

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1119 Session of
2013

INTRODUCED BY TRUITT, KAUFFMAN AND EVERETT, APRIL 3, 2013

REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 3, 2013

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 Uptown Entertainment
4 Alliance, or its successors or assigns, certain lands,
5 buildings and improvements situate in the Borough of West
6 Chester, Chester County.

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

9 Section 1. Conveyance in West Chester Borough, Chester County.

10 (a) Authorization.--The Department of General Services, with
11 the approval of the Department of Military and Veterans Affairs
12 and the Governor, is hereby authorized on behalf of the
13 Commonwealth of Pennsylvania to grant and convey to Uptown
14 Entertainment Alliance, or its successors or assigns, certain
15 lands, buildings and improvements situate in the Borough of West
16 Chester, Chester County, for \$760,000 and under terms and
17 conditions to be established in an Agreement of Sale.

18 (b) Property description.--The property to be conveyed under
19 this section consists of approximately 0.58-acres of land and
20 improvements located thereon, bounded and more particularly

1 bounded and described as follows:

2 ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND situate in the
3 West Ward of the Borough of West Chester, Chester County,
4 bounded and described as follows, to wit:

5 BEGINNING at the intersection of the street lines at the
6 Southwest corner of High and Washington Streets, thence
7 extending Westwardly along the South street line of Washington
8 Street a distance of 147 feet 6 inches to the Easterly side of a
9 20 foot wide public alley, thence Southward at right angles to
10 Washington Street and along the Easterly line of the aforesaid
11 alley (known as School Alley) a distance of 175 feet 5 inches to
12 the North line of another 20 foot wide public alley (known as
13 Patton Alley), thence Eastward along the North line of the last
14 mentioned public alley a distance of 147 feet 9 inches to the
15 West street line of High Street, thence Northward along the West
16 street line of said High Street a distance of 171 feet 1 inch to
17 the first mentioned point and place of BEGINNING.

18 CONTAINING 0.58-acres more or less.

19 BEING Tax Parcel No. 01050221000E; 1-5-221E.

20 BEING the same premises conveyed by Linda A. Painter to the
21 Commonwealth of Pennsylvania, by deed, dated December 6, 1915
22 and recorded in Chester County in Deed Book R14, Volume 339,
23 Page 282.

24 (c) Easements.--The conveyance shall be made under and
25 subject to all lawful and enforceable easements, servitudes and
26 rights of others, including but not confined to streets,
27 roadways and rights of any telephone, telegraph, water,
28 electric, gas or pipeline companies, as well as under and
29 subject to any lawful and enforceable estates or tenancies
30 vested in third persons appearing of record, for any portion of

1 the land or improvements erected thereon.

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

14 (e) Oil, gas and mineral rights.--The oil, gas and mineral
15 rights shall be retained by the Department of General Services,
16 on behalf of the Commonwealth of Pennsylvania, and may be leased
17 by the Department of General Services in accordance with the
18 authority granted in the act of October 8, 2012 (P.L.1194,
19 No.147), known as the Indigenous Mineral Resources Development
20 Act.

21 (f) Conditions.--The Secretary of General Services may
22 impose any covenants, conditions or restrictions on the property
23 at settlement as determined to be in the best interests of this
24 Commonwealth.

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

29 (h) Costs and fees.--Costs and fees incidental to this
30 conveyance shall be borne by the Grantee.

1 (i) Deposit of proceeds.--The proceeds from the sale shall
2 be deposited in the State Treasury Armory Fund.

3 (j) Alternative disposition.--In the event that this
4 conveyance is not executed within three years of the effective
5 date of this section, the property may be disposed of through a
6 competitive bid process.

7 Section 2. Effective date.

8 This act shall take effect immediately.