the City of Scranton, Lackawanna
8 County, in exchange for a certain tract of land from COLTS
9 situate in the City of Scranton, Lackawanna County.

10 (b) Description.--The property to be conveyed to COLTS under
11 subsection (a) consists of approximately 2.52 acres of land and
12 improvements thereon bounded and more particularly described as
13 follows:

14 LOT 1A

15 BEGINNING at a 3/4 inch iron pin, the intersection of the
16 southeasterly right-of-way line of Cliff Street with the
17 southwesterly right-of-way line of Lackawanna Avenue as shown on
18 a plan titled, "The Commonwealth of Pennsylvania - Department of
19 General Services - RD 1216 Pg 289 - Minor Subdivision" dated
20 July, 2005 and prepared by Acker Associates, Inc.;

21 Thence along said line of Lackawanna Avenue South 51 degrees 28
22 minutes 04 seconds East four hundred seventy-one and five
23 hundredths (471.05 feet) feet to a point in line of lands of
24 Scranton Mall Associates;

25 Thence along said lands South 38 degrees 37 minutes 01 second
26 West one hundred three and one hundredth (103.01 feet) feet to a
27 point in line of lands of Lackawanna County Rail Authority;

28 Thence along said lands of Lackawanna County Rail Authority the
29 following four (4) courses and distances:

- 30 1. South 70 degrees 49 minutes 56 seconds West five and
31 ninety-three hundredths (5.93 feet) feet to a point,
- 32 2. North 88 degrees 44 minutes 38 seconds West fifty-seven
33 and seventy-nine hundredths (57.79 feet) feet to a point
34 of curvature,
- 35 3. along a curve to the right having a radius of nine
36 hundred eighty-eight and thirty-one hundredths (988.31
37 feet) feet for an arc length of three hundred sixty-one
38 and fifty-one hundredths (361.51 feet) feet (chord
39 bearing and distance being North 68 degrees 51 minutes 46
40 seconds West 359.50 feet) to a point of tangency, and
41 4. North 53 degrees 36 minutes 54 seconds West eighty and
42 seven hundredths (80.07 feet) feet to a point on the
43 southeasterly right-of-way line of Cliff Street;

44 Thence along said line of Cliff Street North 38 degrees 49
45 minutes 51 seconds East two hundred fifty-three and five tenths
46 (253.50 feet) feet to the point of BEGINNING.

47 CONTAINING 2.24 acres of land being the same, more or less.

48 LOT 1B

49 BEGINNING at a 5/8 inch rebar on the southeasterly right-of-way
50 line of Cliff Street, said point also being a common corner of
51 lands the National Park Service and Lot 1B as shown on a plan
52 titled, "The Commonwealth of Pennsylvania - Department of
53 General Services - RB 1216 Pg 289 - Minor Subdivision" dated
54 July, 2005 and prepared by Acker Associates, Inc.;

55 Thence along said line of Cliff Street North 38 degrees 49
56 minutes 51 seconds East thirty-nine and twenty-six hundredths
57 (39.26 feet) feet to a point in line of Lackawanna County Rail
58 Authority;

59 Thence along said lands of Lackawanna County Rail Authority the

1 following two (2) courses and distances:

2 1. South 51 degrees 32 minutes 09 seconds East one and
3 forty-eight and thirty-nine hundredths (148.39 feet) feet
4 to a point, and

5 2. South 66 degrees 46 minutes 09 seconds East fifty-five
6 and twenty-six hundredths (55.26 feet) feet to a point;

7 Thence along Lot 2 the following three (3) courses and
8 distances:

9 1. South 25 degrees 41 minutes 58 seconds West eleven and
10 fifty-nine hundredths (11.59 feet) feet to a point,

11 2. South 39 degrees 59 minutes 28 seconds West fifty-eight
12 and five hundredths (58.05 feet) feet to a point, and

13 3. South 48 degrees 45 minutes 01 second West twenty-two and
14 ninety-five hundredths (22.95 feet) feet to a point in
15 line of lands of the National Park Service;

16 Thence along said lands of the National Park Service North 40
17 degrees 40 minutes 45 seconds West two hundred two and five
18 tenths (202.50 feet) feet to the point of BEGINNING.

19 CONTAINING 12,315 square feet (0.28 acres) of land being the
20 same, more or less.

21 (c) Exchange.--The conveyance authorized by subsection (b)
22 shall be in exchange for the conveyance, by special warranty
23 deed, from COLTS, to the Commonwealth of Pennsylvania, acting by
24 and through its Department of General Services, of all that
25 certain piece or parcel of land situate in the City of Scranton,
26 Lackawanna County, Pennsylvania, bounded and described as
27 follows:

28 All that certain lot, piece or parcel of land situate in the
29 8th Ward, City of Scranton, County of Lackawanna and State of
30 Pennsylvania, bounded and described as follows:

31 Beginning at a point located on the northeasterly side of
32 Lackawanna Avenue, said point being also located by a bearing of
33 N 39 degrees 00 minutes W, and a distance of 138.0 feet as
34 measured along the northeasterly side of Lackawanna Avenue from
35 its intersection with the northwesterly right-of-way line of the
36 D.L. & W. R.R.; thence, along the line of Lackawanna Avenue N 39
37 degrees 00 minutes W, 294.52 feet to a point of intersection
38 with a curve measured radially 100 feet from the center line of
39 the D. & H. R.R. Co.; thence on a curve to the left parallel to
40 the center line of said D. & H. R.R. and 100 feet therefrom,
41 said curve having a radius of 750.14 feet and length of 867.02
42 feet with a long chord bearing and distance of N 71 degrees 01
43 minute E, 819.55 feet to a point; thence S 39 degrees 00 minutes
44 E, 45.04 feet to a point on the northwesterly right-of-way line
45 of the D.L. & W. R.R.; thence along said right-of-way the
46 following two courses and distances (1) on a curve to the right,
47 having a radius of 4,037.11 and length of 278.15 and a long
48 chord bearing and distance of a 31 degrees 32 minutes W, 278.10
49 feet and (2) S 47 degrees 38 minutes W, 208.68 feet to a corner
50 of other lands of the S.R.A.; thence along lands of said S.R.A.,
51 the following two courses and distances (1) N 39 degrees 00
52 minutes W, 136.0 feet and (2) S 51 degrees 00 minutes W, 300.0
53 feet to the place of beginning.

54 Containing 2.277 acres of land more or less as surveyed by
55 John R. Hennemuth, Registered Civil Engineer.

56 Parcel 18-A

57 All that certain lot, piece or parcel of land situate in the
58 8th Ward, City of Scranton, County of Lackawanna and State of
59 Pennsylvania, bounded and described as follows:

Beginning at a point located on the northeasterly side of Lackawanna Avenue, said point being also located by a bearing of N 39 degrees 00 minutes W and a distance of 138.00 feet as measured along the northeasterly side of Lackawanna Avenue from its intersection with the northwesterly right-of-way line of the D. L. & W. R.R., said point being also common to a corner of Parcel 18 of the S.R.A. as shown on drawing D-14-72 by John R. Hennemuth, P.E.; thence along the line of parcel 18, N 51 degrees 00 minutes E, 300 feet to a corner; thence still along the line of Parcel 18, S 39 degrees 00 minutes E, 6.0 feet to a corner; thence over and across other lands of the S.R.A., S 51 degrees 00 minutes W, 300.0 feet to a point on the northeasterly side of Lackawanna Avenue; thence along the side of said Avenue N 39 degrees 00 minutes W, 6.0 feet to the place of beginning. Containing 0.041 acres of land and shown as Parcel 18-A on drawing B-22-72 by John R. Hennemuth, Registered Civil Engineer. CONTAINING 2.318 acres, more or less.

The conveyance described in this section shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Easements.--The conveyance described in subsection (b) shall be made under and subject to all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(e) Special warranty deed.--The conveyance described in subsection (b) shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Covenants.--Any conveyance authorized under subsection (b) shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. 1103 (relating to definitions), or any other similar type of facility authorized under the laws of this Commonwealth. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns permit any portion of the property authorized to be conveyed in this section to be used in violation of this section, the title shall immediately revert to and revest in the grantor.

(g) Costs and fees.--All costs and fees incidental to the conveyance authorized by this act shall be borne by the grantee.

(h) Voidance.--In the event that the conveyance is not executed by May 16, 2010, the authorization contained in this section shall become null and void.

Amend Sec. 3, page 18, line 11, by striking out "3" and

inserting

