

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1884 Session of
2011

INTRODUCED BY STERN AND FLECK, SEPTEMBER 29, 2011

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 29, 2011

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Department of Military and Veterans Affairs
3 and the Governor, to grant and convey to the Borough of
4 Tyrone certain land and improvements situate in the Borough
5 of Tyrone, Blair County, known as the Tyrone Armory.

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

8 Section 1. Conveyance in Borough of Tyrone, Blair County.

9 (a) Authorization.--The Department of General Services, with
10 the approval of the Department of Military and Veterans Affairs
11 and the Governor, is hereby authorized on behalf of the
12 Commonwealth of Pennsylvania to grant and convey to the Borough
13 of Tyrone, certain land and improvements situate in the Borough
14 of Tyrone, Blair County, for \$80,000 and under terms and
15 conditions to be established in an Agreement of Sale with the
16 Department of General Services.

17 (b) Property description.--The property to be conveyed
18 pursuant to subsection (a) consists of a tract of land totaling
19 0.57-acres \pm and improvements thereon, bounded and more
20 particularly described as follows:

1 ALL THAT CERTAIN LOT OR PIECE OF GROUND situate in the
2 Borough of Tyrone, County of Blair and State of Pennsylvania,
3 bounded and described as follows, to wit:

4 BEGINNING at the Northeasterly corner of Logan Avenue and
5 Alley K; thence along the Easterly side of Logan Avenue South
6 eighteen degrees six minutes ($18^{\circ} 6'$) West one hundred thirty
7 (130) feet to line of premises conveyed by Ella M. Bell to G.
8 Wood Miller by deed recorded in said county in Deed Book Vol.
9 159, Page 37; thence along said Miller's line South seventy-one
10 degrees fifty-four minutes ($71^{\circ} 54'$) East one hundred thirty-two
11 and seven tenths (132.7) feet to a post; thence North seventy-
12 three degrees thirty minutes ($73^{\circ} 30'$) East fifty-two (52) feet
13 to a post on line of premises of A. A. Stevens, formerly land
14 conveyed by P. Sneeringer and others to David T. Caldwell by
15 deed recorded in said county in Deed Book Vol. 27, page 498;
16 thence along said Stevens' line, North eighteen degrees six
17 minutes ($18^{\circ} 6'$) East one hundred and five tenths (100.5) feet
18 to the Southerly side of Alley K; thence along said side of
19 Alley K, North seventy-one degrees fifty-four minutes ($71^{\circ} 54'$)
20 West one hundred seventy-five and five tenths (175.5) feet to
21 the place of beginning.

22 BEING Tax Parcel No. 22.2-006-064

23 BEING the same premises conveyed to the Commonwealth of
24 Pennsylvania from Thomas C. Heims, Mrs. E. Grace Kolbenschlag
25 and Joseph E. Kolbenschlag, her husband, and Miss A. May Heims,
26 all of the Borough of Osceola, County of Clearfield and State of
27 Pennsylvania, and Mrs. Lillie W. Mills, widow of James K. Mills,
28 of the City of Braddock, County of Allegheny and State of
29 Pennsylvania, by deed dated February 15, 1912 and recorded
30 February 26, 1912, in the County of Blair, Pennsylvania in Deed

1 Book 206, Page 661.

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

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

22 (e) Deed.--The deed of conveyance shall be by special
23 warranty deed and shall be executed by the Secretary of General
24 Services in the name of the Commonwealth of Pennsylvania.

25 (f) Costs and fees.--Costs and fees incidental to this
26 conveyance shall be borne by the Grantee.

27 (g) Proceeds.--The proceeds from the sale shall be deposited
28 in the State Treasury Armory Fund.

29 (h) Alternate disposal.--In the event that this conveyance
30 is not executed per the terms and conditions as established in

1 the Agreement of Sale, with the Department of General Services,
2 the property may be disposed of in accordance with Article 2405-
3 A of the act of April 9, 1929 (P.L.177, No.175), known as The
4 Administrative Code of 1929.

5 Section 2. Effective date.

6 This act shall take effect immediately.