

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 177 Session of  
1991

INTRODUCED BY HELFRICK, JANUARY 29, 1991

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,  
MAY 19, 1992

AN ACT

1 Authorizing and directing the Department of General Services,  
2 with the approval of the Governor and the Department of  
3 Military Affairs, to convey to the Borough of Milton an  
4 improved tract of land situate in the Borough of Milton,  
5 Northumberland County, ~~Pennsylvania~~; AND AUTHORIZING THE <—  
6 DEPARTMENT OF MILITARY AFFAIRS AND THE DEPARTMENT OF GENERAL  
7 SERVICES, WITH THE APPROVAL OF THE GOVERNOR, TO SELL AND  
8 CONVEY A TRACT OF LAND, TOGETHER WITH THE BUILDINGS AND  
9 STRUCTURES THERETO, IN THE CITY OF PHILADELPHIA, PHILADELPHIA  
10 COUNTY.

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

13 Section 1. (A) The Department of General Services, with the <—  
14 approval of the Governor and the Department of Military Affairs,  
15 is hereby authorized and directed, on behalf of the Commonwealth  
16 of Pennsylvania, to grant and convey to the Borough of Milton,  
17 Northumberland County, for a consideration of one-half the fair  
18 market value as determined by an independent appraiser approved  
19 by the Department of Military Affairs, the following improved  
20 tract of land situate in the Borough of Milton, Northumberland

1 County, Pennsylvania, bounded and described as follows:

2 All that certain lot or parcel of ground situate in the Third  
3 Ward of the Borough of Milton, Northumberland County,  
4 Pennsylvania, bounded and described as follows, to wit:

5 Beginning at a point on the east side of Ridge Avenue, which  
6 point is at the southwest corner of lands of Shimer Hose  
7 Company, and running thence along said Shimer Hose Company  
8 lands, south 84 degrees 28.25 minutes east a distance of 150  
9 feet to a stake; thence along other lands of Milton Borough  
10 School District, south 05 degrees 26.50 minutes west a distance  
11 of 150 feet to a stake; thence along other lands of Milton  
12 Borough School District, north 84 degrees 28.25 minutes west a  
13 distance of 150 feet to Ridge Avenue; and thence along the east  
14 side of Ridge Avenue, north 05 degrees 26.50 minutes east a  
15 distance of 150 feet to the place of beginning.

16 ~~Section 2.~~ (B) The conveyance shall be made under and <—  
17 subject to all easements, servitudes and rights of others,  
18 including, but not confined to, streets, roadways and rights of  
19 telephone, telegraph, water, electric, sewer, gas or pipeline  
20 companies, as well as under and subject to any interest, estates  
21 or tenancies vested in third persons, whether or not appearing  
22 of record, for any portion of the land or improvements erected  
23 thereon.

24 ~~Section 3.~~ (C) The deed of conveyance shall be approved as <—  
25 provided by law and shall be executed by the Secretary of  
26 General Services in the name of the Commonwealth of  
27 Pennsylvania.

28 ~~Section 4.~~ (D) The deed of conveyance shall contain a clause <—  
29 that the lands conveyed shall be used for municipal purposes by  
30 the Borough of Milton and, if at any time the Borough of Milton

1 or its successor in function conveys said property or permits  
2 said property to be used for any purpose other than that  
3 aforementioned, the title thereto shall immediately revert to  
4 and revest in the Commonwealth of Pennsylvania.

5 ~~Section 5.~~ (E) The deed of conveyance shall contain a clause <—  
6 providing that the owner will rehabilitate and maintain the  
7 property in accordance with the approaches in "The Secretary of  
8 the Interior's Standards for Rehabilitation and Guidelines for  
9 Rehabilitating Historic Buildings (U.S. Department of the  
10 Interior, National Park Service, 1983)."

11 ~~Section 6.~~ (F) Costs and fees incidental to this conveyance <—  
12 shall be borne by the grantee.

13 SECTION 2. (A) THE DEPARTMENT OF MILITARY AFFAIRS AND THE <—  
14 DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF THE  
15 GOVERNOR, ARE HEREBY AUTHORIZED TO SELL AND CONVEY, BY GENERAL  
16 WARRANTY DEED, ACTING ON BEHALF OF THE COMMONWEALTH OF  
17 PENNSYLVANIA, FOR A CONSIDERATION OF NOT LESS THAN \$890,000,  
18 WHICH CONSIDERATION IS HEREBY DETERMINED TO BE THE FAIR MARKET  
19 VALUE OF THE REAL ESTATE AND THE STRUCTURES HEREINAFTER  
20 DESCRIBED AS DETERMINED BY CHARLES A. THOMAS, MAI ON APRIL 10,  
21 1990, THE RIGHT, TITLE AND INTEREST OF THE COMMONWEALTH IN A  
22 TRACT OF LAND AND ALL BUILDINGS ATTACHED AND APPURTENANT  
23 THERETO, IN THE CITY OF PHILADELPHIA, PHILADELPHIA COUNTY, MORE  
24 PARTICULARLY DESCRIBED AS FOLLOWS:

25 TRACT NO. 1

26 ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE 40TH  
27 WARD OF THE CITY OF PHILADELPHIA, AND DESCRIBED AS FOLLOWS, TO  
28 WIT:

29 BEGINNING AT THE POINT OF INTERSECTION OF THE WEST SIDE OF  
30 ISLAND AVENUE (AS PLOTTED 180 FEET WIDE, BUT NOT UPON THE CITY

1 PLAN) AND THE NORTH RIGHT-OF-WAY LINE OF THE SIXTIETH STREET  
2 BRANCH OF THE PHILADELPHIA, BALTIMORE AND WASHINGTON RAILROAD  
3 COMPANY; THENCE EXTENDING NORTHWARD ALONG THE WEST SIDE OF  
4 ISLAND AVENUE 400 FEET TO A POINT; THENCE SOUTH 70 DEGREES 55  
5 MINUTES 12 SECONDS WEST 200 FEET TO A POINT; THENCE SOUTH 19  
6 DEGREES 4 MINUTES 48 SECONDS EAST 400 FEET TO A POINT; THENCE  
7 NORTH 70 DEGREES 55 MINUTES 12 SECONDS EAST 200 FEET TO THE  
8 POINT AND PLACE OF BEGINNING.

9 BEING PART OF THE SAME PREMISES WHICH WILLIAM GRAY KNOWLES ET  
10 AL, BY INDENTURE DATED JULY 26, 1917, AND RECORDED IN DEED BOOK  
11 JMH NO. 184, PAGE 480 & C., GRANTED AND CONVEYED UNTO THE SAID  
12 CITY OF PHILADELPHIA IN A FEE.

13 LESS ALL THAT CERTAIN TRACT OR PARCEL OF GROUND SITUATE IN  
14 THE 40TH WARD, CITY OF PHILADELPHIA, BOUNDED AND DESCRIBED IN  
15 ACCORDANCE WITH A PLAN OF PROPERTY MADE BY ALBRIGHT & FRIEL,  
16 INC., CONSULTING ENGINEERS OF PHILADELPHIA, PENNSYLVANIA, AND  
17 APPROVED BY MAURICE H. GOLDICH, SURVEYOR AND REGULATOR, TENTH  
18 SURVEY DISTRICT, ON OCTOBER 15, 1963, AS FOLLOWS:

19 BEGINNING AT A POINT ON THE SOUTHWESTERLY SIDE OF ISLAND  
20 AVENUE (180 FEET WIDE), SAID BEGINNING POINT BEING SOUTH 19  
21 DEGREES 4 MINUTES 48 SECONDS EAST A DISTANCE OF 1,548.717 FEET  
22 AS MEASURED ALONG SAID SOUTHWESTERLY SIDE OF ISLAND AVENUE FROM  
23 AN ANGLE POINT, SAID ANGLE POINT BEING SOUTH 22 DEGREES 41  
24 MINUTES 49 SECONDS EAST A DISTANCE OF 576.351 FEET AS MEASURED  
25 ALONG SAID SOUTHWESTERLY SIDE OF ISLAND AVENUE FROM THE POINT OF  
26 INTERSECTION OF THE PROLONGATION OF SAID SOUTHWESTERLY SIDE OF  
27 ISLAND AVENUE WITH THE PROLONGATION OF THE SOUTHEASTERLY SIDE OF  
28 ESSINGTON AVENUE (108 FEET WIDE); THENCE EXTENDING ALONG  
29 SOUTHWESTERLY SIDE OF ISLAND AVENUE SOUTH 19 DEGREES 4 MINUTES  
30 48 SECONDS EAST A DISTANCE OF 76.632 FEET TO A POINT; THENCE

1 EXTENDING SOUTH 34 DEGREES 29 MINUTES 57 SECONDS WEST A DISTANCE  
2 OF 62.137 FEET TO A POINT; THENCE EXTENDING NORTH 19 DEGREES 4  
3 MINUTES 48 SECONDS WEST A DISTANCE OF 113.523 FEET TO A POINT;  
4 THENCE EXTENDING NORTH 70 DEGREES 55 MINUTES 12 SECONDS EAST A  
5 DISTANCE OF 50 FEET TO A POINT ON THE AFOREMENTIONED  
6 SOUTHWESTERLY SIDE OF ISLAND AVENUE, THE FIRST MENTIONED POINT  
7 AND PLACE OF BEGINNING.

8 CONTAINING IN AREA .1091 ACRE.

9 TRACT NO. 2

10 ALL THAT CERTAIN TRACT OR PARCEL OF GROUND SITUATE IN THE  
11 40TH WARD, CITY OF PHILADELPHIA, BOUNDED AND DESCRIBED IN  
12 ACCORDANCE WITH A PLAN OF PROPERTY MADE BY ALBRIGHT & FRIEL,  
13 INC., CONSULTING ENGINEERS OF PHILADELPHIA, PENNSYLVANIA, AND  
14 APPROVED BY MAURICE H. GOLDICH, SURVEYOR AND REGULATOR, TENTH  
15 SURVEY DISTANCE, ON OCTOBER 15, 1963, AS FOLLOWS:

16 BEGINNING AT A POINT ON THE SOUTHWESTERLY SIDE OF ISLAND  
17 AVENUE (180 FEET WIDE), SAID BEGINNING POINT BEING SOUTH 19  
18 DEGREES 4 MINUTES 48 SECONDS EAST A DISTANCE OF 1548.717 FEET AS  
19 MEASURED ALONG SAID SOUTHWESTERLY SIDE OF ISLAND AVENUE FROM AN  
20 ANGLE POINT, SAID ANGLE POINT BEING SOUTH 22 DEGREES 41 MINUTES  
21 49 SECONDS EAST A DISTANCE OF 576.351 FEET AS MEASURED ALONG  
22 SAID SOUTHWESTERLY SIDE OF ISLAND AVENUE FROM THE POINT OF  
23 INTERSECTION OF THE PROLONGATION OF SAID SOUTHWESTERLY SIDE OF  
24 ISLAND AVENUE WITH THE PROLONGATION OF THE SOUTHEASTERLY SIDE OF  
25 ESSINGTON AVENUE (108 FEET WIDE); THENCE EXTENDING ALONG THE  
26 SOUTHWESTERLY SIDE OF ISLAND AVENUE SOUTH 19 DEGREES 4 MINUTES  
27 48 SECONDS EAST A DISTANCE OF 76.632 FEET TO A POINT; THENCE  
28 EXTENDING SOUTH 34 DEGREES 29 MINUTES 57 SECONDS WEST A DISTANCE  
29 OF 319.897 FEET TO A POINT; THENCE EXTENDING NORTH 19 DEGREES 4  
30 MINUTES 48 SECONDS WEST A DISTANCE OF 666.578 FEET TO A POINT;

1 THENCE EXTENDING NORTH 70 DEGREES 55 MINUTES 12 SECONDS EAST A  
2 DISTANCE OF 57.414 FEET TO A POINT; THENCE EXTENDING SOUTH 19  
3 DEGREES 4 MINUTES 48 SECONDS EAST A DISTANCE OF 400 FEET TO A  
4 POINT; THENCE EXTENDING NORTH 70 DEGREES 55 MINUTES 12 SECONDS  
5 EAST A DISTANCE OF 200 FEET TO A POINT ON THE AFOREMENTIONED  
6 SOUTHWESTERLY SIDE OF ISLAND AVENUE, THE FIRST MENTIONED POINT  
7 AND PLACE OF BEGINNING.

8 CONTAINING IN AREA 1.5413 ACRES.

9 (B) TRACT 1 AND TRACT 2 HAVE ERECTED THEREON BUILDINGS WHICH  
10 COMPRISED THE FORMER PENNSYLVANIA AIR NATIONAL GUARD FACILITY.

11 (C) THE CONVEYANCE OF THE PROPERTY DESCRIBED IN SUBSECTION  
12 (A) SHALL BE MADE UNDER AND SUBJECT, NEVERTHELESS, TO ALL  
13 EASEMENTS, LEASES, SERVITUDES AND RIGHTS OF OTHERS, INCLUDING,  
14 BUT NOT CONFINED TO, STREETS, ROADWAYS AND RIGHTS OF ANY  
15 TELEPHONE, TELEGRAPH, WATER, ELECTRIC, GAS OR PIPELINE  
16 COMPANIES, AS WELL AS UNDER AND SUBJECT, NEVERTHELESS, TO ANY  
17 ESTATE OR TENANCIES VESTED IN THIRD PERSONS, WHETHER OR NOT  
18 APPEARING OF RECORD, FOR ANY PORTION OF THE SAID LAND OR  
19 IMPROVEMENTS ERECTED THEREON.

20 (D) THE CONVEYANCE OF THE PROPERTY DESCRIBED IN SUBSECTION  
21 (A) SHALL ALSO BE MADE UNDER AND SUBJECT TO ANY RESERVATIONS SET  
22 FORTH IN THE AFOREMENTIONED DEEDS TO THE COMMONWEALTH OF  
23 PENNSYLVANIA.

24 (E) THE DEED OF CONVEYANCE OF THE PROPERTY DESCRIBED IN  
25 SUBSECTION (A) SHALL BE APPROVED AS PROVIDED BY LAW AND SHALL BE  
26 EXECUTED BY THE ADJUTANT GENERAL FOR THE STATE ARMORY BOARD OF  
27 THE DEPARTMENT OF MILITARY AFFAIRS AND THE SECRETARY OF GENERAL  
28 SERVICES IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

29 (F) ALL MONEYS RECEIVED FROM THE SALE OF THE LAND AND ARMORY  
30 AUTHORIZED TO BE CONVEYED IN THIS SECTION SHALL BE DEPOSITED IN

1 THE STATE TREASURY ARMORY FUND.

2 Section 7 3. This act shall take effect immediately.

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