
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL
No. 709 Session of
1983

INTRODUCED BY HELFRICK, APRIL 27, 1983

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, MAY 7, 1984

AN ACT

1 Authorizing the Department of General Services to convey a tract
2 of land in Mahoning Township, Montour County to the Danville
3 Daycare Center for Child Development Inc.

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

6 Section 1. (a) The Department of General Services, acting
7 on behalf of the Commonwealth of Pennsylvania, with the approval
8 of the Governor, the Department of Agriculture and the
9 Department of Public Welfare is hereby authorized and directed
10 to grant and convey, for a consideration ~~equal to fair market~~ <—
11 ~~value as determined by an independent appraisal obtained through~~
12 ~~the Department of General Services,~~ OF \$38,250 to the Danville <—
13 Daycare Center for Child Development Inc., a certain tract of
14 land, described in accordance with a plan prepared by Peter J.
15 Uhl, Registered Surveyor, Danville, Pennsylvania, situate in
16 Mahoning Township, Montour County, and the Commonwealth of

1 Pennsylvania, bounded and described as follows:

2 Beginning at an existing stone monument at the northeast
3 corner of the Lutheran Cemetery, also being the northwest corner
4 of the described tract of land; thence along the southern right-
5 of-way line of Wall Street south 78 degrees 53 minutes east
6 428.65 feet to an iron pin; thence along the western right-of-
7 way line of a drive to the Danville State Hospital south 02
8 degrees 47 minutes west 5.20 feet to an iron pin; thence along
9 the same on a curve to the left having a radius of 2669.42 feet,
10 arc distance of 163.07 feet and a chord bearing and distance of
11 south 01 degree 02 minutes west 163.04 feet to an iron pin;
12 thence along the same south 00 degrees 43 minutes east 3.93 feet
13 to an iron pin; thence along the Commonwealth of Pennsylvania
14 north 78 degrees 53 minutes west 454.90 feet to an iron pin;
15 thence along the Lutheran Cemetery north 09 degrees 49 minutes
16 east 169.55 feet to the point of beginning.

17 Containing 1.71 acres.

18 (b) The conveyance shall be made under and subject to all
19 easements, servitudes and rights of others, including but not
20 confined to streets, roadways and rights of any telephone,
21 telegraph, water, electric, sewer, gas or pipeline companies, as
22 well as under and subject to any interest, estates or tenancies
23 vested in third persons, whether or not appearing of record, for
24 any portion of the land or improvements erected thereon.

25 (C) THE CONVEYANCE SHALL BE MADE UNDER AND SUBJECT TO THE
26 RESTRICTIONS AND COVENANT BY THE GRANTEE, FOR ITSELF, ITS
27 SUCCESSORS AND ASSIGNS, WHICH COVENANT SHALL RUN WITH THE LAND,
28 THAT THE PREMISES HEREIN SHALL BE USED FOR A CHILD DAY CARE
29 CENTER OR FOR ANY OTHER HUMAN SERVICE USE COMPATIBLE WITH THE
30 OPERATION OF THE FACILITY KNOWN AS THE DANVILLE STATE HOSPITAL,

<—

1 NOW OR IN THE FUTURE, AS DETERMINED BY THE SECRETARY OF PUBLIC
2 WELFARE, OR SUCCESSOR COMMONWEALTH AGENCY HAVING JURISDICTION OF
3 SAME; AND THAT THE PREMISES HEREIN SHALL NOT BE USED FOR ANY
4 PURPOSE WHICH POSES A THREAT TO HOSPITALIZED PATIENTS OR
5 CONFLICTS OR INTERFERES WITH THE PUBLIC USE OF THE ADJOINING
6 HOSPITAL GROUNDS AND BUILDINGS.

7 Section 2. The purchase price of ~~fair market value~~ \$38,250 <—
8 shall be paid in full to the Commonwealth over a maximum period
9 of five years and may be paid in equal annual installments. If
10 paid in annual installments, the first payment shall be due on
11 July 15 of the year following the effective date of this act,
12 and each succeeding payment shall be due on July 15 of the year
13 in which it is due.

14 Section 3. The deed of conveyance shall be approved as
15 provided by law and shall be executed by the Secretary of
16 General Services in the name of the Commonwealth of
17 Pennsylvania.

18 Section 4. Costs and fees incidental to this conveyance
19 shall be borne by the grantee.

20 Section 5. This act shall take effect immediately.