

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 972

Session of  
1983

INTRODUCED BY HELFRICK, SEPTEMBER 13, 1983

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
NOVEMBER 21, 1984

AN ACT

1 Amending the act of July 20, 1979 (P.L.177, No.58), entitled "An  
2 act authorizing and directing the Department of General  
3 Services, with the approval of the Department of  
4 Environmental Resources and the Governor, to sell and convey  
5 a certain tract of land, situate in the Township of Mount  
6 Carmel, Northumberland County, Pennsylvania," providing for  
7 relocation of citizens displaced by the Centralia mine fire; <—  
8 AND AUTHORIZING A CONVEYANCE OF A CERTAIN TRACT OF LAND IN  
9 THE CITY OF PHILADELPHIA TO TEMPLE UNIVERSITY.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 SECTION 1. THE TITLE OF THE ACT OF JULY 20, 1979 (P.L.177, <—  
13 NO.58), ENTITLED "AN ACT AUTHORIZING AND DIRECTING THE  
14 DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF THE  
15 DEPARTMENT OF ENVIRONMENTAL RESOURCES AND THE GOVERNOR, TO SELL  
16 AND CONVEY A CERTAIN TRACT OF LAND, SITUATE IN THE TOWNSHIP OF  
17 MOUNT CARMEL, NORTHUMBERLAND COUNTY, PENNSYLVANIA," IS AMENDED  
18 TO READ:

AN ACT

20 AUTHORIZING AND DIRECTING THE DEPARTMENT OF GENERAL SERVICES[,

1 WITH THE APPROVAL OF THE DEPARTMENT OF ENVIRONMENTAL  
2 RESOURCES AND THE GOVERNOR, TO SELL AND CONVEY A CERTAIN  
3 TRACT OF LAND, SITUATE IN THE TOWNSHIP OF MOUNT CARMEL,  
4 NORTHUMBERLAND COUNTY, PENNSYLVANIA] TO SELL AND CONVEY  
5 CERTAIN TRACTS OF LAND.

6 Section 1 2. Section 2 of the act of ~~July 20, 1979 (P.L.177,~~ <—  
7 ~~No.58), entitled "An act authorizing and directing the~~  
8 ~~Department of General Services, with the approval of the~~  
9 ~~Department of Environmental Resources and the Governor, to sell~~  
10 ~~and convey a certain tract of land, situate in the Township of~~  
11 ~~Mount Carmel, Northumberland County, Pennsylvania,"~~ is amended  
12 to read:

13 Section 2. The deed of conveyance shall contain a clause  
14 that the lands conveyed shall be used for public purposes by the  
15 County of Northumberland and if at any time the said County of  
16 Northumberland or its successor in function conveys said  
17 property or authorizes or permits said property to be used for  
18 any purpose other than public purposes, the title thereto shall  
19 immediately revert to and revest in the Commonwealth of  
20 Pennsylvania, but the conveyance or use of the property for  
21 relocation of citizens displaced by the Centralia mine fire, in  
22 the Borough of Centralia, Conyngham Township, Columbia County, <—  
23 shall not cause a reverter of title to the Commonwealth.  
24 Conveyances of any part of the property for purposes of  
25 relocating citizens displaced by the Centralia mine fire shall  
26 extinguish forever the Commonwealth's possibility of reverter  
27 for those portions of the property so conveyed.

28 SECTION 3. THE ACT IS AMENDED BY ADDING A SECTION TO READ: <—

29 SECTION 3.1. THE DEPARTMENT OF GENERAL SERVICES, WITH THE  
30 APPROVAL OF THE GOVERNOR, IS HEREBY AUTHORIZED AND DIRECTED, ON

1 BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA, TO SELL AND CONVEY  
2 TO TEMPLE UNIVERSITY, OF THE COMMONWEALTH SYSTEM OF HIGHER  
3 EDUCATION, FOR A CONSIDERATION EQUAL TO THE GREATER OF THE FAIR  
4 MARKET VALUE, AS DETERMINED BY AN INDEPENDENT APPRAISAL OBTAINED  
5 BY THE DEPARTMENT OF GENERAL SERVICES, OR OF THE COST OF  
6 ACQUISITION INCURRED BY THE COMMONWEALTH THE FOLLOWING TRACT OF  
7 LAND SITUATE IN THE 20TH WARD OF THE CITY OF PHILADELPHIA,  
8 PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS:

9 BEGINNING AT A POINT FORMED BY THE INTERSECTION OF THE  
10 NORTHERLY SIDE OF MONTGOMERY AVENUE (50 FEET WIDE) AND THE  
11 EASTERLY SIDE OF 12TH STREET (50 FEET WIDE); THENCE EXTENDING  
12 FROM SAID BEGINNING POINT, ALONG THE SAID EASTERLY SIDE OF 12TH  
13 STREET, IN A NORTHERLY DIRECTION, THE DISTANCE OF APPROXIMATELY  
14 280 FEET TO AN EXISTING FENCE; THENCE EXTENDING ALONG THE SAID  
15 FENCE, IN AN EASTERLY DIRECTION, THE DISTANCE OF 396 FEET TO A  
16 POINT ON THE WESTERLY SIDE OF 11TH STREET (50 FEET WIDE); THENCE  
17 EXTENDING ALONG THE WESTERLY SIDE OF 11TH STREET, IN A SOUTHERLY  
18 DIRECTION, THE DISTANCE OF APPROXIMATELY 280 FEET TO THE  
19 NORTHERLY SIDE OF MONTGOMERY AVENUE AFORESAID; THENCE EXTENDING  
20 ALONG THE SAID NORTHERLY SIDE OF MONTGOMERY AVENUE, IN A  
21 WESTERLY DIRECTION, THE DISTANCE OF 396 FEET TO THE EASTERLY  
22 SIDE OF 11TH STREET AND THE FIRST MENTIONED POINT AND PLACE OF  
23 BEGINNING.

24 THE CONVEYANCE SHALL BE MADE UNDER AND SUBJECT TO ALL TITLE  
25 RESTRICTIONS OF RECORD AT THE TIME OF THE ENACTMENT OF THIS ACT.

26 A PURCHASE PRICE EQUAL TO THE GREATER OF THE FAIR MARKET  
27 VALUE OR THE COST OF ACQUISITION INCURRED BY THE COMMONWEALTH  
28 SHALL BE PAID TO THE COMMONWEALTH AT TIME OF SETTLEMENT AND  
29 SHALL BE UTILIZED TO RETIRE ANY OUTSTANDING BONDS ISSUED FOR THE  
30 ACQUISITION OF THIS PROPERTY.

1     THE DEED OF CONVEYANCE SHALL BE APPROVED AS PROVIDED BY LAW  
2     AND SHALL BE EXECUTED BY THE SECRETARY OF GENERAL SERVICES IN  
3     THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA AND AS EXECUTIVE  
4     DIRECTOR OF THE GENERAL STATE AUTHORITY.

5     COSTS AND FEES INCIDENTAL TO THIS CONVEYANCE SHALL BE BORNE  
6     BY THE GRANTEE.

7     ~~Section 2. This act shall take effect in 60 days.~~

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8     SECTION 4. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.

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