

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2836 Session of 2022

INTRODUCED BY HENNESSEY, SEPTEMBER 19, 2022

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 19, 2022

AN ACT

1 Authorizing the Department of General Services, with the  
 2 approval of the Governor, to grant and convey certain lands  
 3 and improvements situate in East Vincent Township, Chester  
 4 County, to Pennhurst Holdings DE, LLC.

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

7 Section 1. Conveyance in East Vincent Township, Chester County.

8 (a) Authorization.--The Department of General Services, with  
 9 the approval of the Governor, is hereby authorized on behalf of  
 10 the Commonwealth of Pennsylvania to grant and convey certain  
 11 tracts of land together with any improvements thereon, being  
 12 portions of the lands of the Southeastern Pennsylvania Veterans  
 13 Center, situate in East Vincent Township, Chester County, to  
 14 Pennhurst Holdings DE, LLC, for \$220,000, under terms and  
 15 conditions to be established in an agreement of sale.

16 (b) Property description.--The property to be conveyed under  
 17 this section consists of the following:

18 ALL those certain parts or parcels of land situate, lying and  
 19 being in the Township of Vincent, County of Chester, and

1 Commonwealth of Pennsylvania, bounded and described as follows,  
2 to wit:

3 Premises A, Area 1

4 This parcel is preliminarily described as follows, pursuant  
5 to a proposed subdivision plan entitled, "Over-All Subdivision  
6 Plan," prepared by Pennoni Associates, Inc., and dated August  
7 23, 2022, which description is subject to change as necessary to  
8 conform with a final subdivision plan approved by the Township  
9 of East Vincent:

10 BEGINNING at Northeast comer Right-of-way of Brown Drive and  
11 Commonwealth Drive. Thence, along Brown Drive Right-of-way North  
12 89 degrees 12 minutes 25 seconds West, distance of 64.69' to a  
13 point. Thence, leaving Brown Drive Right-of-way North 03 degrees  
14 13 minutes 01 seconds West, distance of 435.98 feet to point.  
15 Thence, South 71 degrees 50 minutes 15 seconds West, distance of  
16 153.89 feet to a point. Thence, North 03 degrees 29 minutes 40  
17 seconds East, distance of 89.31 feet to comer of now or late  
18 Philadelphia Electric Company.

19 Thence, along the same, following the southern edge of the  
20 abandoned railroad the following three course and distances: (1)  
21 in a northeasterly direction by a line curving to the left  
22 having a radius 1960.00 feet, length 149.70 feet, chord bearing  
23 North 86 degrees 57 minutes 13 seconds East with chord distance  
24 of 149.66 feet to a point. (2) South 5 degrees 10 minutes 7  
25 seconds East, 10.17 feet. (3) in a northeasterly direction by a  
26 line curving to the left having a radius of feet, length 458.27  
27 feet, chord bearing North 78 degrees 10 minutes 2 seconds East  
28 with a chord distance of 457.24 feet to point at the coming of  
29 now or late Pennhurst Holdings DE LLC premises A. Thence, along  
30 the same, following four course and distances: (1) S 9 degrees

1 15 minutes 43 seconds East, 221.19 feet to a point in the bed of  
2 50 feet right-of-way of Commonwealth Drive. (2) South 60 degrees  
3 41 minutes 58 seconds East, 366.07 feet. (3) South 77 degrees 51  
4 minutes 5 seconds East, 275.97 feet. (4) South 3 degrees 1  
5 minute 41 seconds East, 85.31 feet. Thence, N 86 degrees 14  
6 minutes 3 seconds West, 986.22 feet to a point at the easterly  
7 edge of 50 feet Right-of-way of Commonwealth Drive. Thence,  
8 along the same in a southwesterly direction by a line curving to  
9 the left having a radius 496.54 feet, length 45.82 feet, chord  
10 bearing South 40 degrees 33 minutes 50 seconds West with chord  
11 distance of 45.80 feet to a point. Thence, in a southeasterly  
12 direction by a line curving to the left having a radius of 20  
13 feet, length of 44.38 feet, chord bearing South 25 degrees 38  
14 minutes 36 seconds East with a chord length of 35.82 feet to the  
15 first mentioned point of BEGINNING.

16 CONTAINING 7.20-acres.

17 Premises A, Area 2

18 This parcel is preliminarily described as follows, pursuant  
19 to a proposed subdivision plan entitled, "Over-All Subdivision  
20 Plan," prepared by Pennoni Associates, Inc., and dated August  
21 23, 2022, which description is subject to change as necessary to  
22 conform with a final subdivision plan approved by the Township  
23 of East Vincent:

24 BEGINNING at the centerline of Brown Drive, comer of now or  
25 late Commonwealth of Pennsylvania, thence South 14 degrees 37  
26 minutes 23 seconds West, distance of 23.14 feet to southern side  
27 of Brown Drive Right-of-way (50 feet). Thence, along the same  
28 following the southern edge of the Right-of-way 7 course and  
29 distances: (1) North 89 degrees 1 minute 46 seconds West,  
30 distance of 207.72 feet. (2) line curving to the right having a

1 radius 533.57 feet, length 104.58 feet, chord bearing North 83  
2 degrees 24 minutes 52 seconds West with chord distance of 104.41  
3 feet. (3) North 77 degrees 47 minutes 58 seconds West, distance  
4 of 336.96 feet. (4) North 78 degrees 12 minutes 50 seconds West,  
5 distance 246.15 feet. (5) line curving to the right having a  
6 radius 402.55 feet, length 53.23 feet, chord bearing North 74  
7 degrees 25 minutes 32 seconds West with chord distance of 53.19  
8 feet. (6) North 70 degrees 38 minutes 14 seconds West, distance  
9 of 159.52 feet. (7) line curving to the left having a radius  
10 580.33 feet, length 130.60 feet, chord bearing North 77 degrees  
11 05 minutes 3 seconds West with chord distance of 130.32 feet to  
12 a point on the southern side of Brown Drive. Thence, leaving the  
13 southern side of Brown drive North 3 degrees 01 minutes 41  
14 seconds West, distance of 27.19 feet to a point in bed of Brown  
15 Drive. Thence, along the same following Brown Drive the  
16 following five course and distances. (1) South 79 degrees 37  
17 minutes 12 seconds East, distance of 105.61 feet. (2) South 69  
18 degrees 35 minutes 14 seconds East, distance of 196.25 feet. (3)  
19 South 75 degrees 05 minutes 2 seconds East, distance of 89.57  
20 feet. (4) South 78 degrees 13 minutes 9 seconds East, distance  
21 of 575.47 feet. (5) South 87 degrees 57 minutes 2 seconds East,  
22 distance of 280.23 feet to mentioned point of BEGINNING.

23 CONTAINING 29,596.00 square feet of land, more or less.

24 Premises B

25 BEGINNING at a Mag Nail found at a point of intersection of  
26 the center title line of Brown Drive (50' wide private right-of-  
27 way) and the eastern property line of lands N/F Owen J. Roberts  
28 School District said mag nail being located South 76°53'44" West  
29 a distance of 244.25 feet from the intersection of center title  
30 line of Brown Drive (50' wide private right-of-way) and center

1 title line of Pennhurst Drive (50' wide private right-of-way);

2 1. Thence along said lands N/F Owen J. Roberts School  
3 District, passing over a broken concrete monument found 25.00  
4 feet from beginning of this course, South 12°45'04" East for  
5 a distance of 225.00 feet to a found capped rebar;

6 2. Thence along said lands, South 77°14'56" West, for a  
7 distance of 326.70 feet to a found capped rebar;

8 3. Thence along said lands, passing over a concrete  
9 monument found 25.00 feet from the terminus of this course,  
10 North 12°45'27" West, for a distance of 230.60 feet to a  
11 found Mag Nail at the center title line of Brown Drive (50'  
12 wide private right-of-way);

13 4. Thence along said title line, North 78°13'50" East,  
14 326.77 feet to a found Mag Nail , and the point of beginning.

15 CONTAINING 74,424.4 square feet (1.708 Acres) of land, more  
16 or less, as shown as a Tract #2 on a map entitled "Southeastern  
17 Pennsylvania Veterans Center Boundary Retracement Survey Plan"  
18 as prepared by Navarro & Wright Consulting Engineers, Inc.,  
19 dated April 09, 2020 to be attached hereto and made a part  
20 hereof.

21 (c) Existing encumbrances.--The conveyance shall be made  
22 under and subject to all lawful and enforceable easements,  
23 servitudes and rights of others, including, but not confined to,  
24 streets, roadways and rights of any telephone, telegraph, water,  
25 electric, gas or pipeline companies, as well as under and  
26 subject to any lawful and enforceable estates or tenancies  
27 vested in third persons appearing of record, for any portion of  
28 the land or improvements erected thereon.

29 (d) Gaming restriction.--Any conveyance authorized under  
30 this section shall be made under and subject to the condition,

1 which shall be contained in the deed of conveyance, that no  
2 portion of the property conveyed shall be used as a licensed  
3 facility, as defined in 4 Pa.C.S. § 1103 (relating to  
4 definitions), or any other similar type of facility authorized  
5 under State law. The condition shall be a covenant running with  
6 the land and shall be binding upon the grantee, its successors  
7 and assigns. Should the grantee, its successors or assigns,  
8 permit any portion of the property authorized to be conveyed in  
9 this section to be used in violation of this subsection, the  
10 title shall immediately revert to and revest in the grantor.

11 (e) Easements.--The Department of General Services may  
12 reserve any easements in, over and across the lands to be  
13 conveyed as it deems necessary, convenient or appropriate for  
14 the continued operation of the Southeastern Pennsylvania  
15 Veterans Center or the Spring City Readiness Center. The  
16 Department of General Services may also grant or assign such  
17 easements to Pennhurst Holdings DE, LLC, as the Department of  
18 General Services deems necessary, convenient or appropriate to  
19 provide access to the lands of Pennhurst Holdings DE, LLC.

20 (f) Release of condition and termination of perpetual  
21 license.--The Department of General Services is authorized to  
22 take such action as is necessary to release the interest of the  
23 Commonwealth of Pennsylvania in that certain condition, and to  
24 terminate a related perpetual license, concerning a garage as  
25 provided in the deed from the Commonwealth of Pennsylvania to  
26 Pennhurst Acquisition, L.P., dated February 14, 2008, and  
27 recorded at the Office of the Recorder of Deeds of Montgomery  
28 County at Book 7373 Page 1647.

29 (g) Deed.--The conveyance shall be made by special warranty  
30 deed to be executed by the Secretary of General Services in the

1 name of the Commonwealth of Pennsylvania.

2 (h) Sunset.--In the event that the conveyance authorized  
3 under this section is not completed within two years after the  
4 effective date of this section, the authority to convey the  
5 property under subsection (a) shall expire.

6 (i) Proceeds.--The proceeds from the sale shall be deposited  
7 into the General Fund.

8 Section 2. Effective date.

9 This act shall take effect immediately.