

CONVEYANCE - COMMONWEALTH PROPERTY IN THE CITY OF ALLENTOWN AND  
CITY OF BETHLEHEM, LEHIGH COUNTY, AND BOROUGH OF KANE, MCKEAN  
COUNTY

Act of Dec. 22, 2017, P.L. 1268, No. 82

Cl. 85

An Act

Authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to TCA Properties, L.P., certain lands and improvements situate in the City of Allentown and the City of Bethlehem, Lehigh County; and 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 Borough of Kane, McKean County.

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

Section 1. Conveyance in the City of Allentown and the City of Bethlehem, Lehigh County. (1 repealed July 2, 2019, P.L.428, No.71)

Section 2. Conveyance of two tracts in the Borough of Kane, McKean 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 to grant and convey, at a price to be determined through competitive bidding, the property described under subsection (b) together with any buildings, structures or improvements thereon, situate in the Borough of Kane, McKean County.

(b) Property description.--The property to be conveyed pursuant to subsection (a) consists of two tracts of approximately 0.34 acres of land and improvements located thereon, bounded and more particularly bounded and described as follows:

TRACT ONE

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND in the Borough of Kane, County of McKean, and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the South line of Chestnut Street, Two hundred and thirty and nine-tenths feet Westward (230.9 ft. W) of an iron monument marking the South-west corner of Chestnut and Fraley Streets, said place of beginning being likewise the North-east corner of land agreed to be conveyed to Kane Lodge #329 Benevolent Protective Order of Elks, and adjoining the property in Lot B. formerly conveyed to them by Deed dated February 17, 1913. Thence by said Lot South 5° 58' East, one hundred and seventy feet (S. 5° 58' E. 170 Ft.): Thence by the North line of an alley parallel to Chestnut Street, North 84° 02' East sixty-one and ninety-eight one-hundredths feet (No. 84° 02' E. 61.98 ft.) to the West line of another alley: Thence by the West line of said alley, parallel to Fraley Street, North 0° 5' E. (170.95 ft.) one hundred seventy and ninety-five one-hundredths feet, to the South line of Chestnut Street:

Thence by the South line of Chestnut Street, South Eighty-four degrees two minutes West (S. 84° 02' W.) Eighty feet (80 ft.) to the place of BEGINNING.

CONTAINING twelve thousand sixty-eight (12,068) feet more or less, as surveyed by Alson Rogers, February 15th, 1913.

BEING Tax Parcel No. 8-003-512.

BEING the same premises conveyed to the Commonwealth of Pennsylvania, by deed, dated April 15, 1920 and recorded December 8, 1920, in McKean County in Deed Book 183, Page 331.

TRACT TWO

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND situate in the Borough of Kane, County of McKean and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point one hundred sixty feet (160 ft.) north of the north line of Pine Avenue and one hundred eighty feet (180 ft.) west of the west line of South Fraley Street; thence by the North line of an alley parallel to Pine Avenue, west forty feet (W. 40 ft.) to the south line of garage lot sold to A. Dolan; thence by the same, north about fifty-three feet (53 ft.) to the south line of another alley one hundred eighty feet (180 ft.) southward of the south line of Chestnut Street; thence by the same, parallel to Chestnut Street, north eighty-four degrees east (N. 84° E.) about forty feet (40 ft.); thence by an open alleyway or court, south about fifty-seven feet (57 ft.) to the place of BEGINNING.

TOGETHER with a garage building thereon.

BEING Tax Parcel No. 8-003-512.

BEING the same premises conveyed to the Commonwealth of Pennsylvania, by deed, dated September 9, 1960 and recorded September 12, 1960, in McKean County in Deed Book 394, Page 384.

(c) Requirement for conveyance.--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) Execution.--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) Restrictions.--The Secretary of General Services may impose any covenants, conditions or restrictions on the property described under subsection (b) at settlement as determined to be in the best interests of the Commonwealth.

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

Section 3. Conveyance of five tracts in the Borough of Kane, McKean 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 property described under subsection (b) together with any buildings, structures or improvements thereon, situate in the Borough of Kane, McKean County.

(b) Property description.--The property to be conveyed pursuant to subsection (a) consists of five tracts of approximately 1.46 acres of land and improvements located thereon, bounded and more particularly bounded and described as follows:

ALL THOSE CERTAIN PIECES, PARCELS OR LOTS OF LAND situate, lying and being in the Borough of Kane, McKean County, Pennsylvania, bounded and described as follows:

TRACT ONE

BEGINNING at a point in the southeast corner of Ash Street and Smithfield Avenue; thence along the easterly line of Smithfield Avenue South 210.5 feet to a point; thence easterly and parallel with Ash Street 150 feet to a point; thence northerly and parallel with Smithfield Avenue 65 feet to a point marking the southeasterly corner of Lot No. 11 formerly of Isabel Clingensmith; thence along the southerly line of Lot No. 11 westerly 50 feet; thence northerly along the westerly line of Lot No. 11, 145.5 feet to a point in the south line of Ash Street; thence along the same westerly 100 feet to the place of BEGINNING.

BEING Lots 13 and 15 and certain lands abutting on the south line of Lots Nos. 11, 13 and 15.

TRACT TWO

BEGINNING at a point in the southerly line of Ash Street 100 feet westerly from the southwest corner of Ash Street and Smithfield Avenue, said point marking the north-westerly corner of Lot No. 21 now or formerly of McKean County; thence along the south line of Ash Street westerly 50 feet to a point marking the northeasterly corner of Lot No. 25; thence southerly parallel to Smithfield Avenue 210.5 feet to a point in the westerly line of Smithfield Avenue; thence along the west line of Smithfield Avenue northerly 65 feet to a point marking the southeasterly corner of Lot No. 19 now or formerly of McKean County; thence along the southerly line of said Lots Nos. 19 and 21 westerly 100 feet; thence along the westerly line of Lot No. 21 northerly 145.5 feet to a point in the south line of Ash Street, the place of BEGINNING.

BEING Lot No. 23 and certain lands abutting on the south line of Lots Nos. 19, 21 and 23.

TRACT THREE

BEGINNING at a post situate on the south line of Ash Street 260 feet west of the southwest corner of Elk Avenue and Ash Street, thence

- (1) West 50 feet by south line of Ash Street, thence
- (2) South at right angles to Ash Street 145-1/2 feet, thence
- (3) East at right angles 50 feet, thence
- (4) North at right angles 145-1/2 feet to a place of

BEGINNING

EXCEPTING all oil or petroleum and all natural gas.

BEING part of Sub Lot 383, WT2389, Lot 11 on plot of A. E. Lyte and M.J. Sweeney.

CONTAINING 7,275 Sq. feet.

TRACT FOUR

BEGINNING at a point along the south line of Ash Street 510 feet West of the Southwest corner of Ash Street and Elk Avenue; thence at right angles South 145-1/2 feet; thence at right angles West 50 feet; thence at right angles North along the East line of Lot 23, 145-1/2 feet to the South line of Ash Street; thence by said South line East 50 feet to the place of BEGINNING.

CONTAINING 7,275 square feet of land, more or less.

EXCEPTING AND RESERVING all petroleum, carbureted hydrogen and other volatile and inflammable minerals and gases, but renouncing, waiving and releasing any and all rights to enter to explore, bore, mine, dig for, tank, store or pipe the same by works or appliances upon the said premises.

TRACT FIVE

BEGINNING at a post at the southwest corner of Smithfield Street and Ash Street; thence South along the West border of Smithfield Avenue 145-1/2 feet; thence West at right angles to Smithfield Avenue 50 feet; thence North at right angles 145-1/2 feet to the South line of Ash Street; thence East along the South line of Ash Street 50 feet to the place of BEGINNING.

CONTAINING 7,275 square feet, more or less.

BEING the same premises conveyed to the Commonwealth of Pennsylvania, by Deed, dated January 20, 1966 and recorded January 27, 1966 in McKean County in Deed Book 428, Page 523.

(c) Requirements for conveyance.--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) Execution.--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.--The proceeds from the sale shall be deposited in the State Treasury Armory Fund.  
Section 4. Effective date.

This act shall take effect in 60 days.