

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 1169 Session of  
2001

INTRODUCED BY D. WHITE, OCTOBER 19, 2001

AS AMENDED ON THIRD CONSIDERATION, DECEMBER 4, 2001

## AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to grant and convey to Indiana  
3 County, certain lands situate in the Borough of Indiana,  
4 Indiana County; AND TO GRANT AND CONVEY TO COLLIER <—  
5 DEVELOPMENT COMPANY, INC., CERTAIN LAND SITUATE IN COLLIER  
6 TOWNSHIP, ALLEGHENY COUNTY.

7 The General Assembly of the Commonwealth of Pennsylvania  
8 hereby enacts as follows:

9 ~~Section 1. The Department of General Services, with the~~ <—

10 SECTION 1. INDIANA COUNTY CONVEYANCE. <—

11 (A) CONVEYANCE.--THE DEPARTMENT OF GENERAL SERVICES, WITH  
12 THE approval of the Governor, is hereby authorized on behalf of  
13 the Commonwealth of Pennsylvania to grant and convey to Indiana  
14 County certain land and a building described in ~~section 2~~ <—

15 SUBSECTION (B) for fair consideration equal to fair market value <—  
16 as determined by independent appraisal in accordance with an  
17 Agreement of Sale to be executed with the Department of General  
18 Services.

19 ~~Section 2. The (B) PROPERTY DESCRIPTION.--THE property to~~ <—

1 be conveyed pursuant to ~~section 1~~ SUBSECTION (A) consists of <—  
2 approximately 0.88-acres and a building bounded and more  
3 particularly described as follows:

4 BEGINNING at an iron pin 37.5 feet from the centerline of  
5 North 4th Street; thence along the lands now or formerly of the  
6 Commonwealth of Pennsylvania, North 89 degrees 38 minutes 01.2  
7 seconds West 228.46 feet to a point; thence North 00 degrees 52  
8 minutes 00 seconds East 165.65 feet to a point; thence North 89  
9 degrees 12 minutes 00 seconds East 228.54 feet to a point;  
10 thence South 00 degrees 52 minutes 00 seconds West 170.30 feet  
11 to a point the place of BEGINNING.

12 CONTAINING 0.88-acres, more or less.

13 ~~Section 3.~~ The (C) RESTRICTIONS.--THE conveyance shall be <—  
14 made 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 ~~Section 4.~~ The (D) DEED.--THE deed of conveyance shall be <—  
22 by Special Warranty Deed and shall be executed by the Secretary  
23 of General Services in the name of the Commonwealth of  
24 Pennsylvania.

25 ~~Section 5.~~ ~~Costs~~ (E) COSTS AND FEES.--COSTS and fees <—  
26 incidental to this conveyance shall be borne by the Grantee.

27 ~~Section 6.~~ ~~In~~ (F) LIMITATION ON TRANSFER.--IN the event <—  
28 that this conveyance is not executed in accordance with the  
29 Agreement of Sale as referenced in section 1, the property may  
30 be disposed of in accordance with Article 2406-A of the act of

1 April 9, 1929 (P.L.177, No.175), known as The Administrative  
2 Code of 1929.

3 SECTION 2. ALLEGHENY COUNTY CONVEYANCE. <—

4 (A) CONVEYANCE.--THE DEPARTMENT OF GENERAL SERVICES, WITH  
5 THE APPROVAL OF THE GOVERNOR, IS HEREBY AUTHORIZED TO GRANT AND  
6 CONVEY TO COLLIER DEVELOPMENT COMPANY, INC., TWO PARCELS OF LAND  
7 SITUATE IN COLLIER TOWNSHIP, ALLEGHENY COUNTY, CONSISTING OF  
8 APPROXIMATELY 8.127 ACRES AS DESCRIBED IN SUBSECTION (B) FOR  
9 FAIR CONSIDERATION IN THE AMOUNT OF \$20,000 CASH, PLUS THE COSTS  
10 OF ABATING THE ENVIRONMENTAL CONDITION OF THE LAND, ESTIMATED TO  
11 BE AN ADDITIONAL \$60,000.

12 (B) PROPERTY DESCRIPTION.--THE PARCELS TO BE CONVEYED  
13 PURSUANT TO SUBSECTION (A) CONSIST OF TWO TRACTS OF LAND,  
14 SITUATE IN COLLIER TOWNSHIP, COUNTY OF ALLEGHENY, AND  
15 COMMONWEALTH OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS,  
16 TO WIT:

17 PARCEL 1

18 BEGINNING AT AN IRON PIN SET AT THE WESTERN RIGHT-OF-WAY LINE  
19 OF INTERSTATE ROUTE 79 AND LANDS OF WHICH THIS WAS ORIGINALLY A  
20 PART; THENCE BY NEW LINES THROUGH LANDS OF WHICH THIS WAS  
21 ORIGINALLY A PART, SOUTH 35 DEGREES 08 MINUTES 20 SECONDS WEST,  
22 632.12 FEET TO A SET IRON PIN, NORTH 41 DEGREES 27 MINUTES 11  
23 SECONDS WEST, 344.87 FEET TO A SET IRON PIN, NORTH 39 DEGREES 31  
24 MINUTES 13 SECONDS WEST, 319.43 FEET TO A SET IRON PIN, NORTH 13  
25 DEGREES 47 MINUTES 54 SECONDS EAST, 335.15 FEET TO A SET IRON  
26 PIN, NORTH 70 DEGREES 32 MINUTES 44 SECONDS EAST, 58.08 FEET TO  
27 A POINT AT THE LANDS NOW OR FORMERLY OF HEIDELBERG SPORTS  
28 ENTERPRISES; THENCE ALONG LANDS NOW OR FORMERLY OF HEIDELBERG  
29 SPORTS ENTERPRISES, THE FOLLOWING SEVEN (7) COURSES AND  
30 DISTANCES: SOUTH 19 DEGREES 27 MINUTES 16 SECONDS EAST, 70.89

1 FEET; SOUTH 39 DEGREES 57 MINUTES 16 SECONDS EAST, 116.50 FEET;  
2 SOUTH 54 DEGREES 43 MINUTES 16 SECONDS EAST, 79.20 FEET; SOUTH  
3 82 DEGREES 28 MINUTES 16 SECONDS EAST, 77.50 FEET; NORTH 80  
4 DEGREES 32 MINUTES 44 SECONDS EAST, 120.44 FEET; NORTH 69  
5 DEGREES 16 MINUTES 44 SECONDS EAST, 240.90 FEET; NORTH 53  
6 DEGREES 16 MINUTES 44 SECONDS EAST, 11.13 FEET TO A POINT AT THE  
7 WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE ROUTE 79; THENCE ALONG  
8 THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE ROUTE 79 THE  
9 FOLLOWING THREE (3) COURSES AND DISTANCES: SOUTH 18 DEGREES 37  
10 MINUTES 35 SECONDS EAST, 165.40 FEET; SOUTH 71 DEGREES 22  
11 MINUTES 25 SECONDS WEST, 10.00 FEET SOUTH 18 DEGREES 37 MINUTES  
12 35 SECONDS EAST, 76.50 FEET TO AN IRON PIN SET AT THE POINT OF  
13 BEGINNING. AS DESCRIBED AND KNOWN AS PARCEL 1 ON PLAN OF  
14 SUBDIVISION FOR THE DEPARTMENT OF GENERAL SERVICES BY  
15 ENGELHARDT-POWER & ASSOCIATES, INC. DRAWING NO. D-3479 DATED  
16 MARCH 27, 1995 AND REVISED MAY 10, 1996. CONTAINING 339,447  
17 SQUARE FEET, APPROXIMATELY 7.7926 ACRES.

18 PARCEL 2  
19 BEGINNING AT A POINT IN THE CENTER OF A PUBLIC ROAD ON THE  
20 WESTERLY LINE OF PROPERTY NOW OR FORMERLY OF W. W. CAMPBELL; AND  
21 THENCE FROM SAID POINT OF BEGINNING ALONG THE WESTERLY LINE NOW  
22 OR FORMERLY OF W. W. CAMPBELL, SOUTH 9 DEGREES 37 MINUTES 41  
23 SECONDS EAST FOR A DISTANCE OF 140.00 FEET TO A POINT; THENCE  
24 SOUTH 80 DEGREES 22 MINUTES 19 SECONDS WEST FOR A DISTANCE OF  
25 69.28 FEET TO A POINT; THENCE NORTH 42 DEGREES 24 MINUTES 11  
26 SECONDS WEST FOR A DISTANCE OF 86.77 FEET TO A POINT; THENCE  
27 NORTH 9 DEGREES 37 MINUTES 41 SECONDS WEST FOR A DISTANCE OF  
28 67.05 FEET TO THE CENTER OF A PUBLIC ROAD; THENCE NORTH 80  
29 DEGREES 22 MINUTES 19 FEET EAST FOR A DISTANCE OF 116.25 FEET TO  
30 A POINT AT PLACE OF BEGINNING. AS DESCRIBED AND KNOWN AS PARCEL

1 NO.6 ON PLAN OF SUBDIVISION FOR THE DEPARTMENT OF GENERAL  
2 SERVICES BY ENGELHARDT-POWER & ASSOCIATES, INC. DRAWING NO. C-  
3 2629 DATED MARCH 24, 1995. CONTAINING AN AREA OF APPROXIMATELY  
4 THREE HUNDRED THIRTY-FOUR THOUSANDTHS (0.334) ACRES.

5 (C) RESTRICTIONS.--

6 (1) THE CONVEYANCE SHALL BE MADE UNDER AND SUBJECT TO  
7 ALL LAWFUL AND ENFORCEABLE EASEMENTS AND RIGHTS OF OTHERS,  
8 INCLUDING, BUT NOT CONFINED TO, STREETS, ROADWAYS AND RIGHTS  
9 OF ANY TELEPHONE, TELEGRAPH, CABLE, WATER, ELECTRIC, SEWER,  
10 GAS OR PIPELINE COMPANIES, AS WELL AS UNDER AND SUBJECT TO  
11 ANY LAWFUL AND ENFORCEABLE INTEREST, ESTATES OR TENANCIES  
12 VESTED IN THIRD PERSONS, APPEARING OF RECORD, FOR ANY PORTION  
13 OF THE LAND OR IMPROVEMENTS ERECTED THEREON.

14 (2) BUYER ACCEPTS THE PROPERTY AS IS AND SHALL, AT THE  
15 BUYER'S EXPENSE, MAKE ALL REPAIRS, IMPROVEMENTS, AND  
16 ABATEMENT OF ALL CURRENT ENVIRONMENTAL ISSUES AND CONCERNS TO  
17 THE PROPERTY IN ACCORDANCE WITH THE PURCHASE AGREEMENT. THE  
18 BUYER SHALL COMPLY WITH ALL THE REQUIREMENTS OF LAW AND WITH  
19 ALL FEDERAL, STATE AND LOCAL ORDINANCES AND REGULATIONS.

20 (D) DEED.--THE DEED OF CONVEYANCE SHALL BE APPROVED AS  
21 PROVIDED BY LAW AND SHALL BE BY SPECIAL WARRANTY DEED AND  
22 EXECUTED BY THE SECRETARY OF GENERAL SERVICES IN THE NAME OF THE  
23 COMMONWEALTH OF PENNSYLVANIA.

24 (E) COSTS AND FEES.--ALL COSTS AND FEES, INCLUDING, BUT NOT  
25 LIMITED TO, APPRAISAL FEES, TITLE INSURANCE AND SURVEYS  
26 INCIDENTAL TO CONVEYANCE SHALL BE BORNE BY THE GRANTEE.

27 (F) LIMITATION ON TRANSFER.--IN THE EVENT THIS PROPERTY IS  
28 NOT CONVEYED TO COLLIER DEVELOPMENT COMPANY, INC., AS HEREIN  
29 AUTHORIZED WITHIN 12 MONTHS OF THE EFFECTIVE DATE OF THIS ACT,  
30 AT THE DISCRETION OF THE SECRETARY OF GENERAL SERVICES, THE

1 PROPERTY SHALL BE OFFERED FOR SALE THROUGH AUCTION, SEALED BID  
2 OR REQUEST FOR PROPOSAL, UNDER THE TERMS OF THE ACT OF APRIL 9,  
3 1929 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF  
4 1929, AND THE CONDITIONS IN ARTICLE XXIV-A OF THE ADMINISTRATIVE  
5 CODE OF 1929.

6 Section 7 3. This act shall take effect immediately.

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