

CONVEYANCE - COMMONWEALTH PROPERTY IN THE CITY OF CORRY, ERIE COUNTY

Act of Jul. 2, 2010, P.L. 251, No. 42

Cl. 85

AN ACT

Authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the Second Ward of the City of Corry, Erie County.

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

Section 1. Conveyance in City of Corry, Erie County.

(a) Authorization.--The Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey, at a price to be determined through competitive bidding, the following tracts of land, together with any buildings, structures or improvements thereon, situate in the Second Ward of the City of Corry, Erie County, Pennsylvania.

(b) Description.--The property to be conveyed pursuant to subsection (a) consists of two (2) tracts of land containing 0.480 acres, together with any buildings, structures or improvements, bounded and more particularly described as follows:

PARCEL 1 - Parcel ID 06022097001600

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in the City of Corry, County of Erie, Commonwealth of Pennsylvania, being more particularly bounded and described as follows:

BEGINNING at an iron pin set at the intersection of the north line of Washington Street (50' R/W) and the west line of Wright Street (50' R/W); thence South 46 degrees 47 minutes 00 seconds West, along the north line of Washington Street, a distance of 50.65' to the southeast corner of lands now or formerly of the Commonwealth of Pennsylvania; thence North 05 degrees 34 minutes 47 seconds West, along lands now or formerly of the Commonwealth of Pennsylvania, a distance of 131.07' to an iron pipe set in the south line of lands now or formerly of Laverne G. Lindsey and Virginia M. Lindsey; thence North 88 degrees 34 minutes 10 seconds East, along the south line of lands now or formerly of Laverne G. Lindsey and Virginia M. Lindsey, a distance of 49.47' to an iron pipe set in the west line of the aforementioned Wright Street; thence South 00 degrees 07 minutes 00 seconds East, along the west line of Wright Street, a distance of 97.00' to the POINT OF BEGINNING.

CONTAINING 0.115 acres of land as surveyed by Gerald L. Pike, P.L.S. on March 28, 2008.

BEING the same premises conveyed from the Corry Rod and Gun Club, Inc., to the Commonwealth of Pennsylvania, by deed dated May 29, 1974, and recorded September 4, 1974, in the Office of

the Recorder of Deeds of Erie County, Pennsylvania, in Deed Book Volume 1127, Page 494.

PARCEL 2 - Parcel ID 06022097001700

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in the City of Corry, County of Erie, Commonwealth of Pennsylvania, being more particularly bounded and described as follows:

BEGINNING at a drill hole set in concrete at the intersection of the north line of Washington Street (50' R/W) and the east line of Maple Avenue (50' R/W); thence North 17 degrees 00 minutes 00 seconds West, along the east line of Maple Avenue, a distance of 179.17' to a drill hole set in concrete at the southwest corner of lands now or formerly of Joseph J. DeMarte III and Shirley A. DeMarte; thence North 71 degrees 56 minutes 00 seconds East, along the south line of lands now or formerly of Joseph J. DeMarte III and Shirley A. DeMarte, a distance of 77.50' to an iron pipe set at the southwest corner of lands now or formerly of Laverne G. Lindsey and Virginia M. Lindsey; thence North 84 degrees 47 minutes 00 seconds East, along the south line of lands now or formerly of Laverne G. Lindsey and Virginia M. Lindsey, a distance of 39.00' to an iron pipe set at the northwest corner of lands now or formerly of the Commonwealth of Pennsylvania; thence South 05 degrees 34 minutes 47 seconds East, along the west line of lands now or formerly of the Commonwealth of Pennsylvania, a distance of 131.07' to a point in the north line of the aforementioned Washington Street; thence South 46 degrees 47 minutes 00 seconds West, along the north line of Washington Street, a distance of 100.00' to the POINT OF BEGINNING.

CONTAINING 0.365 acres of land as surveyed by Gerald L. Pike, P.L.S. on March 28, 2008.

BEING the same parcel of land conveyed from Elizabeth Edwards, Executrix, to the Commonwealth of Pennsylvania, by deed dated August 30, 1906 and recorded September 8, 1906, in the Office of the Recorder of Deeds of Erie County, Pennsylvania, in Deed Book Volume 160, Page 653.

(c) Easements and encumbrances.--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.

(d) Deed of conveyance.--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.

(e) Proceeds of sale.--The proceeds from the sale shall be deposited in the State Treasury Armory Fund.

(f) Restricted use.--The conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type of facility authorized under State law. The

condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

Section 2. Effective date.

This act shall take effect immediately.