
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1745 Session of
2005

INTRODUCED BY FAIRCHILD, ADOLPH, ALLEN, ARGALL, ARMSTRONG,
BAKER, BELFANTI, BIRMELIN, BOYD, BUNT, CAPPELLI, CIVERA,
CLYMER, DENLINGER, EACHUS, ELLIS, FEESE, FICHTER, FLEAGLE,
FLICK, FORCIER, GEIST, GINGRICH, GODSHALL, HABAY, HARHART,
HARRIS, HERSHEY, HESS, HICKERNELL, HUTCHINSON, KILLION, LEH,
MAITLAND, MAJOR, MARSICO, MCGILL, MICOZZIE, MILLARD, MUSTIO,
PERZEL, PICKETT, PYLE, RAYMOND, REED, ROHRER, ROSS, SATHER,
SCHRODER, SEMMEL, S. H. SMITH, SONNEY, STERN, R. STEVENSON,
T. STEVENSON, E. Z. TAYLOR, J. TAYLOR, TRUE, TURZAI, WILT AND
ZUG, JUNE 14, 2005

AS AMENDED ON THIRD CONSIDERATION, IN SENATE, JULY 2, 2005

AN ACT

1 Authorizing and directing the Department of General Services,
2 with the approval of the Governor, to convey tracts of land
3 and buildings, consisting of a portion of the former
4 Laurelton Center, located in Hartley Township, Union County,
5 Pennsylvania; ~~authorizing the Department of General Services, <—~~
6 ~~with the approval of the Governor, to grant and convey~~
7 ~~certain lands situate in the City of Harrisburg, Dauphin~~
8 ~~County, to Crossgates, Inc., a Pennsylvania Corporation;~~
9 AUTHORIZING THE DEPARTMENT OF TRANSPORTATION TO CONVEY TO <—
10 MONTOUR COUNTY TWO TRACTS OF LAND SITUATE IN THE BOROUGH OF
11 DANVILLE, MONTOUR COUNTY, PENNSYLVANIA; and making a related
12 repeal.

13 The General Assembly of the Commonwealth of Pennsylvania

14 hereby enacts as follows:

15 Section 1. Conveyance in Hartley Township, Union County.

16 (a) Authorization.--The Department of General Services, with
17 the approval of the Governor, is hereby authorized and directed,
18 on behalf of the Commonwealth of Pennsylvania, to grant and

1 convey the tracts of land described in subsection (b) and the
2 improvements erected thereon to Mountain Valley, Inc., a
3 Maryland Corporation, for consideration equal to fair market
4 value, as determined by an independent appraisal.

5 (b) Description.--All those certain tracts or parcels of
6 land, with improvements thereon erected, situate in Hartley
7 Township, Union County, Pennsylvania, more particularly bounded
8 and described as follows:

9 TRACT 1

10 ALL THAT CERTAIN parcel of land shown as Existing Parcel No.
11 1 on an addition lot subdivision prepared by Larson Design Group
12 dated November 9, 1997 and recorded in the Union County Recorder
13 of Deeds Office in Plat Book 19, Page 54.

14 CONTAINING 266.429-acres.

15 TRACT 2

16 ALL THAT CERTAIN parcel of land shown as Residual Lands of
17 the Commonwealth of Pennsylvania on an addition lot subdivision
18 prepared by Larson Design Group, dated November 9, 1997, and
19 recorded in the Union County Recorder of Deeds Office in Plat
20 Book 19, Page 54.

21 CONTAINING 5.993-acres.

22 TRACT 3

23 ALL THAT CERTAIN parcel of land shown as Existing Parcel No.
24 2 on an addition lot subdivision prepared by Larson Design
25 Group, dated November 9, 1997, and recorded in the Union County
26 Recorder of Deeds Office in Plat Book 19, Page 54.

27 CONTAINING 64.428-acres.

28 (c) Easements.--The conveyance shall be made under and
29 subject to all easements, servitudes and rights of others,
30 including, but not confined to, streets, roadways and rights of

1 any telephone, telegraph, water, electric, sewer, gas or
2 pipeline companies, as well as under the subject to any
3 interest, estates or tenancies vested in third persons, whether
4 or not appearing of record, for any portion of the land or
5 improvements erected thereon.

6 (d) General land use restriction.--The conveyance shall be
7 under and subject to the condition, which shall be contained in
8 the deed, that no portion of the property being conveyed shall
9 be used as a licensed facility, as that term is defined in 4
10 Pa.C.S. § 1103 (relating to definitions) or for any other
11 similar type of facility authorized under State law. The
12 condition shall be a covenant running with the land and shall be
13 binding upon the grantee, its successors and assigns. If a
14 grantee, its successors or assigns permit the property
15 authorized to be conveyed in this section, or any portion of the
16 property, to be used in violation of this subsection, the title
17 shall immediately revert to and revest in the grantor.

18 (e) Agricultural restriction.--That portion of the land as
19 described in Tract 3 of subsection (b) that is currently subject
20 to the provisions of the act of June 18, 1982 (P.L.549, No.159),
21 entitled, "An act providing for the administration of certain
22 Commonwealth farmland within the Department of Agriculture,"
23 shall continue to be subject to the restrictions provided for in
24 that act and a restrictive covenant limiting the uses of the
25 property to agricultural and open space uses shall be placed in
26 the deed.

27 (f) Proceeds.--

28 (1) Except as provided in paragraph (2), the proceeds of
29 the conveyance shall be paid into the State Treasury and
30 deposited in the General Fund.

1 (2) The portion of the proceeds of the conveyance
2 attributed to the property described in Tract 3 of subsection
3 (b), which portion shall be determined by an independent
4 appraisal, shall be deposited into the Agricultural
5 Conservation Easement Purchase Fund.

6 (g) Approval.--The deed of conveyance shall be approved as
7 provided by law and shall be executed by the Secretary of
8 General Services in the name of the Commonwealth of
9 Pennsylvania.

10 (h) Costs.--Costs and fees incidental to the conveyance
11 shall be borne by the grantee.

12 (i) Alternate disposal.--In the event that the conveyance
13 under this section is not executed within one year of the
14 effective date of this section, the property may be disposed of
15 in accordance with section 2406-A of the act of April 9, 1929
16 (P.L.177, No.175), known as The Administrative Code of 1929.

17 ~~Section 2. City of Harrisburg.~~ <—

18 ~~(a) Authorization. The Department of General Services, with~~
19 ~~the approval of the Governor, is hereby authorized on behalf of~~
20 ~~the Commonwealth of Pennsylvania to grant and convey the~~
21 ~~following tract of land, together with any improvements thereon,~~
22 ~~situate in the City of Harrisburg, Dauphin County, Pennsylvania~~
23 ~~to Crossgates, Inc., a Pennsylvania Corporation, in accordance~~
24 ~~with and for the consideration established in an Agreement of~~
25 ~~Sale with the Department of General Services, dated March 23,~~
26 ~~2005.~~

27 ~~(b) Description. The property to be conveyed pursuant to~~
28 ~~this section consists of approximately 4.866 acres and is more~~
29 ~~particularly described as follows:~~

30 ~~BEGINNING at the intersection of the southerly legal right~~

~~1 of way line of Wildwood Park Drive and the westerly legal right~~
~~2 of way line of Cameron Street; Thence in and through legal~~
~~3 right of way of Cameron Street, North 87 degrees, 27 minutes, 37~~
~~4 seconds East, a distance of 112.45 feet to a point in the legal~~
~~5 right of way of Cameron Street; thence through the legal right~~
~~6 of way of Cameron Street, South 02 degrees, 32 minutes, 23~~
~~7 seconds East, a distance of 437.25 feet to a point; thence~~
~~8 crossing the westerly legal right of way line of Cameron Street~~
~~9 and through lands of the Commonwealth of Pennsylvania, State~~
~~10 Farm Show complex, South 87 degrees, 27 minutes, 37 seconds~~
~~11 West, a distance of 477.96 feet to a point; thence through lands~~
~~12 of the Commonwealth of Pennsylvania, State Farm Show complex,~~
~~13 North 11 degrees, 50 minutes, 56 seconds West, a distance of~~
~~14 260.19 feet to a point; thence continuing through lands of the~~
~~15 Commonwealth of Pennsylvania, State Farm Show Complex, North 02~~
~~16 degrees, 32 minutes, 23 seconds West, a distance of 124.92 feet~~
~~17 to a point in the southerly legal right of way line of Wildwood~~
~~18 Park Drive; thence along the said southerly legal right of way~~
~~19 line of Wildwood Park Drive the following four courses:~~

~~20 1. North 88 degrees, 22 minutes, 43 seconds East, a~~
~~21 distance of 18.21 feet to a point;~~

~~22 2. North 75 degrees, 27 minutes, 56 seconds East, a~~
~~23 distance of 96.84 feet to a point;~~

~~24 3. North 78 degrees, 57 minutes, 09 seconds East, a~~
~~25 distance of 145.23 feet to a point; and~~

~~26 4. North 82 degrees, 04 minutes, 12 seconds East, a~~
~~27 distance of 151.71 feet to the POINT OF BEGINNING.~~

~~28 CONTAINING 4.866 Acres of land.~~

~~29 (c) Adjacent easements. The Department of General Services,~~
~~30 with the approval of the Governor, is hereby authorized on~~

~~behalf of the Commonwealth of Pennsylvania to grant and convey pursuant to an Agreement of Sale referred to in subsection (a) to Crossgates, Inc., any easements on, across and through lands adjoining the property referenced in subsection (b) for vehicular and pedestrian ingress, egress and regress, and construction and maintenance of signage all for the benefit of the property described in subsection (b).~~

~~(d) Easements. 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.~~

~~(e) Deed. 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 of Pennsylvania. The deed of easement shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.~~

~~(f) Reversion. The deed of conveyance shall contain the following covenant:~~

~~"Under and subject to a condition that the Grantee, its successors and assigns, shall utilize the property solely as a hotel/motel with an associated full service restaurant and conference center. No portion of the property shall be used for gaming or gambling activities. Should the Grantee, its successors or assigns, utilize the property for gaming or gambling or for any other purpose not permitted under this paragraph, the property~~

conveyed herein shall immediately revert to and re-vest in
the Grantor."

~~(g) Proceeds of sale. The proceeds from the sale of the
land shall be deposited in the Purchasing Fund of the Department
of General Services and may be utilized by the Department of
General Services, with the approval of the Department of
Agriculture, only to acquire and improve real property for the
benefit of the Pennsylvania State Farm Show Complex. If any or
all of the proceeds are not utilized for this purpose within
three years after their receipt, the remaining amount shall be
transferred to the Farm Products Show Fund.~~

~~(h) Costs. Costs and fees incidental to this conveyance
shall be borne by the grantee.~~

~~(i) Expiration. In the event the conveyance authorized by
subsection (b) is not executed within 18 months of the effective
date of this act, the authorization contained herein shall
expire.~~

SECTION 2. DANVILLE BOROUGH, MONTOUR COUNTY.

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(A) AUTHORIZATION AND DESCRIPTION.--THE DEPARTMENT OF
TRANSPORTATION, WITH THE APPROVAL OF THE GOVERNOR, IS HEREBY
AUTHORIZED ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA TO
GRANT AND CONVEY TO MONTOUR COUNTY THE FOLLOWING TRACTS OF LAND
SITUATE IN THE BOROUGH OF DANVILLE, MONTOUR COUNTY,
PENNSYLVANIA, FOR CONSIDERATION IN THE AMOUNT OF \$5,500:

TRACT NO. 1

ALL THAT CERTAIN TRACT OR PIECE OF GROUND, LOCATED ON THE
NORTHERN SIDE OF WEST FRONT STREET, SITUATE IN THE BOROUGH OF
DANVILLE, COUNTY OF MONTOUR AND COMMONWEALTH OF PENNSYLVANIA,
BEING MORE FULLY BOUNDED AND DESCRIBED AS FOLLOWS, TO WIT:
BEGINNING AT A POINT, SAID POINT LOCATED AT THE CORNER OF THE

1 NORTHERN RIGHT-OF-WAY LINE OF WEST FRONT STREET AND THE WESTERN
2 RIGHT-OF-WAY LINE OF ROONEY AVENUE (20 FEET WIDE), THENCE ALONG
3 THE RIGHT-OF-WAY LINE OF FRONT STREET BY A CURVE TO THE RIGHT,
4 HAVING A RADIUS OF 1871.19 FEET, A DISTANCE OF 104.66 FEET TO A
5 POINT, THENCE ALONG THE SAME BY A CURVE TO THE RIGHT, HAVING A
6 RADIUS OF 45.33 FEET, A DISTANCE OF 52.25 FEET TO A POINT, SAID
7 POINT LOCATED ON THE RIGHT-OF-WAY LINE FOR S.R. 6054, THENCE
8 ALONG THE SAME LINE PERPENDICULAR (BEARING NORTH 63 DEGREES, 50
9 MINUTES, 32 SECONDS WEST) TO SR 6054, A DISTANCE OF 6.08 FEET TO
10 A POINT ON THE RIGHT-OF-WAY LINE FOR S.R. 6054 (49 FEET WIDE),
11 THENCE ALONG THE SAME NORTH 26 DEGREES 9 MINUTES 28 SECONDS
12 EAST, A DISTANCE OF 95.80 FEET TO A POINT ON THE CORNER OF S.R.
13 6054 AND FRIENDSHIP ALLEY (20 FEET WIDE), THENCE ALONG THE
14 RIGHT-OF-WAY LINE OF FRIENDSHIP ALLEY (20 FEET WIDE), SOUTH 63
15 DEGREES 13 MINUTES 58 SECONDS EAST, A DISTANCE OF 51.87 FEET TO
16 A POINT, A CORNER OF FRIENDSHIP ALLEY AND THE LANDS OF SCOTT E.
17 JORDAN, THENCE ALONG THE LANDS OF SCOTT E. JORDAN, SOUTH 26
18 DEGREES 54 MINUTES 14 SECONDS WEST, A DISTANCE OF 49.79 FEET,
19 THENCE ALONG THE SAME SOUTH 63 DEGREES 6 MINUTES 26 SECONDS
20 EAST, A DISTANCE OF 99.28 FEET TO A POINT ON THE RIGHT-OF-WAY
21 LINE OF ROONEY AVENUE, THENCE ALONG THE SAME SOUTH 27 DEGREES 14
22 MINUTES 0 SECONDS WEST, A DISTANCE OF 82.86 FEET TO THE PLACE OF
23 BEGINNING.

24 EXCEPTING AND RESERVING UNTO SCOTT E. JORDAN A 25-FOOT ACCESS
25 EASEMENT CONTAINING 2,480.43 SQUARE FEET OF LAND.
26 CONTAINING IN AREA 13,881 SQUARE FEET OF LAND.

27 TRACT NO. 2

28 ALL THAT CERTAIN TRACT OR PIECE OF GROUND, LOCATED ON THE
29 NORTHERN SIDE OF WEST FRONT STREET, AS SHOWN ON A PLAN, AND
30 RECORDED IN DEED BOOK 197, PAGE 434, MONTGOMERY COUNTY RECORDS,

1 SITUATE IN THE BOROUGH OF DANVILLE, COUNTY OF MONTOUR AND
2 COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY BOUNDED AND
3 DESCRIBED AS FOLLOWS, TO WIT:
4 BEGINNING AT A POINT, SAID POINT LOCATED AT THE CORNER OF THE
5 EASTERN RIGHT-OF-WAY LINE OF ROONEY AVENUE (20 FEET WIDE) AND
6 THE NORTHERN RIGHT-OF-WAY LINE OF WEST FRONT STREET, THENCE
7 ALONG THE RIGHT-OF-WAY LINE OF ROONEY AVENUE, NORTH 27 DEGREES,
8 10 MINUTES, 7 SECONDS EAST, A DISTANCE OF 49.20 FEET TO A POINT,
9 A CORNER OF ROONEY AVENUE, THENCE ALONG SAME, SOUTH 65 DEGREES,
10 46 MINUTES, 31 SECONDS EAST, A DISTANCE OF 53.39 FEET, THENCE
11 ALONG SAME, NORTH 24 DEGREES, 13 MINUTES, 28 SECONDS EAST, A
12 DISTANCE OF 3.95 FEET, THENCE ALONG SAME, SOUTH 65 DEGREES, 41
13 MINUTES, 16 SECONDS EAST, A DISTANCE OF 99.93 FEET, TO A POINT,
14 SAID POINT LOCATED ON THE WESTERN RIGHT-OF-WAY LINE FOR MILL
15 STREET (60 FEET WIDE), THENCE ALONG THE SAME SOUTH 25 DEGREES,
16 50 MINUTES, 21 SECONDS WEST, A DISTANCE OF 32.22 FEET TO A
17 POINT, THENCE ALONG THE SAME BY A CURVE TO THE RIGHT, HAVING A
18 RADIUS OF 50.33 FEET, A DISTANCE OF 34.06 FEET TO A POINT, SAID
19 POINT LOCATED AT THE NORTHERN RIGHT-OF-WAY LINE FOR FRONT
20 STREET, THENCE ALONG SAME, SOUTH 67 DEGREES, 41 MINUTES, 47
21 SECONDS WEST, A DISTANCE OF 25.04 FEET, THENCE ALONG SAME, SOUTH
22 63 DEGREES, 56 MINUTES, 30 SECONDS WEST, A DISTANCE OF 39.21
23 FEET, THENCE ALONG THE SAME BY A CURVE TO THE RIGHT, HAVING A
24 RADIUS OF 1871.19 FEET, A DISTANCE OF 68.16 FEET TO THE PLACE OF
25 BEGINNING.
26 CONTAINING IN AREA 8,218 SQUARE FEET OF LAND.

27 (B) EASEMENTS AND INTERESTS.--THE CONVEYANCE SHALL BE MADE
28 UNDER AND SUBJECT TO ALL EASEMENTS, SERVITUDES AND RIGHTS OF
29 OTHERS, INCLUDING, BUT NOT CONFINED TO, STREETS, ROADWAYS AND
30 RIGHTS OF ANY TELEPHONE, TELEGRAPH, WATER, ELECTRIC, SEWER, GAS

1 OR PIPELINE COMPANIES, AS WELL AS UNDER AND SUBJECT TO ANY
2 INTEREST, ESTATES OR TENANCIES VESTED IN THIRD PERSONS, WHETHER
3 OR NOT APPEARING OF RECORD, FOR ANY PORTION OF THE LAND OR
4 IMPROVEMENTS ERECTED THEREON.

5 (C) RESTRICTIONS.--THE CONVEYANCE SHALL BE UNDER AND SUBJECT
6 TO THE FOLLOWING CONDITIONS, WHICH SHALL BE CONTAINED IN THE
7 DEED OF CONVEYANCE:

8 (1) NO PORTION OF THE PROPERTY SHALL BE FURTHER CONVEYED
9 EXCEPT TO ANOTHER PUBLIC AGENCY. FOR PURPOSES OF THIS
10 PARAGRAPH, "PUBLIC AGENCY" SHALL MEAN AN AGENCY OF FEDERAL,
11 STATE OR LOCAL GOVERNMENT OR A MUNICIPAL AUTHORITY.

12 (2) THE PROPERTY SHALL BE USED FOR NONPROPRIETARY
13 GOVERNMENTAL OR PUBLIC PURPOSES ONLY.

14 (3) IF AT ANY TIME THE PROPERTY OR ANY PORTION OF THE
15 PROPERTY IS CONVEYED IN VIOLATION OF THE PROVISIONS OF
16 PARAGRAPH (1) OR USED IN VIOLATION OF THE PROVISIONS OF
17 PARAGRAPH (2), THE TITLE TO THE PROPERTY SHALL IMMEDIATELY
18 REVERT TO AND REVEST IN THE COMMONWEALTH OF PENNSYLVANIA.

19 (4) THESE CONDITIONS SHALL BE COVENANTS RUNNING WITH THE
20 LAND AND SHALL BE BINDING UPON MONTGOMERY COUNTY, ITS SUCCESSORS
21 AND ASSIGNS.

22 (D) EXECUTION.--THE DEED OF CONVEYANCE SHALL BE APPROVED AS
23 PROVIDED BY LAW AND SHALL BE EXECUTED BY THE SECRETARY OF
24 TRANSPORTATION IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

25 (E) COSTS.--COSTS AND FEES INCIDENTAL TO THIS CONVEYANCE
26 SHALL BE BORNE BY THE GRANTEE.

27 Section ~~3-2~~ 3. Repeals are as follows:

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28 (1) The General Assembly declares that the repeal under
29 paragraph (2) is necessary to effectuate the conveyance in
30 Hartley Township, Union County, pursuant to section 1.

1 (2) Section 2 of the act of December 19, 1997 (P.L.623,
2 No.66), entitled "An act authorizing and directing the
3 Department of General Services, with the approval of the
4 Governor, to grant and convey to the City of McKeesport a
5 tract of land situate in the Seventh Ward, City of
6 McKeesport, Allegheny County, and to sell and convey to
7 Smithfield Township certain land situate in the Township of
8 Smithfield, Huntingdon County; and authorizing and directing
9 the Department of General Services, with the approval of the
10 Governor, to convey tracts of land and buildings, consisting
11 of a portion of the former Laurelton Center, located in
12 Hartley Township, Union County, Pennsylvania," is repealed.
13 Section ~~4-3~~ 4. This act shall take effect immediately.

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