

CONVEYANCE - COMMONWEALTH PROPERTY IN MULTIPLE COUNTIES

Act of Jul. 9, 2013, P.L. 429, No. 62

CL. 85

An Act

Authorizing the Department of General Services, with the approval of the Governor and the Department of Transportation, to grant and convey, at a price to be determined through a competitive bidding process, certain lands, buildings and improvements situate in the Borough of Carlisle, Cumberland County; authorizing the Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, to grant and convey to the Bear Valley Franklin County Pennsylvania Joint Authority, or its assigns, two permanent utility and access easements from lands of the Commonwealth of Pennsylvania at the Fort Loudon Historical Site situate in Peters Township, Franklin County, for purpose of groundwater withdrawal; authorizing the Department of General Services, with the approval of the Governor, to accept a conveyance of real property from the County of Lackawanna Transit System Authority, certain lands situate in the City of Scranton, Lackawanna County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey, at a price to be determined through a public solicitation for proposals, certain lands, buildings and improvements situate in the City of Allentown and the City of Bethlehem, Lehigh County.

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

Section 1. Conveyance in Borough of Carlisle, Cumberland County.

(a) Authorization.--The Department of General Services, with the approval of the Governor and the Department of Transportation, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey, at a price to be determined through a competitive bidding process, the following tract of land together with any buildings, structures or improvements thereon, situate in the Borough of Carlisle, Cumberland County.

(b) Description.--The property to be conveyed pursuant to subsection (a) consists of a tract of land totaling approximately 2.3848 acres, including any and all improvements located thereon, more particularly described as follows:

BEGINNING at an iron pin, sunk in the ground, on the south side of West North Street, two hundred feet (200) from the center line of Cherry Street and at the corner of lands of Margaret Meck Estate; thence South 6° 03' West along the lands of said Meck Estate and Eber Shatto 268.91 feet to an iron pin on line of land of Jacob Trimmer; thence North 84° 01' West along land of Jacob Trimmer and of the Kinney Shoe Company, 401.07 feet to an iron pin; thence North 6° 58' East along lands of Sarah Carl, John Linder, Emmett Woods and Archibald Long, 149.66 feet to an iron pin on corner of lands of Emmett Woods and of Jacob Beck; thence South 83° 57' East along land of Jacob Beck 31.28 feet to an iron pin; thence North 6° 03' East along land of Jacob Beck and of John Linder, 119.75 feet to an iron pin on the south side of West North Street; thence South 83° 57' East along the south side of West North Street 386 feet to the iron pin at the point of BEGINNING.

CONTAINING 2.3848-acres more or less.

BEING the same premises conveyed to the Commonwealth of Pennsylvania from A. Lee Edwards and Margaret B. Edwards, his wife, by deed, dated December 27, 1934, and recorded January 4, 1935, in the Recorder of Deeds for Cumberland County, Pennsylvania, in Deed Book 0011M, Page 00431.

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

(d) Easements.--This 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.

(e) Deed.--The deed of conveyance shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Deposit of proceeds.--The proceeds from the sale shall be deposited in the Motor License Fund and shall be utilized by the Department of Transportation and the Department of General Services to remediate and demolish the "old" Materials Testing Laboratory located in the City of Harrisburg, Dauphin County. Any funds remaining after the remediation and demolition of that structure shall be available to the Department of Transportation for any other duly authorized purpose.

(g) Gaming restriction.--The conveyance authorized by 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 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. Easements in Peters Township, Franklin County.

(a) Authorization.--The Department of General Services, with the approval of the Governor and the Pennsylvania Historical and Museum Commission, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Bear Valley Franklin County Pennsylvania Joint Authority, or its assigns, two permanent utility and access easements from lands of the Commonwealth of Pennsylvania at the Fort Loudon Historical Site situate in Peters Township, Franklin County, for purposes of groundwater withdrawal for a one-time payment of \$19,500 and under terms and conditions to be established in an easement agreement.

(b) Descriptions.--The permanent utility easements to be conveyed pursuant to subsection (a) total approximately 6.04 acres bounded and more particularly described as follows:

Parcel No. 1

Wellhead Protection Easement

BEGINNING at a point on the Western right of way line of Brooklyn Road (T-410), said point being at the division line

of lands of the Grantors and lands of Ann Dunn; thence from the point of beginning, along the Western right of way line of Brooklyn Road (T-410), S20°56'40"W a distance of 22.34 feet to a point; thence through the lands of the Grantors, S84°28'31"W a distance of 88.04 feet to a point on a nontangent curve concave Northwesterly and having a radius of 150.00 feet; thence from a radial bearing of S51°13'35"W run Southeasterly along the arc of said curve to the right through a central angle of 128°06'42" an arc distance of 335.40 feet, through a chord bearing of S25°16'56"W and a chord length of 269.77 feet to a point; thence continuing through the lands of the Grantors the following (5) bearings and distances:

- (1) S17°07'36"W a distance of 81.92 feet to a point;
- (2) S23°15'33"W a distance of 253.94 feet to a point;
- (3) S27°25'44"W a distance of 20.72 feet to a point;
- (4) S28°40'31"E a distance of 88.88 feet to a point;
- (5) S70°18'26"E a distance of 38.60 feet to a point on the Western right of way line of Brooklyn Road (T-410); thence along the Western right of way line of Brooklyn Road (T-410), S20°47'17"W a distance of 20.00 feet to a point; thence through the lands of the Grantors, N70°18'26"W a distance of 61.02 feet to a point; thence continuing through the lands of the Grantors, S40°18'02"W a distance of 38.52 feet to a point on a nontangent curve concave Northeasterly and having a radius of 150.00 feet; thence from a radial bearing of S49°03'30"W run Southeasterly along the arc of said curve to the right through a central angle of 334°32'52" an arc length of 875.84 feet, through a chord bearing of N53°40'04"W and a chord length of 66.09 feet to a point; thence continuing through the lands of the Grantors, N27°25'44"E a distance of 119.85 feet to a point; thence continuing through the lands of the Grantors, N23°15'38"E a distance of 251.94 feet to a point; thence continuing through the lands of the Grantors, N17°07'36"E a distance of 76.04 feet to a point on a nontangent curve concave Northeasterly and having a radius of 150.00 feet; thence from a radial bearing of N07°12'45"E run Northwesterly along the arc of said curve to the right through a central angle of 120°13'57" an arc length of 314.77 feet, through a chord bearing of N23°52'59"W and a chord length of 261.88 feet to a point on the line 2 of lands of Ann Dunn; thence along the line of lands of Ann Dunn, N84°28'31"E a distance of 333.20 feet to the point and place of BEGINNING.

CONTAINING 3.515-acres as shown on Wellhead Protection and Permanent Easement Plan, prepared by Gwin, Dobson & Foreman, Inc. and dated February 27, 2013.

Parcel No. 2

Wellhead, Utility and Access Easement

BEGINNING at a point being located S19°45'10"W a distance of 21.78 feet from a point on the Eastern right of way line of Brooklyn Road (T-410), said point being at the division line of lands of the Grantors and lands of Bear Valley Franklin County Pennsylvania Joint Authority; thence from the point of beginning, through the lands of the Grantors, S27°56'31"E a distance of 99.43 feet to a point; thence continuing through the lands of the Grantors, S06°56'36"E a distance of 31.82 feet to a point on a nontangent curve concave Northwesterly and having a radius of 185.00 feet; thence from a radial bearing of S10°00'06"E run Southeasterly along the arc of said curve to the right through a central angle of 353°46'00" an arc length of 1,142.26 feet, through a chord bearing of S76°52'54"W and a chord length of 20.12 feet to a point; thence continuing through the lands of the Grantors, N06°56'36"W a distance of 30.03 feet

to a point; thence continuing through the lands of the Grantors, N28°33'15"W a distance of 77.70 feet to a point on the Eastern right of way line of Brooklyn Road (T-410); thence along the Eastern right of way line of Brooklyn Road (T-410), S20°56'40"E a distance of 27.76 feet to the point and place of BEGINNING.

CONTAINING 2.525-acres as shown on Wellhead Protection and Permanent Easement Plan, prepared by Gwin, Dobson & Foreman, Inc. and dated February 27, 2013.

(c) Agreement.--The easement agreement shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(d) Costs and fees.--Costs and fees incidental to this conveyance of the two utility easements shall be borne by the grantee.

(e) Expiration.--In the event that the parties have not entered into an easement agreement within one year of the effective date of this section, the authorization contained in subsection (a) shall expire.

Section 3. Conveyance in City of Scranton, Lackawanna County.

(a) Authorization.--In order to effectuate section 7 of the act of July 7, 2011 (P.L.225, No.43), entitled "An act authorizing Venango County to convey a right-of-way over certain Project 70 lands in Oakland Township, Venango County, free of restrictions imposed by the Project 70 Land Acquisition and Borrowing Act; authorizing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to grant and convey to East Norriton Township certain lands situate in East Norriton Township, Montgomery County, in exchange for East Norriton Township's granting and conveying certain lands to the Commonwealth of Pennsylvania to be added to the existing lands of the Norristown Farm Park; authorizing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to remove the deed restrictions on a portion of the lands previously conveyed by the Department of General Services in accordance with section 1(c) of the act of July 10, 1985 (P.L.201, No.51); authorizing East Norriton Township to convey the property it receives from the Commonwealth of Pennsylvania pursuant to this act to Montgomery County for nominal consideration for public highway improvements; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the County of Chester certain lands situate in East Vincent Township, Chester County; authorizing the Department of General Services, with the approval of the Department of Conservation and Natural Resources and the Governor, to grant and convey to Ohiopyle Borough certain lands situate in Ohiopyle Borough, Fayette County, in exchange for Ohiopyle Borough granting and conveying certain lands to the Commonwealth of Pennsylvania to be added to those existing lands at Ohiopyle State Park; authorizing the Department of Conservation and Natural Resources, with the approval of the Governor, to grant and convey to Kyle A. and Tamara J. Boltz certain lands situate in Union Township, Lebanon County, in exchange for Kyle A. and Tamara J. Boltz's granting and conveying certain lands to the Commonwealth of Pennsylvania, Department of Conservation and Natural Resources, to be added to those existing lands at Swatara State Park; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Susquehanna Township Authority a permanent sanitary sewer easement over certain lands of the Commonwealth of Pennsylvania, situate in Susquehanna

Township, Dauphin County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the County of Lackawanna Transit System Authority (COLTS), certain lands situate in the City of Scranton, Lackawanna County, in exchange for a certain tract of land from COLTS situate in the City of Scranton, Lackawanna County; and making a related repeal," the Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to accept a conveyance of real property from the County of Lackawanna Transit System Authority, including any improvements located thereon, as described in subsection (b) for \$1.

(b) Description.--The property to be conveyed pursuant to subsection (a) consists of approximately 0.99 acres, including any improvements located thereon, situate in the City of Scranton, Lackawanna County, more particularly described as follows:

BEGINNING at a point, the intersection of the northeasterly line of Lackawanna Avenue with the northwesterly right-of-way line of the Delaware-Lackawanna Railroad Company, Inc. as shown on the plan titled "COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF GENERAL SERVICES -- PROPERTY BOUNDARY AND TOPOGRAPHIC SURVEY PLAN", dated April 16, 2012 and prepared by Civil Design Partners, Inc.;

THENCE along the northeasterly line of Lackawanna Avenue North 51° 16' 15" West one hundred thirty-two and thirteen hundredths (132.13') feet to a point;

THENCE leaving Lackawanna Avenue along lands of F & M Realty Company (DB 1249, Pg 391) North 38° 44' 12" East two hundred ninety-nine and ninety-seven hundredths (299.97') feet to a 5/8" rebar;

THENCE continuing along said lands of F & M Realty Company South 51° 18' 58" East one hundred twenty-nine and ninety-seven hundredths (129.97') feet to a 5/8" rebar on the northwesterly right-of-way line of the Delaware-Lackawanna Railroad Company;

THENCE along the northwesterly right-of-way line of the Delaware-Lackawanna Railroad Company the following five (5) courses and distances:

1. South 35° 20' 00" West one hundred twenty-seven and nine tenths (127.90') feet to a point,

2. South 51° 17' 19" East twenty-three and seventy-five hundredths (23.75') to a 5/8" rebar,

3. South 42° 24' 41" West sixty and six tenths (60.60') feet to a point,

4. South 48° 37' 41" West fifty-seven and forty-five hundredths (57.45') feet to a point, and

5. South 54° 18' 00" West fifty-seven and forty-five hundredths (57.45') feet to the point of BEGINNING.

CONTAINING 43,078 square feet of land being the same, more or less.

BEING the same premises conveyed by Scranton Mall Associates to Steamtown Mall Partners, L.P. by deed, dated June 11, 2003, and recorded in the Lackawanna County Recorder of Deeds Office in Record Book 970, Page 435.

(c) Easements.--This 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.--The deed of conveyance shall be executed by the appropriate officials of the County of Lackawanna Transit System Authority and shall be accepted by the Secretary of General Services on behalf of the Commonwealth of Pennsylvania.

(e) Costs and fees.--Costs and fees incidental to this conveyance shall be borne by the grantor.

Section 4. Conveyances in City of Allentown and City of Bethlehem, Lehigh County.

(a) Authorization.--The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey, at a price to be determined through a public solicitation for proposals, the following tracts of land together with any buildings, structures or improvements thereon, situate in the City of Allentown and City of Bethlehem, Lehigh County.

(b) Description.--The property to be conveyed pursuant to subsection (a) consists of approximately 195.167 acres of land and improvements located thereon, bounded and more particularly described as follows:

LOT #1

ALL THAT CERTAIN LOT OR PIECE OF GROUND situate in the City of Allentown and City of Bethlehem, Lehigh County, bounded and described as follows, to wit:

BEGINNING at a concrete monument found on the South side of Hanover Avenue said point being at the Northeast Corner of the lands of N/F 1514 Inc., thence FROM THE PLACE OF BEGINNING along the South line of Hanover Avenue the following courses and distances:

1. S 55°31'17" E for a distance of 511.16' to a point, thence

2. Along a curve to the Right having a Delta Angle of 5°45'00", a radius of 957.11' for an arc length of 96.05' to a point, thence

3. N 61°16'18" E for a distance of 5.96' to a point, thence

4. Along a curve to the Left having a Delta Angle of 5°47'00", a radius of 1034.11' for an arc length of 104.38' to a point, thence

5. N 55°29'17" E for a distance of 45.13' to the Northwest corner of Hanover Avenue and North Quebec Street; thence along the West line North Quebec Street S 7°57'43" E for a distance of 553.45' to a point at the Southwest corner of North Quebec Street and East Allen Street; thence along the South line of East Allen Street N 81°23'17" E for a distance of 678.83' to an iron pin set at the Northwest corner of Lot #2;

Thence along Lot #2 the following course and distances:

1. S 27°11'30" E for a distance of 1032.47' to an iron pin set; thence

2. S 55°10'20" W for a distance of 243.03' to an iron pin set; thence

3. S 34°49'40" E for a distance of 160.00' to an iron pin set; thence

4. N 54°56'04" E for a distance of 603.06' to an iron pin set; thence

5. N 43°48'06" E for a distance of 727.05' to an iron pin set; thence

6. N 72°56'55" E for a distance of 285.07' to an iron pin set; thence

7. N 76°19'04" E for a distance of 378.08' to an iron pin set on the City of Allentown and the City of Bethlehem line; thence

8. Along the City of Allentown and the City of Bethlehem line N 6°55'39" W for a distance of 413.29' to an iron pin set;

thence along the lands of N/F Bruce Loch and James Burkos, N/F A-town Development Company, and N/F Raymond Perez, N 82°59'59" E for a distance of 396.87' to a point; thence along the lands of N/F Raymond Perez, the South line of Grandview Boulevard, and N/F Geraldine P. Holzinger N 81°45'17" E for a distance of 396.71' to a concrete monument found; thence along the lands of PA Lines LCC S 8°31'43" E for a distance of 469.16' to a point on the North line of Central Boulevard;

Thence along the North line of Central Boulevard the following courses and distances:

1. Along a curve to the Right having a Delta Angle of 30°53'14", a radius of 798.97' for an arc length of 430.71' to a point, thence

2. S 75°44'07" W for a distance of 205.24' to a point, thence

3. S 66°28'27" W for a distance of 232.14' to a point,

Thence along the North line of River Drive the following courses and distances:

1. S 69°08'28" W for a distance of 282.83' to a point; thence

2. S 54°30'17" W for a distance of 507.39' to a point; thence

3. S 50°28'17" W for a distance of 411.58' to a point; thence

4. S 56°43'17" W for a distance of 384.03' to a point; thence

5. Along a curve to the Left having a Delta Angle of 39°02'00", a radius of 256.69' for an arc length of 174.87' to a point, thence

6. S 17°41'17" W for a distance of 83.85' to a point; thence

7. Along a curve to the Right having a Delta Angle of 8°00'03", a radius of 346.78' for an arc length of 48.47' to a point,

Thence along the lands of N/F Norfolk Southern the following courses and distances:

1. S 39°24'36" W for a distance of 139.28' to a concrete monument found; thence

2. S 49°14'43" E for a distance of 6.14' to a point on the North line of River Drive;

Thence along the North line of River Drive the following courses and distances:

1. S 44°33'17" W for a distance of 159.40' to a point; thence

2. Along a curve to the Left having a Delta Angle of 14°07'00", a radius of 541.84' for an arc length of 133.50' to a point, thence

3. S 30°26'17" W for a distance of 799.21' to a point; thence

4. Along a curve to the Right having a Delta Angle of 18°38'50", a radius of 891.50' for an arc length of 290.14' to a point, thence

5. S 49°05'07" W for a distance of 392.66' to a point; thence

6. Along a curve to the Right having a Delta Angle of 8°09'10", a radius of 536.50' for an arc length of 76.34' to a point, thence

7. S 57°14'17" W for a distance of 332.83' to a point; thence

8. Along a curve to the Right having a Delta Angle of 10°36'40", a radius of 663.50' for an arc length of 122.88' to a point, thence

9. S 46°37'37" W for a distance of 729.66' to a point;
thence

10. Along a curve to the Right having a Delta Angle of 8°41'30", a radius of 536.50' for an arc length of 81.39' to a point, thence

11. S 55°19'07" W for a distance of 126.31' to a point at the Southeast limit of unopened South Maxwell Street; thence along East line of unopened South Maxwell Street N 7°40'54" W for a distance of 1981.82' to a concrete monument found;

Thence along the lands of N/F the Community Services for Children the following courses and distances:

1. N 77°27'55" E for a distance of 343.59' to a point;
thence

2. N 82°36'13" E for a distance of 264.92' to a point;
thence

3. N 7°34'12" W for a distance of 48.78' to a point; thence

4. N 10°07'23" E for a distance of 18.41' to a point; thence

5. N 33°51'14" E for a distance of 77.17' to a point; thence

6. N 6°18'35" W for a distance of 41.34' to a point; thence

7. S 83°24'45" W for a distance of 56.39' to a point; thence

8. N 6°18'23" W for a distance of 35.42' to a point; thence

9. N 83°44'46" E for a distance of 56.41' to an iron pipe found; thence

10. N 6°16'03" W for a distance of 223.32' to a point; thence

11. S 83°06'05" W for a distance of 6.70' to a point; thence

12. N 7°22'55" W for a distance of 78.48' to an iron pipe found; thence

13. S 76°24'27" W for a distance of 46.07' to a point; thence

14. N 13°36'19" W for a distance of 35.10' to an iron pipe found; thence

15. N 76°12'08" E for a distance of 49.86' to an iron pipe found; thence

16. N 7°25'05" W for a distance of 258.86' to an iron pipe found; thence

17. S 83°23'26" W for a distance of 257.59' to a point;

Thence along the lands of N/F Baldeu Raj Sharma Trust, the East limit of East Pine Street and N/F Richard C. Birch Sr. N 1°54'54" W for a distance of 250.32' to a concrete monument found on the South line of East Gordon Street; thence along the South line of East Gordon Street N 82°02'47" E for a distance of 319.05' to an iron pipe found at the Southeast corner of East Gordon North Oswego Streets; thence along the East line of North Oswego Street N 6°39'00" W for a distance of 8.01' to a point; thence along the lands of Kelly Brookhart and Mark MacNemara N 81°51'17" E for a distance of 229.30' to a concrete monument found; thence along the lands of N/F Tina Rivera, N/F Karl & Ruth Schuster, N/F Dee Ann Diaz, N/F Timothy Koppenhaver, N/F David & Ruth Koppenhaver, N/F Eugene & Constance Fritz, N/F Miriam Estrella, N/F David & Helen Galbraith, N/F Gary & Kay Matsco, N/F Charles & Jacqueline Scherer, N/F Sharon Peters, N/F Jeremy Ingle, and the East Limit of East Clair Street N 8°17'43" W for a distance of 733.25' to a point, thence along the East line of 1514 Inc. N 34°22'50" W for a distance of 152.66' to the place of BEGINNING.

CONTAINING 165.846-Acres.

BEING shown as Lot #1 on the Final Minor Subdivision Plan of the Allentown State Hospital prepared by the City of Allentown Department of Public Works, Drawing #06-005, dated July 20, 2007, last revised March 25, 2009.

LOT #2

ALL THAT CERTAIN LOT OR PIECE OF GROUND situate in the City of Allentown, Lehigh County, bounded and described as follows, to wit:

BEGINNING at an iron pin set on the south line of East Allen Street, said point being located North 81° 23' 17" East for a distance of 678.83 feet from the Southwest corner of North Quebec Street and the said point of BEGINNING being the Northwest corner of this described parcel; thence from the place of BEGINNING along the South line of East Allen Street and the South Line of Oil Process Systems North 81° 23' 17" East for a distance of 531.03 feet to a concrete monument found; thence along the lands of Bruce Loch and James Burkos the following nine (9) courses and distances;

1) South 43° 13' 28" East -- 11.42 feet to a concrete monument found; thence

2) South 80° 16' 15" West -- 54.97 feet to an iron pin found; thence

3) South 7° 57' 07" West -- 61.34 feet to a concrete monument found; thence

4) South 61° 19' 56" East -- 163.09 feet to a concrete monument found; thence

5) North 68° 57' 39" East -- 177.92 feet to a concrete monument found; thence

6) North 58° 25' 17" East -- 238.88 feet to a concrete monument found; thence

7) North 23° 18' 43" West -- 36.00 feet to a concrete monument found; thence

8) North 82° 58' 20" East -- 987.96 feet to a concrete monument found; thence

9) North 82° 59' 59" East -- 1.43 feet to a point; thence along Lot #1, the residue lands of the Commonwealth of Pennsylvania the following eight (8) courses and distances;

1) South 6° 55' 39" East -- 413.29 feet to a iron pin set; thence

2) South 76° 19' 04" West -- 378.08 feet to a iron pin set; thence

3) South 72° 56' 55" West -- 285.07 feet to a iron pin set; thence

4) South 43° 48' 06" West -- 727.05 feet to a iron pin; thence

5) South 54° 56' 04" West -- 603.06 feet to a iron pin; thence

6) North 34° 49' 40" West -- 160.00 feet to a iron pin set; thence

7) North 55° 10' 20" East -- 243.03 feet to a iron pin set; thence

8) North 27° 11' 30" West -- 1032.47 feet to the place of BEGINNING.

CONTAINING 29.321-Acres.

BEING shown as Lot #2 on the Final Minor Subdivision Plan of the Allentown State Hospital prepared by the City of Allentown Department of Public Works, Drawing #06-005, dated July 20, 2007, last revised March 25, 2009.

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

(d) Easements.--The conveyances under this section 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.

(e) Discretion to secretary.--The Secretary of General Services may grant or retain any easements necessary to effectuate this section and may impose any covenants, conditions, restrictions and/or reservations on the sale of the property as is deemed in the best interests of the Commonwealth.

(f) Deeds.--A deed of conveyance under this section shall be by special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(g) Costs and fees.--All costs and fees incurred by the Department of General Services in selling the property under this section shall be paid from the purchase price and that amount shall be an executively authorized augmentation to the appropriation from which the costs and fees were paid by the department.

(h) Deposit of proceeds.--The balance of the proceeds shall be deposited in the General Fund.

(i) Restriction on authority to convey.--Notwithstanding any other provision of this section to the contrary, the Secretary of General Services shall have no authority to grant and convey the tracts of land together with any buildings, structures or improvements thereon, as authorized pursuant to subsection (a) and described under subsection (b), until an independent appraisal of the subject land has been completed.

(j) Gaming restriction.--The conveyances authorized by 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 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 5. Effective date.

This act shall take effect immediately.