

CONVEYANCE - COMMONWEALTH PROPERTY IN CUMBERLAND AND ALLEGHENY
COUNTIES

Act of Apr. 4, 1990, P.L. 85, No. 20

Cl. 85

AN ACT

Authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Corrections, to convey a tract of land in Lower Allen Township, Cumberland County, Pennsylvania, to the Christian Life Assembly of Camp Hill Borough; and authorizing and directing the Department of General Services, with the approval of the Department of Public Welfare, to convey a tract of land and an easement situate in the City of Pittsburgh, Allegheny County, Pennsylvania, to the Urban Redevelopment Authority of Pittsburgh.

Compiler's Note: The Department of Public Welfare, referred to in this act, was redesignated as the Department of Human Services by Act 132 of 2014.

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

Section 1. (a) The Department of General Services, with the approval of the Governor and the Department of Corrections, is hereby authorized and directed, on behalf of the Commonwealth of Pennsylvania, to grant and convey, for a consideration equal to fair market value, to the Christian Life Assembly of Camp Hill Borough, the following described tracts of land and the buildings erected thereon:

All those certain tracts of land both with the residence and improvements thereon, surveyed for the grantees herein, situate in Lower Allen Township, Cumberland County, Pennsylvania, bounded and described as follows:

Beginning at an iron pin, said point being a common property corner of the northwestern corner of other land of Christian Life Assembly and the southeastern corner of land of Gary Houser; thence from the point of beginning along land of Gary Houser north 49 degrees 38 minutes 57 seconds east a distance of 42.50 feet to an iron pin; thence north 52 degrees 18 minutes 42 seconds east a distance of 613.88 feet to an iron pin; thence along land of the Commonwealth of Pennsylvania the following six courses:

1. North 49 degrees 17 minutes 00 seconds east a distance of 437.00 feet to a point.
2. Thence in a southeasterly direction along an arc of a curve curving to the left having a radius of 171.78 feet and an arc length of 69.32 feet to a point.
3. Thence south 61 degrees 16 minutes 03 seconds east a distance of 259.17 feet to an iron pin.
4. Thence south 47 degrees 36 minutes 22 seconds west a distance of 386.61 feet to an iron pin.
5. Thence south 32 degrees 53 minutes 33 seconds east a distance of 379.23 feet to a 30-inch locust.
6. Thence south 47 degrees 31 minutes 44 seconds west a distance of 615.25 feet to an iron pin.

Thence along land of James Erwin north 61 degrees 01 minutes 25 seconds west a distance of 234.80 feet to an iron pipe; thence along other land of Christian Life Assembly north 47 degrees 90 minutes 28 seconds west a distance of 532.39 feet to an iron pin at a 24-inch locust tree, the point of beginning. Said tract contains 12.6059 acres.

(b) The conveyance shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

(c) The deed of conveyance shall contain a clause that the property conveyed shall be used for recreational, youth and church purposes by the Christian Life Assembly, and, if at any time the Christian Life Assembly conveys, sells or transfers the property or permits the property to be used for any purpose other than those specified in this section, the title to the property shall immediately revert to and re-vest in the Commonwealth of Pennsylvania.

(d) If the Commonwealth and the Christian Life Assembly disagree upon the fair market value, the determination of fair market value shall be made by a qualified real property appraiser agreed upon by the Commonwealth and the Christian Life Assembly.

(e) The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Costs and fees incidental to this conveyance shall be borne by the grantees.

Section 2. (a) The Department of General Services, with the approval of the Governor and the Department of Public Welfare, is authorized and directed, on behalf of the Commonwealth of Pennsylvania, to grant and convey to the Urban Redevelopment Authority of Pittsburgh, for a consideration of one-half the fair market value as determined by an appraisal or the remaining bond indebtedness on the subject property, whichever is greater, the following described tract of land situate in the City of Pittsburgh, Allegheny County, Pennsylvania, bounded and described as follows:

FIRST

All those certain lots or parcels of ground situate in the Fifth Ward, City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being Lots Nos. 1 to 16 inclusive, Lot No. 60 and Lots Nos. 63 and 64 in the Wm. V. Callery Plan, as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 13, Pages 114 and 115, being bounded and described as follows, to-wit:
Lots Nos. 1 to 16 inclusive:

Beginning at a point on the southerly line of Ridgeway Street (formerly Ridge Street) at the northwest corner of Lot No. 1 and the westerly line of said Plan of Lots and line of land now or late of William McConway; thence northeastwardly along the southerly line of said Ridgeway Street 434.11 feet to a point on the westerly line of Marcella Street; thence southwardly along the westerly line of said Marcella Street, 102.44 feet to a point on the northerly line of a 20-foot way; thence southwestwardly along the northerly line of said 20-foot way 401.44 feet to a point at the southwest corner of Lot No. 1 in said Plan of Lots; and thence northwestwardly along the westerly line of said Lot No. 1, along the westerly line of said Plan of Lots and along line of land now or late of the aforementioned William McConway, 95.17 feet to the point on the southerly line of Ridgeway Street at the place of beginning.
Lot No. 60:

Beginning at a point on the northerly line of White Street at the dividing line between Lots Nos. 59 and 60 in said Plan of Lots; thence southwestwardly along the northerly line of said White Street 25 feet to a point at the dividing line between Lots Nos. 60 and 61 in said Plan of Lots; thence northwestwardly along said last mentioned dividing line 91.67 feet to a point on the southerly line of a 20-foot way; thence northeastwardly along the southerly line of said 20-foot way 25 feet to a point at the dividing line between Lots Nos. 59 and 60 in said Plan of Lots; and thence southeastwardly along said last mentioned dividing line 91.67 feet to a point on the northerly line of White Street at the place of beginning.
Lots Nos. 63 and 64:

Beginning at a point on the northerly line of White Street at the dividing line between Lots Nos. 62 and 63 in said Plan of Lots; thence southwestwardly along the northerly line of said White Street 63.89 feet to a point at the southwesterly corner of Lot No. 64 in said Plan of Lots; thence northwestwardly along the westerly line of said Lot No. 64, along the westerly line of said Plan of Lots and along line of land now or late of William McConway 91.83 feet to a point on the southerly line of a 20-foot way; thence northeastwardly along the southerly line of said 20-foot way 58.44 feet to a point at the dividing line between Lots Nos. 62 and 63 in said Plan of Lots; and thence southeastwardly along said last mentioned dividing line, 91.67 feet to the point on the northerly line of White Street at the place of beginning. The above described properties being the same properties as conveyed to the Tuberculosis League of Pittsburgh by the following deeds:

1. From James D. Callery et ux., et al, dated April 9, 1932, and recorded June 16, 1932, in Deed Book Volume 2472, Page 61.
2. From Joseph Z. Porter et ux., dated May 11, 1927, recorded May 12, 1927, in Deed Book Volume 2316, Page 548.
3. From Willie Claude Hightower et ux., dated May 11, 1927, recorded May 12, 1927, in Deed Book Volume 2316, Page 547.
4. From William McConway et ux., dated March 29, 1912, recorded October 22, 1912, in Deed Book Volume 1754, Page 207.

Block No. 258, Lot No. 98, for 5th Ward property.

SECOND

All that certain lot or parcel of ground situate in the Sixth Ward, City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being bounded and described as follows:

Beginning at a point at the southwesterly corner of Bigelow Boulevard (formerly Grant Boulevard) as widened by Ordinance No. 556 of the City of Pittsburgh, approved December 2, 1938, and recorded in Ordinance Book Volume 49, Page 340, and Morgan Street (formerly Blakeley Street); thence along the southeasterly line of said Bigelow Boulevard south 62 degrees 48 minutes 17 seconds west 200.50 feet to the point on line of land of the City of Pittsburgh; thence along line of land of the City of Pittsburgh south 27 degrees 11 minutes 43 seconds east 136.80 feet to a point on the northwesterly line of the aforementioned Morgan Street; and thence along the northwesterly line of said Morgan Street north 28 degrees 29 minutes 57 seconds east 242.72 feet to the point at the southwesterly corner of Bigelow Boulevard and Morgan Street at the place of beginning. Block 25-S, Lot 104.

Subject to a street 30-feet wide known as Judson Street (formerly Jeremy Street) running southwestwardly through said property from Morgan Street to the southwesterly line of the lot hereinabove described.

Subject to slopes for said Bigelow Boulevard as same are fixed in Ordinance No. 163 of the City of Pittsburgh, approved March 29, 1939, recorded in Ordinance Book Volume 49, Page 614.

THIRD

All that certain lot or parcel of ground situate in the Sixth Ward of the City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being Lots Nos. 1 to 28 inclusive in Jones, Jeremy and Scully Plan, as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 4, Pages 152 and 153, being bounded and described as follows:

Beginning at a point at the northeasterly corner of Ridgeway Street (formerly Ridge Street) and Morgan Street (formerly Blakeley Street); thence along the northwesterly line of said Ridgeway Street north 60 degrees 56 minutes 57 seconds east 458.24 feet to a point on the Denny Manor Line; thence along the Denny Manor Line north 59 degrees 40 minutes 3 seconds west 246.00 feet to a point on the southeasterly line of the aforementioned Morgan Street; and thence along the southeasterly line of said Morgan Street south 28 degrees 29 minutes 57 seconds west 394.56 feet to the point at the northeasterly corner of Ridgeway Street and Morgan Street at the place of beginning. Block 25-S, Lot No. 98.

The second and third described properties being the same properties which Andrew Carnegie et al. Trustees under Will of Mary E. Schenley, deceased, by deed dated February 2, 1916, and recorded March 2, 1916, in Deed Book Volume 1836, Page 625, granted and conveyed unto the Tuberculosis League of Pittsburgh.

FOURTH

All that certain lot or parcel of ground situate in the Fifth Ward, City of Pittsburgh, County of Allegheny and Commonwealth of Pennsylvania, being bounded and described according to United States Standard Measure as follows:

Beginning at a point on the northwesterly line of Bedford Avenue at line of land now or late of Henry W. Oliver, Jr., said point being the westerly line of the Wm. V. Callery Plan, recorded in the Recorder's Office of Allegheny County in Plan Book Volume 13, Pages 114 and 115 and distant along the northwesterly line of said Bedford Avenue south 60 degrees 56 minutes 57 seconds west 130.15 feet from the northwesterly line of said Bedford Avenue and Tulsa Street; thence along the northwesterly line of said Bedford Avenue south 60 degrees 56 minutes 57 seconds west 229.10 feet to a point; thence along other land of the party of the first part the following five courses and distances: north 25 degrees 54 minutes 33 seconds west 261.24 feet to a point; south 78 degrees 36 minutes 32 seconds west 37.98 feet to a point; north 25 degrees 54 minutes 33 seconds west 95.00 feet to a point; south 64 degrees 05 minutes 27 seconds west 101.11 feet to a point; south 25 degrees 46 minutes 53 seconds east 105.63 feet to a point on line of land of the Housing Authority of the City of Pittsburgh at the center line of a 20-foot right-of-way described in deed from the Housing Authority of the City of Pittsburgh to the Tuberculosis League of Pittsburgh, dated November 7, 1952, and recorded in the Recorder's Office of Allegheny County in Deed Book Volume 3247, Page 194; thence along line of land of the Housing Authority of the City of Pittsburgh, south 64 degrees 03 minutes 07 seconds west 155.12 feet to a point on the northeasterly line of Morgan Street now vacated; thence along

the northeasterly line of said Morgan Street north 25 degrees 46 minutes 53 seconds west 149.32 feet to a point; thence along line of land now or late of Harding Harston north 64 degrees 03 minutes 07 seconds east 44.24 feet to a point; thence along the same north 25 degrees 46 minutes 53 seconds west 54.92 feet to a point on the southeasterly line of Ridgeway Street (formerly Ridge Street): thence along the southeasterly line of said Ridgeway Street, north 60 degrees 56 minutes 57 seconds east 480.17 feet to a point on line of land now or late of Henry W. Oliver, Jr., and the westerly line of the aforementioned Plan of Lots; and thence along said last mentioned line, south 25 degrees 39 minutes 03 seconds east 478.05 feet to the point on the northwesterly line of Bedford Avenue at the place of beginning.

For chain of title to premises fourth above described, see the following deeds to the Tuberculosis League of Pittsburgh:

1. From H. A. Phillips, unmarried, dated June 16, 1921, recorded June 23, 1921, in Deed Book Volume 2071, Page 93.
2. From William McConway et ux., dated March 5, 1910, recorded June 21, 1910, in Deed Book Volume 1672, Page 305.
3. From Huston Brothers Company, dated April 20, 1920, recorded May 14, 1920, in Deed Book Volume 2046, Page 227.

Block 258, Lot No. 98.

FIFTH

The free and uninterrupted use, liberty and privilege in common with the parties of the first part, its successors and assigns, the Housing Authority of the City of Pittsburgh, its successors and assigns, together with their tenants and occupiers for the time being and licensees, for said second party, its successors and assigns and its agents, servants and licensees at its and their will and pleasure at all times and purposes, to go, return, pass and repass by vehicle and on foot along and over a certain paved private road 20 feet wide and approximately 265 feet long, through property now or formerly of the Housing Authority of the City of Pittsburgh, abutting property of the Tuberculosis League of Pittsburgh, said road being situate in the Fifth Ward, City of Pittsburgh and bounded and described as follows:

Beginning at a point, said point being on the northerly side of Bedford Avenue and distant south 60 degrees 55 minutes 42 seconds west 12.07 feet from the intersection of the lands now or formerly of the Housing Authority of the City of Pittsburgh and lands of the Tuberculosis League of Pittsburgh; thence continuing along said northerly side of Bedford Avenue, south 60 degrees 55 minutes 42 seconds west 20.12 feet to a point; thence along lands now or formerly of the Housing Authority of the City of Pittsburgh, north 25 degrees 48 minutes 18 seconds west 267.70 feet to lands of the Tuberculosis League of Pittsburgh; thence along the same, north 64 degrees 11 minutes 42 seconds east 20 feet to a point; thence along lands now or formerly of the Housing Authority of the City of Pittsburgh, south 25 degrees 48 minutes 18 seconds east 266.55 feet to the northerly side of Bedford Avenue at the place of beginning.

Together with and subject to the various rights and obligations appurtenant to above described right-of-way as more fully set forth and described in deed of the Housing Authority of the City of Pittsburgh to the Tuberculosis League of Pittsburgh, dated November 7, 1952, of record in Deed Book Volume 3247, Page 194.

Being the same right-of-way as conveyed by the aforesaid deed of the Housing Authority of the City of Pittsburgh to the Tuberculosis League of Pittsburgh, dated November 7, 1952, recorded in Deed Book Volume 3247, Page 194.

Except coal and mining rights, granted or reserved by prior instruments of record.

(b) The Commonwealth of Pennsylvania shall maintain the property until such time as title is conveyed. Title shall be conveyed at such time as the Urban Redevelopment Authority of Pittsburgh pays the consideration required by subsection (a).

(c) The conveyance shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

(d) The deed of conveyance shall contain a clause that the lands conveyed shall be used for housing and care for the elderly and, if at any time the Urban Redevelopment Authority of Pittsburgh or its successor in function conveys the property or authorizes or permits the property to be used for any purpose other than housing and care for the elderly, the title thereto shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(e) The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

Compiler's Note: The Department of Public Welfare, referred to in this section, was redesignated as the Department of Human Services by Act 132 of 2014.

Section 3. Section 10 of the act of October 23, 1988 (P.L.1059, No.122), entitled "An act amending the act of April 9, 1929 (P.L.177, No.175), entitled 'An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined,' requiring the Auditor General to periodically audit the affairs of the Pennsylvania Turnpike Commission; further providing for powers and duties of the Department of Agriculture relative to the manufacture and use of ethyl alcohol and the transportation of poultry, and for leases of lands and offices by nonprofit corporations to the Commonwealth; making an editorial change; providing for the

exemption from taxes of the lease upon the Eastern Pennsylvania Psychiatric Institute; authorizing and directing The General State Authority and the Department of General Services to remove all restrictions or encumbrances on certain land situate in Philadelphia; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey certain easements and parcels of land situate in the Borough of New Hope, Bucks County, Pennsylvania, to the River Road Development Corporation, and to accept the conveyance to the Commonwealth of certain parcels of land in the same borough; authorizing the Department of Environmental Resources to accept the conveyance of an easement in the same borough; authorizing and directing the Department of General Services, with the approval of the Governor, to sell and convey a tract of land situate in East Allen Township, Northampton County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, to sell and convey a certain parcel of land in Erie County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Transportation, to convey to the county commissioners of Lackawanna County a tract of land situate in the Borough of Moosic, Lackawanna County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey to Kirwan Heights Volunteer Fire Department a tract of land situate in Collier Township, Allegheny County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey a tract of land situate in the City of Pittsburgh, Allegheny County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor, to convey to the Canon-McMillan School District 3.109 acres of land, more or less, situate in the Borough of Canonsburg, Washington County, Pennsylvania; and making a repeal," is repealed insofar as it is inconsistent with this act.

Compiler's Note: The Department of Public Welfare, referred to in this section, was redesignated as the Department of Human Services by Act 132 of 2014.
Section 4. This act shall take effect immediately.