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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 962      Session of  
2007

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INTRODUCED BY FONTANA, JUNE 11, 2007

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REFERRED TO STATE GOVERNMENT, JUNE 11, 2007

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AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to grant and convey, at a price to  
3 be determined through a public solicitation for proposals,  
4 certain lands, buildings and improvements situate in the  
5 First and Second Wards of the City of Pittsburgh, County of  
6 Allegheny, known as the Pittsburgh State Office Building.

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

9 Section 1. Pittsburgh State Office Building, Allegheny County.

10 (a) Authorization.--The Department of General Services, with  
11 the approval of the Governor, is hereby authorized on behalf of  
12 the Commonwealth of Pennsylvania to grant and convey the  
13 following tract of land together with any buildings, structures  
14 or improvements thereon, situate in the First and Second Wards  
15 of the City of Pittsburgh, County of Allegheny, Pennsylvania.  
16 The department shall sell the property using a public  
17 solicitation for proposals.

18 (b) Description.--The property to be conveyed pursuant to  
19 subsection (a) consists of approximately 1.26-acres and an

1 office building bounded and more particularly described as  
2 follows:

3 ALL THAT CERTAIN lot or piece of ground situate in the First  
4 and Second Wards of the City of Pittsburgh, County of Allegheny  
5 and Commonwealth of Pennsylvania, designated as Block 1 G, Lot  
6 Number 43, said parcel being more fully bounded and described as  
7 follows:

8 BEGINNING at a point on the Northerly line of the Boulevard  
9 of the Allies, a street eighty and nine one-hundredths (80.09)  
10 feet wide; said point being distant along said Northerly line of  
11 the Boulevard of the Allies North 63 degrees 49 minutes 20  
12 seconds West a distance of 310.137 feet from the Northwest  
13 corner of said Boulevard of the Allies and Ferry Street, a  
14 street 70.08 feet wide; thence along said Northerly line of the  
15 Boulevard of the Allies North 63 degrees 49 minutes 20 seconds  
16 West a distance of 189.691 feet to a point of curve located at  
17 the point at which the Northerly line of the Boulevard of the  
18 Allies intersected the Easterly line of Short Street as formerly  
19 located (that is to say, as located prior to the vacation of a  
20 portion of Short Street by Ordinance No. 479 of the City of  
21 Pittsburgh, approved December 18, 1952, and of record in the  
22 Clerk's Office of the City of Pittsburgh in Ordinance Book  
23 Volume 58, Page 341); thence along the Easterly line of the  
24 unvacated portion of Short Street by the arc of a curve  
25 deflecting to the right having a radius of 34.263 feet an arc  
26 distance of 54.557 feet to a point of tangent on the Easterly  
27 line of the unvacated portion of Short Street; thence continuing  
28 along said Easterly line of the unvacated portion of Short  
29 Street North 27 degrees 24 minutes 35 seconds East a distance of  
30 24.264 feet to a point on the Southerly line of Liberty Avenue

1 as opened and relocated by Ordinance No. 558 of the City of  
2 Pittsburgh, approved October 18, 1951, and of record in the  
3 Clerk's Office of the City of Pittsburgh, in Ordinance Book  
4 Volume 57, Page 542 (said point being on the prolongation  
5 Southwardly of the Easterly line of Barbeau Street); thence  
6 along said Southerly line of said Liberty Avenue along the same  
7 course, viz., North 27 degrees 24 minutes 35 seconds East a  
8 distance of 42.728 feet to a point of curve; thence continuing  
9 along said Southerly line of said Liberty Avenue by the arc of a  
10 curve deflecting to the right having a radius of 223 feet an arc  
11 distance of 53.181 feet to a point of compound curve; thence  
12 continuing along said Southerly line of said Liberty Avenue by  
13 the arc of a curve deflecting to the right having a radius of  
14 153.010 feet an arc distance of 73.383 feet to a point of  
15 tangent; thence continuing along said Southerly line of said  
16 Liberty Avenue North 68 degrees 33 minutes 09 seconds East a  
17 distance of 120.000 feet to a point; thence along line of other  
18 property of Grantor South 21 degrees 26 minutes 51 seconds East  
19 a distance of 134.490 feet to a point; thence continuing along  
20 line of other property of Grantor South 26 degrees 10 minutes 40  
21 seconds West a distance of 216.306 feet to the point at the  
22 place of BEGINNING. All distances used in the foregoing  
23 description are United States Standard Measure.

24 BEING known and designated as Block and Lot 1-G-43 in the  
25 Deed Registry Office of Allegheny County, Pennsylvania.

26 CONTAINING approximately 1.26-acres, more or less.

27 Being the same parcel and tract of land conveyed to the  
28 Commonwealth of Pennsylvania, Department of General Services, by  
29 the General State Authority in its deed, dated June 16, 1989,  
30 recorded in the Pittsburgh Recorder of Deeds Office in Deed Book

1 Volume 8221, Page 531 and Deed of Correction, dated April 30,  
2 1991, recorded in the Pittsburgh Recorder of Deeds Office in  
3 Deed Book Volume 8630, Page 499.

4 (c) Easements.--The conveyance shall be made under and  
5 subject to all lawful and enforceable easements, servitudes and  
6 rights of others, including, but not confined to, streets,  
7 roadways and rights of any telephone, telegraph, water,  
8 electric, gas or pipeline companies, as well as under and  
9 subject to any lawful and enforceable estates or tenancies  
10 vested in third persons appearing of record, for any portion of  
11 the land or improvements erected thereon.

12 (d) Land use restriction.--The conveyance authorized under  
13 this section shall be made under and subject to the condition,  
14 which shall be contained in the deed of conveyance, that no  
15 portion of the property conveyed shall be used as a licensed  
16 facility, as defined in 4 Pa.C.S. § 1103 (relating to  
17 definitions), or any other similar type of facility authorized  
18 under State law. The condition shall be a covenant running with  
19 the land and shall be binding upon the grantee, its successors  
20 and assigns. Should the grantee, its successors or assigns,  
21 permit any portion of the property authorized to be conveyed in  
22 this section to be used in violation of this subsection, the  
23 title shall immediately revert to and revest in the grantor.

24 (e) Execution.--The deed of conveyance shall be by Special  
25 Warranty Deed and shall be executed by the Secretary of General  
26 Services in the name of the Commonwealth of Pennsylvania.

27 (f) Costs and fees.--All costs and fees incurred by the  
28 Department of General Services in selling the property shall be  
29 paid from the purchase price and that amount shall be an  
30 executively authorized augmentation to the appropriation from

1   which the costs and fees were paid by the department. An amount  
2   equal to any outstanding Commonwealth general obligation debt  
3   for the renovations to the Pittsburgh State Office Building from  
4   1989 to present shall be deducted from the proceeds of the sale  
5   of the building and deposited in the Capital Facilities Fund.  
6   The balance of the proceeds of the sale shall be deposited in  
7   the General Fund.

8       Section 2. This act shall take effect immediately.