

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2910 Session of
2002

INTRODUCED BY PIPPY, OCTOBER 9, 2002

AS AMENDED ON SECOND CONSIDERATION, IN SENATE, NOVEMBER 26, 2002

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to grant and convey to Leon Dwinga
3 and Patricia Dwinga, his wife, certain land situate in the
4 Township of Collier, Allegheny County; AUTHORIZING AND <—
5 DIRECTING THE DEPARTMENT OF GENERAL SERVICES, WITH THE
6 APPROVAL OF THE GOVERNOR, TO EXECUTE A DEED TO REMOVE CERTAIN
7 RESTRICTIONS IMPOSED ON LANDS CONVEYED TO CRANBERRY TOWNSHIP
8 AND SITUATE IN CRANBERRY TOWNSHIP, BUTLER COUNTY; AND
9 AUTHORIZING AND DIRECTING THE DEPARTMENT OF GENERAL SERVICES,
10 WITH THE APPROVAL OF THE GOVERNOR, TO GRANT AND CONVEY TO THE
11 UNIONTOWN AREA SCHOOL DISTRICT CERTAIN LANDS AND BUILDING
12 SITUATE IN THE CITY OF UNIONTOWN, FAYETTE COUNTY; AUTHORIZING <—
13 THE DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF THE
14 GOVERNOR AND THE DEPARTMENT OF PUBLIC WELFARE, TO GRANT AND
15 CONVEY CERTAIN VACANT LAND SITUATED AT THE SOUTHEAST
16 INTERSECTION OF ARSENAL BOULEVARD AND NORTH CAMERON STREET IN
17 THE SEVENTH WARD OF THE CITY OF HARRISBURG, DAUPHIN COUNTY;
18 AND AUTHORIZING AND DIRECTING THE DEPARTMENT OF GENERAL
19 SERVICES, WITH THE APPROVAL OF THE GOVERNOR AND THE
20 DEPARTMENT OF TRANSPORTATION, TO GRANT AND CONVEY TO THE
21 INDIANA FIRE ASSOCIATION CERTAIN LANDS SITUATE IN WHITE
22 TOWNSHIP, INDIANA COUNTY.

23 The General Assembly of the Commonwealth of Pennsylvania

24 hereby enacts as follows:

25 Section 1. Conveyance in Collier Township, Allegheny County.

26 (a) Authorization.--The Department of General Services, with

1 the approval of the Governor, is hereby authorized on behalf of
2 the Commonwealth of Pennsylvania to grant and convey to Leon
3 Dwinga and Patricia Dwinga certain land as described in
4 subsection (b) for fair market value as determined by an
5 independent appraisal.

6 (b) Property description.--The tract to be conveyed is
7 situate in the Township of Collier, Allegheny County,
8 Pennsylvania, bounded and described as follows:

9 ALL THAT CERTAIN tract of land situate in the Township of
10 Collier, County of Allegheny and Commonwealth of Pennsylvania,
11 being parts of Lot Nos. 53 and 54 in A. W. Mellon's Plan of
12 Ewing Farm, recorded in the Recorder's Office of Allegheny
13 County in Plan Book Volume 22, pages 194 and 195, bounded and
14 described as follows:

15 BEGINNING at a point in the center of Dorrington Road and the
16 Easterly line of Lot 54 as laid out in said plan; thence along
17 the centerline of Dorrington Road to a point on the Westerly
18 line of Lot 53 as laid out in said plan; thence along the
19 Westerly line of Lot 53 to a point; thence along the Southerly
20 line of Lot Nos. 53 and 54 to the centerline of Hill Top Road,
21 S.R. 3052; thence along the centerline of Hill Top Road, S.R.
22 3052 to a point on the Easterly line of Lot 54 as laid out in
23 said plan; thence along the Easterly side of Lot 54 to a point
24 in the center of Dorrington Road, at the place of beginning.

25 CONTAINING: .33 acres of land more or less.

26 (c) Conditions.--The Conveyance shall be made under and
27 subject to all lawful and enforceable easements, servitudes and
28 rights of others, including, but not confined to, streets,
29 roadways and rights of any telephone, telegraph, cable, water,
30 electric, sewer, gas or pipeline companies, as well as under and

1 subject to any lawful and enforceable estates or tenancies
2 vested in third persons appearing of record, for any portion of
3 the land or improvements erected thereon.

4 (d) Deed.--The Deed of Conveyance shall be by Special
5 Warranty Deed and shall be executed by the Secretary of General
6 Services in the name of the Commonwealth of Pennsylvania.

7 (e) Costs and fees.--Costs and fees incidental to this
8 conveyance shall be borne by the Grantee.

9 SECTION 2. REMOVAL OF DEED RESTRICTIONS. <—

10 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
11 THE APPROVAL OF THE GOVERNOR, IS HEREBY AUTHORIZED ON BEHALF OF
12 THE COMMONWEALTH OF PENNSYLVANIA TO EXECUTE A DEED REMOVING THE
13 RESTRICTIONS IMPOSED ON THE LANDS CONVEYED TO CRANBERRY TOWNSHIP
14 BY SECTION 2 OF THE ACT OF DECEMBER 27, 1974 (P.L.1011, NO.328),
15 ENTITLED "AN ACT AUTHORIZING THE DEPARTMENT OF PROPERTY AND
16 SUPPLIES, WITH THE APPROVAL OF THE GOVERNOR, TO SELL AND CONVEY
17 6.60 ACRES OF LAND IN CRANBERRY TOWNSHIP, TO CRANBERRY TOWNSHIP,
18 BUTLER COUNTY, PENNSYLVANIA," SITUATE IN CRANBERRY TOWNSHIP,
19 BUTLER COUNTY FOR THE CONSIDERATION OF \$174,000.

20 (B) DEED.--THE DEED OF CONVEYANCE SHALL BE EXECUTED BY THE
21 SECRETARY OF GENERAL SERVICES IN THE NAME OF THE COMMONWEALTH OF
22 PENNSYLVANIA.

23 (C) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO REMOVING
24 THE RESTRICTIONS SHALL BE BORNE BY THE GRANTEE.

25 SECTION 3. CONVEYANCE IN CITY OF UNIONTOWN, FAYETTE COUNTY.

26 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
27 THE APPROVAL OF THE GOVERNOR, IS HEREBY AUTHORIZED AND DIRECTED
28 ON BEHALF OF THE COMMONWEALTH OF PENNSYLVANIA TO GRANT AND
29 CONVEY TO THE UNIONTOWN AREA SCHOOL DISTRICT CERTAIN LANDS AND
30 BUILDING DESCRIBED IN SUBSECTION (B) FOR FAIR MARKET VALUE AS

1 DETERMINED BY AN INDEPENDENT APPRAISAL.

2 (B) PROPERTY DESCRIPTION.--THE PROPERTY TO BE CONVEYED
3 PURSUANT TO SUBSECTION (A) CONSISTS OF APPROXIMATELY 0.67-ACRES
4 BOUNDED AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

5 BEGINNING AT A POINT AT THE INTERSECTION OF THE CENTER LINES
6 OF IOWA STREET AND A FIFTEEN FOOT ALLEY; THENCE ALONG THE CENTER
7 LINE OF SAID FIFTEEN FOOT ALLEY, NORTH 80 DEGREES 06 MINUTES
8 WEST, 146.94 FEET TO A POINT ON THE EASTERN LINE OF A TWENTY
9 FOOT ALLEY; THENCE ALONG THE EASTERN LINE OF SAID TWENTY FOOT
10 ALLEY, NORTH 09 DEGREES 54 MINUTES EAST, 180.11 FEET TO A POINT
11 IN THE CENTER LINE OF ANOTHER TWENTY FOOT ALLEY; THENCE ALONG
12 THE CENTER LINE OF SAID LAST MENTIONED TWENTY FOOT ALLEY, NORTH
13 85 DEGREES 25 MINUTES EAST, 149.23 FEET TO A POINT IN THE CENTER
14 LINE OF IOWA STREET, THENCE ALONG THE CENTER LINE OF IOWA
15 STREET, SOUTH 04 DEGREES 35 MINUTES EAST, 9.80 FEET TO A POINT;
16 THENCE CONTINUING ALONG THE CENTER LINE OF IOWA STREET, SOUTH 09
17 DEGREES 54 MINUTES WEST, 207.94 FEET TO A POINT, THE PLACE OF
18 BEGINNING.

19 CONTAINING 0.67-ACRES (MORE OR LESS).

20 AND BEING THE SAME PREMISES CONVEYED TO THE COMMONWEALTH OF
21 PENNSYLVANIA BY DEED OF THE CAVERT WIRE CO., INC., DATED
22 DECEMBER 17, 1969 AND RECORDED IN THE RECORDER'S OFFICE OF
23 FAYETTE COUNTY IN DEED BOOK VOLUME 1087, PAGE 462.

24 (C) RESTRICTIONS.--THE CONVEYANCE SHALL BE MADE UNDER AND
25 SUBJECT TO ALL LAWFUL AND ENFORCEABLE EASEMENTS, SERVITUDES AND
26 RIGHTS OF OTHERS, INCLUDING BUT NOT CONFINED TO STREETS,
27 ROADWAYS AND RIGHTS OF ANY TELEPHONE, TELEGRAPH, WATER,
28 ELECTRIC, GAS OR PIPELINE COMPANIES, AS WELL AS UNDER AND
29 SUBJECT TO ANY LAWFUL AND ENFORCEABLE ESTATES OR TENANCIES
30 VESTED IN THIRD PERSONS APPEARING OF RECORD, FOR ANY PORTION OF

1 THE LAND OR IMPROVEMENTS ERECTED THEREON.

2 (D) DEED.--THE DEED OF CONVEYANCE SHALL BE BY SPECIAL
3 WARRANTY DEED AND SHALL BE EXECUTED BY THE SECRETARY OF GENERAL
4 SERVICES IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

5 (E) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THIS
6 CONVEYANCE SHALL BE BORNE BY THE GRANTEE.

7 (F) LIMITATION ON TRANSFER.--IN THE EVENT THAT THIS
8 CONVEYANCE IS NOT EXECUTED WITHIN 60 DAYS OF THE EFFECTIVE DATE
9 OF THIS ACT, THE PROPERTY MAY BE DISPOSED OF IN ACCORDANCE WITH
10 ARTICLE 2406-A OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175),
11 KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

12 SECTION 4. CITY OF HARRISBURG, DAUPHIN COUNTY.

<—

13 (A) CONVEYANCE AUTHORIZED.--THE DEPARTMENT OF GENERAL
14 SERVICES, WITH THE APPROVAL OF THE GOVERNOR AND THE DEPARTMENT
15 OF PUBLIC WELFARE, IS HEREBY AUTHORIZED ON BEHALF OF THE
16 COMMONWEALTH OF PENNSYLVANIA TO GRANT AND CONVEY THE TRACT OF
17 LAND BOUNDED AND DESCRIBED IN SUBSECTION (B) FOR FAIR MARKET
18 VALUE AS DETERMINED BY INDEPENDENT APPRAISAL IN ACCORDANCE WITH
19 AN AGREEMENT OF SALE DATED MARCH 12, 2001, BETWEEN THE
20 DEPARTMENT OF GENERAL SERVICES AND BUTTER KRUST BAKING COMPANY.

21 (B) PROPERTY DESCRIPTION.--THE PROPERTY TO BE CONVEYED
22 PURSUANT TO THIS SECTION CONSISTS OF APPROXIMATELY 2.8 ACRES AND
23 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

24 BEGINNING AT A POINT, SAID POINT BEING LOCATED THE FOLLOWING
25 TWO COURSES AND DISTANCES FROM THE INTERSECTION OF THE NORTHERN
26 RIGHT-OF-WAY LINE OF MUENCH STREET WITH THE EASTERN RIGHT-OF-WAY
27 LINE OF CAMERON STREET, NORTH 15 DEGREES 18 MINUTES 31 SECONDS
28 WEST, A DISTANCE OF 307.87 FEET TO A POINT;

29 THENCE BY A CURVE HAVING A RADIUS OF 30.00 FEET, DEFLECTING
30 TO THE RIGHT IN A NORTHEASTERLY DIRECTION FOR A DISTANCE OF

1 26.93 FEET MEASURED ALONG THE ARC OF THE CURVE, SAID ARC HAVING
2 A CHORD BEARING OF NORTH 10 DEGREES 24 MINUTES 58 SECONDS EAST,
3 FOR A DISTANCE OF 26.04 FEET TO A POINT, THE PLACE OF BEGINNING.

4 THENCE ALONG LANDS OF THE PENNSYLVANIA DEPARTMENT OF
5 TRANSPORTATION, NORTH 13 DEGREES 13 MINUTES 02 SECONDS WEST, FOR
6 A DISTANCE OF 21.65 FEET TO A COPPERWELD PIN;

7 THENCE CONTINUING ALONG THE SAME, NORTH 63 DEGREES 43 MINUTES
8 12 SECONDS EAST FOR A DISTANCE OF 37.46 FEET TO A COPPERWELD
9 PIN;

10 THENCE CONTINUING ALONG THE SAME SOUTH 67 DEGREES 09 MINUTES
11 40 SECONDS EAST, FOR A DISTANCE OF 261.40 FEET TO A COPPERWELD
12 PIN;

13 THENCE CONTINUING ALONG THE SAME SOUTH 49 DEGREES 13 MINUTES
14 00 SECONDS EAST, FOR A DISTANCE OF 68.76 FEET TO A COPPERWELD
15 PIN AT THE CORNER OF LANDS OF THE PENNSYLVANIA DEPARTMENT OF
16 TRANSPORTATION AND OTHER LANDS OF BUTTER KRUST BAKING COMPANY;

17 THENCE CONTINUING ALONG LANDS OF BUTTER KRUST BAKING COMPANY,
18 NORTH 67 DEGREES 26 MINUTES 39 SECONDS WEST FOR A DISTANCE OF
19 309.54 FEET TO A POINT;

20 THENCE CONTINUING ALONG THE SAME BY A CURVE HAVING A RADIUS
21 OF 30 FEET DEFLECTING TO THE LEFT IN A SOUTHWESTERLY DIRECTION
22 FOR A DISTANCE OF 40.02 FEET MEASURED ALONG THE ARC OF THE
23 CURVE, SAID ARC HAVING A CHORD BEARING OF SOUTH 74 DEGREES 20
24 MINUTES 04 SECONDS WEST FOR A DISTANCE OF 37.12 FEET TO A POINT,
25 THE PLACE OF BEGINNING.

26 CONTAINING 7,059.00 SQUARE FEET.

27 BEING A PART OF THE SAME PREMISES ACQUIRED BY THE
28 COMMONWEALTH FROM JOHN CURWEN, BY DEED DATED JANUARY 31, 1879,
29 AND RECORDED IN DAUPHIN COUNTY IN DEED BOOK "Q", VOLUME 5, PAGE
30 476; ALSO PART OF THE SAME PREMISES ACQUIRED BY THE COMMONWEALTH

1 FROM ROBERT GRAHAM AND ANNIE GRAHAM, HIS WIFE, BY DEED DATED
2 OCTOBER 22, 1887, AND RECORDED IN DAUPHIN COUNTY IN DEED BOOK
3 "E", VOLUME 7, PAGE 404.

4 (C) CONDITIONS.--THE CONVEYANCE SHALL BE MADE UNDER AND
5 SUBJECT TO ALL LAWFUL AND ENFORCEABLE EASEMENTS, SERVITUDES AND
6 RIGHTS OF OTHERS, INCLUDING BUT NOT CONFINED TO STREETS,
7 ROADWAYS AND RIGHTS OF ANY TELEPHONE, TELEGRAPH, WATER,
8 ELECTRIC, GAS OR PIPELINE COMPANIES, AS WELL AS UNDER AND
9 SUBJECT TO ANY LAWFUL AND ENFORCEABLE ESTATES OR TENANCIES
10 VESTED IN THIRD PERSONS APPEARING OF RECORD, FOR ANY PORTION OF
11 THE LAND OR IMPROVEMENTS ERECTED THEREON.

12 (D) DEED.--THE DEED OF CONVEYANCE SHALL BE BY SPECIAL
13 WARRANTY DEED AND SHALL BE EXECUTED BY THE SECRETARY OF GENERAL
14 SERVICES IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

15 (E) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THIS
16 CONVEYANCE SHALL BE BORNE BY THE GRANTEE.

17 (F) ALTERNATIVE DISPOSITION.--IN THE EVENT THAT THIS
18 CONVEYANCE IS NOT EXECUTED WITHIN THREE (3) MONTHS OF THE
19 EFFECTIVE DATE OF THIS ACT, THE PROPERTY MAY BE DISPOSED OF IN
20 ACCORDANCE WITH SECTION 2406-A OF THE ACT OF APRIL 9, 1929
21 (P.L.177, NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.
22 SECTION 5. LAND IN WHITE TOWNSHIP, INDIANA COUNTY.

23 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
24 THE APPROVAL OF THE GOVERNOR AND THE DEPARTMENT OF
25 TRANSPORTATION, IS HEREBY AUTHORIZED AND DIRECTED ON BEHALF OF
26 THE COMMONWEALTH OF PENNSYLVANIA TO GRANT AND CONVEY TO THE
27 INDIANA FIRE ASSOCIATION CERTAIN LAND SITUATE ON THE GROUNDS OF
28 THE DEPARTMENT OF TRANSPORTATION'S DISTRICT 10-0 ENGINEERING
29 FACILITY DESCRIBED IN SUBSECTION (B) FOR \$1.

30 (B) DESCRIPTION.--THE PROPERTY TO BE CONVEYED PURSUANT TO

1 SUBSECTION (A) CONSISTS OF APPROXIMATELY 1.622-ACRES BOUNDED AND
2 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

3 BEGINNING AT A POINT ON THE NORTHEASTERLY RIGHT OF WAY OF
4 L.R. 32046, BEING 40 FEET DISTANT FROM THE CENTERLINE THEREOF,
5 MEASURED AT RIGHT ANGLES THEREFROM; THENCE ALONG SAID RIGHT OF
6 WAY LINE NORTH 1 DEGREE 32 MINUTES 21 SECONDS EAST 402.79 FEET
7 TO A POINT; THENCE ALONG LANDS OF THOMAS FRICK NORTH 63 DEGREES
8 18 MINUTES 11 SECONDS EAST 79.10 FEET TO A POINT; THENCE ALONG
9 OTHER LANDS OF THOMAS M. FRICK AND THERESA D. FRICK, LANDS OF
10 ROBERT V. BRADY AND ALSO LANDS OF THE INDIANA MALL COMPANY BY
11 CURVE TO THE LEFT HAVING A RADIUS OF 3759.83 FEET FOR A ARC
12 DISTANCE OF 355.25 FEET, THE LONG CHORD BEARING SOUTH 36 DEGREES
13 11 MINUTES 19 SECONDS EAST FOR 355.11 FEET TO A POINT; THENCE
14 THROUGH LANDS OF THE COMMONWEALTH OF PENNSYLVANIA IN WHICH THE
15 HEREIN DESCRIBED PARCEL IS A PART SOUTH 62 DEGREES 29 MINUTES 58
16 SECONDS WEST 328.25 FEET TO THE POINT OF BEGINNING.

17 CONTAINING 1.622-ACRES, MORE OR LESS.

18 (C) EASEMENT.--THE CONVEYANCE SHALL BE MADE UNDER AND
19 SUBJECT TO ALL LAWFUL AND ENFORCEABLE EASEMENTS, SERVITUDES AND
20 RIGHTS OF OTHERS, INCLUDING, BUT NOT CONFINED TO, STREETS,
21 ROADWAYS AND RIGHTS OF ANY TELEPHONE, TELEGRAPH, WATER,
22 ELECTRIC, GAS OR PIPELINE COMPANIES, AS WELL AS UNDER AND
23 SUBJECT TO ANY LAWFUL AND ENFORCEABLE ESTATES OR TENANCIES
24 VESTED IN THIRD PERSONS APPEARING OF RECORD, FOR ANY PORTION OF
25 THE LAND OR IMPROVEMENTS ERECTED THEREON.

26 (D) EXECUTION.--THE DEED OF CONVEYANCE SHALL CONTAIN THE
27 FOLLOWING RESTRICTIVE COVENANT: UNDER AND SUBJECT TO A CONDITION
28 THAT THE GRANTEE SHALL UTILIZE THE PROPERTY HEREIN CONVEYED AS A
29 FIRE STATION AND FOR NO OTHER PURPOSE. IF THE PROPERTY IS NOT
30 UTILIZED AS SUCH OR THE GRANTEE ATTEMPTS TO CONVEY THE PROPERTY,

1 IT SHALL IMMEDIATELY REVERT TO AND REVEST IN THE GRANTOR.

2 (E) DEED.--THE DEED OF CONVEYANCE SHALL BE BY SPECIAL
3 WARRANTY DEED AND SHALL BE EXECUTED BY THE SECRETARY OF GENERAL
4 SERVICES IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

5 (F) COSTS.--COSTS AND FEES INCIDENTAL TO THIS CONVEYANCE
6 SHALL BE BORNE BY THE GRANTEE.

7 (G) ALTERNATE DISPOSITION.--IN THE EVENT THAT THIS
8 CONVEYANCE IS NOT EXECUTED WITHIN 90 DAYS OF THE EFFECTIVE DATE
9 OF THIS ACT, THE PROPERTY MAY BE DISPOSED OF IN ACCORDANCE WITH
10 SECTION 2406-A OF THE ACT OF APRIL 9, 1929 (P.L.177, NO.175),
11 KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

12 Section ~~2-4~~ 6. Effective date.

<—

13 This act shall take effect immediately.