

AMENDMENTS TO HOUSE BILL NO. 2496

Sponsor: REPRESENTATIVE CONKLIN

Printer's No. 2947

1 Amend Bill, page 1, line 5, by striking out the period after
2 "County" and inserting
3 ; and authorizing the Department of General Services, with the
4 approval of the Department of Corrections and the Governor,
5 to grant and convey to John Bradley Wimer, certain lands,
6 buildings and improvements situate in the City of Pittsburgh,
7 Allegheny County.

8 Amend Bill, page 4, by inserting between lines 8 and 9

9 Section 2. Conveyance in City of Pittsburgh, Allegheny County.

10 (a) Authorization.--The Department of General Services, with
11 the approval of the Department of Corrections and the Governor,
12 is hereby authorized on behalf of the Commonwealth of
13 Pennsylvania to grant and convey the following tracts of land,
14 together with any buildings, structures or improvements thereon,
15 situate in the City of Pittsburgh, Allegheny County, to John
16 Bradley Wimer for \$140,000, under terms and conditions to be
17 established in an agreement of sale.

18 (b) Property description.--The property to be conveyed
19 pursuant to subsection (a) consists of two tracts totaling
20 approximately 0.16 acre of land, including all buildings,
21 structures and improvements located thereon, more particularly
22 described as follows:

23 ALL THOSE CERTAIN LOTS OR PIECES OF GROUND situate in the
24 27th Ward of the City of Pittsburgh (formerly 11th Ward of the
25 City of Allegheny), County of Allegheny, and Commonwealth of
26 Pennsylvania, being part of Lot No. 20 in Michael Geyer Heirs
27 Plan No. 2, as the same is recorded in the Recorder's Office of
28 Allegheny County in Plan Book Volume 19, page 177, being bounded
29 and described as follows, to wit:

30 BEGINNING at a point on the Westerly side of Shadeland
31 (formerly Geyer) Avenue at the dividing line between Lots Nos.
32 21 and 20 in said plan; thence along said Westerly side of
33 Shadeland Avenue, South 8 degrees 15 minutes East, a distance of
34 49.0 feet to a point; thence South 81 degrees 45 minutes West,
35 and parallel with the dividing line between said Lots Nos. 21
36 and 20, a distance of 125 feet to a point; thence North 6
37 degrees 15 minutes West and parallel with said Shadeland Avenue,

1 a distance of 49.0 feet to the dividing line between Lots Nos.
2 21 and 20 in said Plan; and thence North 81 degrees 45 minutes
3 East, along the dividing line between Lots Nos. 21 and 20, a
4 distance of 125 feet to the place of beginning.

5 BEGINNING at a point at the intersection of Lots Nos. 2, 3,
6 20 and 21 in said Plan said point being distant 142.5 feet
7 Eastwardly measured along the dividing line between Lots Nos. 2
8 and 3 in said plan from the Easterly side of McClure Avenue;
9 thence along the dividing line between Lots Nos. 20 and 21 in
10 said plan; Eastwardly, 17.5 feet to line of land of Lenore
11 Schwerd Getty; thence along said land, Southwardly, 49.0 feet to
12 line of land of Irene Schwerd Fisher; thence along said land,
13 parallel with the dividing line between Lots Nos. 20 and 21 in
14 said Plan, Westwardly 17.5 feet to the dividing line between
15 Lots Nos. 3 and 20 in said Plan; thence along said dividing
16 line, Northwardly, 49.0 feet to the place of beginning.

17 THE above two described parcels together make a lot 49 feet,
18 more or less, fronting on the Westerly side of Shadeland Avenue
19 and extending back therefrom a uniform width of 49 feet to a
20 uniform depth of 142.5 feet, and having erected thereon a two
21 and one-half story brick building on the Easterly portion and a
22 stucco garage on the Westerly portion thereof, said lot in its
23 entirety being designated as Block No. 75-D, Lot No. 136 in the
24 Allegheny County Deed Registry records.

25 Under and subject to a driveway agreement of an entire width
26 totaling 7 ½ feet with its center line being the boundary line
27 of the South side of the lot herein conveyed and the North side
28 or boundary of land now or formerly owned by I.S. Fisher, as
29 provided in the said agreement between Irene Schwerd Fisher,
30 widow, and Lenora Schwerd Getty, also known as Lenore Schwerd
31 Getty, widow, dated March 15, 1947, and recorded in Allegheny
32 County Deed Book Volume 2949, at Page 69.

33 Being the same premises conveyed by James J. Carson, a single
34 man, and Margaret Hall-Owens Carson, widow, to the Commonwealth
35 of Pennsylvania by deed dated June 2, 1952 and recorded at the
36 Office of the Recorder of Deeds of Allegheny County at Deed Book
37 Volume 3172 Page 709.

38 BEING Tax Parcel No. 75-D-136.

39 (c) Conditions.--The conveyance shall be made under and
40 subject to all lawful and enforceable easements, servitudes and
41 rights of others, including, but not confined to, streets,
42 roadways and rights of any telephone, telegraph, water,
43 electric, gas or pipeline companies, as well as under and
44 subject to any lawful and enforceable estates or tenancies
45 vested in third persons appearing of record, for any portion of
46 the land or improvements erected thereon.

47 (d) Restriction.--Any conveyance authorized under this
48 section shall be made under and subject to the condition, which
49 shall be contained in the deed of conveyance, that no portion of
50 the property conveyed shall be used as a licensed facility, as
51 defined in 4 Pa.C.S. § 1103 (relating to definitions), or any

1 other similar type of facility authorized under State law. The
2 condition shall be a covenant running with the land and shall be
3 binding upon the grantee and its successors and assigns. Should
4 the grantee, its successors or assigns, permit any portion of
5 the property authorized to be conveyed in this section to be
6 used in violation of this subsection, the title shall
7 immediately revert to and revest in the grantor.

8 (e) Deed of conveyance.--The conveyance shall be by special
9 warranty deed to be executed by the Secretary of General
10 Services in the name of the Commonwealth of Pennsylvania.

11 (f) Covenants, conditions and restrictions.--The Secretary
12 of General Services may impose any covenants, conditions or
13 restrictions on the property described in subsection (b) at
14 settlement as determined to be in the best interests of the
15 Commonwealth.

16 (g) Alternate disposition.--In the event that the conveyance
17 authorized herein is not completed within one year after the
18 effective date of this subsection, the authority to convey the
19 property to John Bradley Wimer as set forth in subsection (a)
20 shall expire, and the property may be disposed of in accordance
21 with section 2405-A of the act of April 9, 1929 (P.L.177,
22 No.175), known as The Administrative Code of 1929.

23 (h) Proceeds.--The proceeds from the sale shall be deposited
24 into the General Fund.

25 Amend Bill, page 4, line 9, by striking out "2" and inserting