

## AMENDMENTS TO HOUSE BILL NO. 2216

Sponsor: SENATOR PITTMAN

Printer's No. 3493

1 Amend Bill, page 2, line 34, by striking out "and"

2 Amend Bill, page 2, line 39, by inserting after "Harrisburg"

3 ; authorizing the sale and transfer of title for a 0.232 acre of  
4 Project 70 lands owned by Springettsbury Township, York  
5 County, to the Department of Transportation for highway  
6 right-of-way; authorizing the Department of General Services,  
7 with the approval of the Department of Human Services and the  
8 Governor, to grant and convey to the University of Pittsburgh  
9 a certain permanent easement through and across lands of the  
10 Commonwealth of Pennsylvania in the City of Pittsburgh,  
11 Allegheny County, and to accept from the University of  
12 Pittsburgh a certain permanent easement through and across  
13 lands of the University of Pittsburgh in the City of  
14 Pittsburgh, Allegheny County; authorizing the Pennsylvania  
15 Historical and Museum Commission, with the approval of the  
16 Governor, to grant and convey certain lands and improvements  
17 situate in the 47th Ward of the City of Philadelphia,  
18 Philadelphia County, to New Freedom Theater, Inc.; and  
19 authorizing the State Armory Board to enter into such  
20 agreements as may be necessary to exchange with a branch of  
21 the United States Armed Forces the right of occupancy in, use  
22 of and obligations belonging to certain properties owned,  
23 managed or occupied by either the State Armory Board or a  
24 branch of the United States Armed Forces

25 Amend Bill, page 61, by inserting between lines 17 and 18

26 Section 14. Springettsbury Township, York County.

27 (a) Authorization.--In accordance with the requirements of  
28 section 20(b) of the act of June 22, 1964 (Sp.Sess. 1, P.L.131,  
29 No.8), known as the Project 70 Land Acquisition and Borrowing  
30 Act, the General Assembly authorizes the fee simple transfer of  
31 title for a portion of the Project 70 lands owned by  
32 Springettsbury Township, known as Fayfield Park, which are more  
33 particularly described under subsection (c), to the Department  
34 of Transportation.

35 (b) Project 70 restrictions.--The lands described under  
36 subsection (c) shall be transferred with none of the existing

1 restrictions currently imposed by the Project 70 Land  
2 Acquisition and Borrowing Act upon conveyance of the lands to  
3 the Department of Transportation. Mitigation for the loss of  
4 Project 70 lands shall consist of park reconstruction and  
5 rehabilitation.

6 (c) Property description.--The parcel of land to be  
7 transferred with none of the existing Project 70 restrictions is  
8 located in Springettsbury Township, York County, and is as  
9 follows:

10 All that certain parcel of ground, lying and being situate in  
11 Springettsbury Township, York County, Pennsylvania, being more  
12 particularly bounded and described as follows:

13 Beginning at a point at the intersection of the legal right-  
14 of-way line for limited access of State Route 0083 and the  
15 property line of Parcel 231, in the southern corner of Lot 7;  
16 thence along the legal right-of-way line for limited access of  
17 State Route 0083 north 55 degrees 52 minutes 29 seconds west a  
18 distance of 2.06 feet to a bend in the legal right-of-way line  
19 for limited access of State Route 0083; thence along the legal  
20 right-of-way line for limited access of State Route 0083 north  
21 37 degrees 03 minutes 00 seconds west a distance of 617.01 feet  
22 to the intersection of the legal right-of-way line for limited  
23 access of State Route 0083 and the legal right-of-way line for  
24 township road of Township Road 997 (5th Avenue); thence along  
25 the legal right-of-way line for township road of Township Road  
26 997 (5th Avenue) along an arc 79.38 feet to the left, having a  
27 radius of 143.32 feet, the chord of which is south 52 degrees 55  
28 minutes 05 seconds east for a distance of 78.37 feet to the  
29 intersection of the legal right-of-way line for township road of  
30 Township Road 997 (5th Avenue) and the required right-of-way  
31 line for limited access of State Route 0083; thence along the  
32 required right-of-way line for limited access of State Route  
33 0083 south 36 degrees 16 minutes 57 seconds east a distance of  
34 528.69 feet to the intersection of the required right-of-way  
35 line for limited access of State Route 0083 and the property  
36 line of Parcel 231 Lot 7; thence along the property line of  
37 Parcel 231 Lot 7 south 5 degrees 26 minutes 58 seconds west a  
38 distance of 20.25 feet to the point and place of beginning and  
39 having an area of 0.232 Acres.

40 Section 15. Conveyance in City of Pittsburgh, Allegheny County.

41 (a) Authorization.--The Department of General Services, with  
42 the approval of the Department of Human Services and the  
43 Governor, is hereby authorized on behalf of the Commonwealth of  
44 Pennsylvania to grant and convey a permanent easement from the  
45 grounds of the Western Pennsylvania Psychiatric Institute,  
46 situate in the City of Pittsburgh, Allegheny County, to the  
47 University of Pittsburgh for purposes of the construction, use,  
48 maintenance, inspection, repair and replacement of certain  
49 improvements made by the University of Pittsburgh as part of  
50 building projects on adjoining University of Pittsburgh  
51 property.

1 (b) Property description.--The easement area to be conveyed  
2 in accordance with subsection (a) consists of the following:  
3 ALL THAT CERTAIN easement area, situate in the 4th Ward, City  
4 of Pittsburgh, County of Allegheny, more particularly bounded  
5 and described as follows:

6 Beginning at a point on the line dividing lands now or  
7 formerly of the Commonwealth of Pennsylvania and lands now or  
8 formerly of the University of Pittsburgh, said point being the  
9 following two (2) courses and distances from a point common to  
10 the line dividing lands now or formerly of the Commonwealth of  
11 Pennsylvania and lands now or formerly of the University of  
12 Pittsburgh, at the intersection of the northeasterly right of  
13 way line of Desoto Street, 60.00 feet wide, and the  
14 northwesterly right of way line of Terrace Street, 60.00 feet  
15 wide:

16 N 37° 53' 05" E a distance of 50.00 feet;

17 N 55° 10' 55" E a distance of 89.85 feet, to the point of  
18 beginning;

19 thence from said point of beginning by the line dividing  
20 lands now or formerly of the Commonwealth of Pennsylvania and  
21 lands now or formerly of the University of Pittsburgh N 55° 10'  
22 55" E a distance of 104.96 feet to a point; thence continuing by  
23 same S 43° 31' 15" E a distance of 58.53 feet to a point; thence  
24 by a line through lands now or formerly of the Commonwealth of  
25 Pennsylvania the following four (4) courses and distances:

26 S 82° 30' 41" W a distance of 42.72 feet;

27 N 43° 31' 15" W a distance of 73.88 feet;

28 S 46° 59' 12" W a distance of 64.42 feet;

29 N 72° 17' 25" W a distance of 23.38 feet to a point on the  
30 line dividing lands now or formerly of the Commonwealth of  
31 Pennsylvania and lands now or formerly of the University of  
32 Pittsburgh, at the point of beginning.

33 Containing 3006 square feet, more or less.

34 Being a portion of Tax Parcel Number: Block 27-P, Lot 90.

35 (c) Acceptance.--The Department of General Services, with  
36 the approval of the Department of Human Services and the  
37 Governor, is hereby authorized on behalf of the Commonwealth of  
38 Pennsylvania to accept a permanent easement from the University  
39 of Pittsburgh, situate in the City of Pittsburgh, Allegheny  
40 County, for purposes of the construction, use, maintenance,  
41 inspection, repair and replacement of a retaining wall partly  
42 located on lands of the University of Pittsburgh, to benefit the  
43 Western Pennsylvania Psychiatric Institute, for \$1 and on such  
44 other terms and conditions to be set forth in an easement  
45 agreement.

46 (d) Easement area.--The easement area to be accepted in  
47 accordance with subsection (c) consists of the following:

48 ALL THAT CERTAIN easement area, situate in the 4th Ward, City  
49 of Pittsburgh, Allegheny County, Pennsylvania, more particularly  
50 bound and described as follows:

51 Beginning at a point on the line dividing lands now or

1 formerly of the Commonwealth of Pennsylvania and lands now or  
2 formerly of the University of Pittsburgh, said point being the  
3 following two (2) courses and distances from a point common to  
4 the line dividing lands now or formerly of the Commonwealth of  
5 Pennsylvania and lands now or formerly of the University of  
6 Pittsburgh, at the intersection of the northeasterly right of  
7 way line of Desoto Street, 60.00 feet wide, and the  
8 northwesterly right of way line of Terrace Street, 60.00 feet  
9 wide:

10 N 37° 53' 05" E a distance of 50.00 feet;

11 N 55° 10' 55" E a distance of 89.85 feet, to the point of  
12 beginning;

13 thence from said point of beginning by a line through lands  
14 now or formerly of the University of Pittsburgh the following  
15 three (3) courses and distances:

16 N 30° 13' 12" W a distance of 14.21 feet;

17 N 59° 46' 48" E a distance of 68.48 feet; to a point of  
18 curvature;

19 in an easterly direction by a curve bearing to the right  
20 having a radius of 31.00 feet through an arc distance of 37.88  
21 feet to a point on the line dividing lands now or formerly of  
22 the Commonwealth of Pennsylvania and lands now or formerly of  
23 the University of Pittsburgh;

24 thence by the line dividing lands now or formerly of the  
25 Commonwealth of Pennsylvania and lands now or formerly of the  
26 University of Pittsburgh S 55° 10' 55" W a distance of 97.80  
27 feet to a point, at the point of the beginning.

28 Containing 1,527 square feet, more or less.

29 Being a portion of Tax Parcel Number: Block 27-P, Lot 80-0-3.

30 (e) Easement agreements.--The easement agreements to be  
31 executed by the Commonwealth of Pennsylvania under this section  
32 shall be executed by the Secretary of General Services in the  
33 name of the Commonwealth of Pennsylvania.

34 Section 16. Conveyance in City of Philadelphia, Philadelphia  
35 County.

36 (a) Authorization.--The Pennsylvania Historical and Museum  
37 Commission, with the approval of the Governor, is authorized on  
38 behalf of the Commonwealth of Pennsylvania to grant and convey  
39 the following tract of land together with any improvements  
40 thereon, situate in the 47th Ward of the City of Philadelphia,  
41 Philadelphia County, to New Freedom Theatre, Inc., for \$1, under  
42 terms and conditions to be established in an agreement of sale.

43 (b) Property description.--The property to be conveyed under  
44 subsection (a) consists of the following:

45 ALL that certain unit in the property known, named and  
46 identified in the Declaration referred to below as "Freedom  
47 Theatre Condominium," located in the 29th Ward of the City and  
48 County of Philadelphia, Commonwealth of Pennsylvania, which has  
49 heretofore been submitted to the provisions of the Pennsylvania  
50 Uniform Condominium Act, 68 Pa.C.S. Section 3101, et seq., by  
51 the recording in the Philadelphia Department of Records of a

1 Declaration dated July 10, 1992, recorded on July 13, 1992 in  
2 Deed Book VCS 111, Page 353, being and designated in such  
3 Declaration as Unit 1, as more fully described in said  
4 Declaration, together with a proportionate undivided interest in  
5 the Common Elements (as defined in the Declaration) of 30%.

6 BEING the same premises conveyed by New Freedom Theatre, Inc.  
7 to the Pennsylvania Historical and Museum Commission by deed  
8 dated July 10, 1992, and recorded at the Department of Records  
9 of the City and County of Philadelphia at Deed Book VCS 123 Page  
10 132, Document Number 45614463.

11 ALSO BEING Philadelphia County OPA Account Number 772726001.

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

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

32 (e) Deed of conveyance.--The conveyance shall be made by  
33 special warranty deed to be executed by the Executive Director  
34 of the Pennsylvania Historical and Museum Commission in the name  
35 of the Commonwealth of Pennsylvania.

36 (f) Proceeds.--The proceeds from the conveyance under this  
37 section shall be deposited into the General Fund.

38 (g) Alternate disposition.--In the event that the conveyance  
39 authorized under this section is not completed within two years  
40 of the effective date of this subsection, the authority to  
41 convey the property as specified in subsection (a) shall expire,  
42 and the property may be disposed of in accordance with section  
43 2405-A of the act of April 9, 1929 (P.L.177, No.175), known as  
44 The Administrative Code of 1929.

45 Section 17. Agreements with the United States Army Reserve.

46 (a) Authorization.--The State Armory Board is hereby  
47 authorized to enter into such agreements as may be necessary to  
48 exchange with the United States Army Reserve the right of  
49 occupancy in, use of and obligations belonging to, the  
50 properties described in subsection (b) under such terms and  
51 conditions as they may determine, subject to the conditions

1 specified in subsections (c) and (d).

2 (b) Property descriptions.--

3 (1) The Johnstown Walters Avenue Readiness Center  
4 consists of approximately 15.0 acres of land and improvements  
5 located at 656 Walters Avenue, Johnstown, Pennsylvania (Tax  
6 Parcel No. 50-05-123.1). The Readiness Center was used by the  
7 Pennsylvania National Guard to serve and support its mission.  
8 The Readiness Center is owned by the Commonwealth of  
9 Pennsylvania and is maintained, managed and regulated by the  
10 State Armory Board.

11 (2) Building #228 is a hangar facility and surrounding  
12 infrastructure situated on land owned by the Johnstown-  
13 Cambria County Airport Authority. The Johnstown-Cambria  
14 County Airport Authority leases Building #228 to the United  
15 States Army Reserve. The United States Army Reserve currently  
16 uses Building #228 to serve and support its mission.

17 (c) Funds required.--Prior to the execution of such  
18 agreements that may be necessary to effectuate the exchange of  
19 rights and obligations authorized under subsection (a), the  
20 State Armory Board must establish that the Department of  
21 Military and Veterans Affairs has funds necessary to implement  
22 and to support the terms of the agreements, including terms that  
23 allocate obligations for maintenance and renovations.

24 (d) Terms and conditions.--The terms and conditions of the  
25 exchange authorized under subsection (a) shall be determined by  
26 the State Armory Board and the United States Army Reserve. All  
27 terms and conditions must comply with Federal and State statutes  
28 and governing regulations. However, notwithstanding the  
29 provisions of 51 Pa.C.S. § 1509(a) (relating to rental or lease  
30 of armories and of buildings or structures at Fort Indiantown  
31 Gap) or any other provision of law or regulation that prescribes  
32 time periods for leases or other agreements, the State Armory  
33 Board may execute a lease or other agreement for a term of not  
34 less than 25 years.

35 (e) Definitions.--As used in this section, the following  
36 words and phrases shall have the meanings given to them in this  
37 subsection unless the context clearly indicates otherwise:

38 "State Armory Board." The State Armory Board established  
39 under 51 Pa.C.S. Ch. 15 (relating to State Armory Board).

40 "United States Army Reserve." The reserve component of the  
41 United State Army, exclusive of the various National Guards,  
42 established under 10 U.S.C. Subt. E (relating to reserve  
43 components).

44 Amend Bill, page 61, line 18, by striking out "14" and  
45 inserting

46 18