

AMENDMENTS TO SENATE BILL NO. 648

Sponsor: SENATOR WOZNIAK

Printer's No. 700

1 Amend Title, page 1, line 6, by removing the period after

2 "County" and inserting

3 ; and authorizing and directing the Department of General
4 Services, with the approval of the Governor, to grant and convey
5 to CDM Ebensburg, LLC, certain lands situate in Cambria
6 Township, Cambria County.

7 Amend Bill, page 3, by inserting between lines 14 and 15

8 Section 2. Conveyance in Cambria Township, Cambria County.

9 (a) Authorization.--The Department of General Services, with
10 the approval of the Governor, is hereby authorized on behalf of
11 the Commonwealth to grant and convey to CDM Ebensburg, LLC,
12 certain lands, containing a residential dwelling, situate in
13 Cambria Township, Cambria County, for fair market value as
14 determined by independent appraisal.

15 (b) Property description.--The property to be conveyed
16 pursuant to this section consists of approximately 5.00-acres of
17 land and all improvements thereon bounded and more particularly
18 described as follows:

19 ALL that certain lot or piece of ground situate in Cambria
20 Township, Cambria County bounded and more particularly described
21 as follows:

22 BEGINNING at a point at the intersection of SR 0022 and SR
23 3032 on the Southerly Right-of-Way line of SR 0022 and the
24 Easterly Right-of-Way of SR 3032. Thence the following three
25 courses and distances:

- 26 1. North 54 degrees 02 minutes 40 seconds East for a
27 distance of 609.00 feet along the Southerly Right-of-Way
28 line of SR 0022 to a point on a line. Thence;
- 29 2. South 35 degrees 57 minutes 20 seconds East for a
30 distance of 374.02 feet to a point on a line. Thence;
- 31 3. South 54 degrees 02 minutes 40 seconds West for a
32 distance of 516.21 feet to the beginning of a point of
33 curvature, thence along the Easterly Right-of-Way of SR
34 3032 the following three courses and distances:
- 35 4. By a curve turning to the left having a radius of 2286.60
36 feet and an arc length of 76.02 feet, and whose long
37 chord bears North 57 degrees 07 minutes 56 seconds West
38 for a distance of 76.02 feet to a point. Thence;
- 39 5. North 56 degrees 05 minutes 05 seconds West for a
40 distance of 278.92 feet to the beginning of a point of

1 curvature,
2 6. By a curve turning to the right having a radius of 30.00
3 feet and an arc length of 57.66 feet, and whose long
4 chord bears North 01 degrees 01 minutes 11 seconds West
5 for a distance of 49.19 feet to the point of BEGINNING.
6 CONTAINING 5.00-acres, more or less.
7 BEING a portion of the same property conveyed by the General
8 State Authority to the Commonwealth of Pennsylvania, acting by
9 and through the Department of General Services, by Deed dated
10 June 16, 1989, and recorded on January 16, 1990, in the Office
11 of the Recorder of Deeds of Cambria County, in Deed Book Volume
12 1230, Page 502.

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

21 (d) Restriction.--The conveyance authorized under this
22 section shall be made under and subject to the condition, which
23 shall be contained in the deed of conveyance, that no portion of
24 the property conveyed shall be used as a licensed facility, as
25 defined in 4 Pa.C.S. 1103 (relating to definitions), or any
26 other similar type of facility authorized under State law. The
27 condition shall be a covenant running with the land and shall be
28 binding upon the grantee, its successors and assigns. Should the
29 grantee, its successors or assigns, permit any portion of the
30 property authorized to be conveyed in this section to be used in
31 violation of this subsection, the title shall immediately revert
32 to and revest in the grantor.

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

36 (f) Costs and fees.--Costs and fees incidental to this
37 conveyance shall be borne by the grantee.

38 (g) Use of proceeds.--The proceeds from the sale authorized
39 herein may be utilized by the Department of General Services to
40 construct, purchase or lease a temporary or replacement
41 residence for the superintendent for the Ebensburg Center. The
42 Department of General Services may reimburse itself for costs
43 and fees incurred as a result of the conveyance, including, but
44 not limited to, appraisals, surveys and environmental reports.
45 Any funds remaining after payment for construction, purchase or
46 lease of a replacement residence for the superintendent and
47 reimbursement of costs and fees to the Department of General
48 Services shall be deposited into the General Fund.

49 (h) Construction contract.--Notwithstanding any other
50 provision of law governing the letting of public contracts to
51 the contrary, the Department of General Services may award a
52 single contract for the construction of a new residence for the
53 superintendent for the Ebensburg Center. Construction of the
54 replacement residence is exempt from the requirements of the act
55 of May 1, 1913 (P.L.155, No.104), entitled "An act regulating
56 the letting of certain contracts for the erection, construction,
57 and alteration of public buildings."

58 (i) Alternate disposition.--In the event that this
59 conveyance is not executed within 12 months of the effective

1 date of this section, the property may be disposed of in
2 accordance with section 2406-A of the act of April 9, 1929
3 (P.L.177, No.175), known as The Administrative Code of 1929.

4 Amend Sec. 2, page 3, line 15, by striking out "2" and
5 inserting

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