

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2963 Session of
2002

INTRODUCED BY SEMMEL, RYAN, COLEMAN, PETRARCA AND SHANER,
NOVEMBER 12, 2002

REFERRED TO COMMITTEE ON STATE GOVERNMENT, NOVEMBER 12, 2002

AN ACT

1 Authorizing and directing the Department of General Services,
2 with the approval of the Governor and the Department of
3 Military and Veterans Affairs, to grant and convey certain
4 lands situate in Latrobe Borough, Westmoreland County, to the
5 Borough of Latrobe; authorizing and directing the Department
6 of General Services, with the approval of the Governor and
7 the Department of Military and Veterans Affairs, to grant and
8 convey, at a price determined through competitive bidding,
9 certain lands situate in Scottdale Borough, Westmoreland
10 County; authorizing and directing the Department of General
11 Services, with the approval of the Governor and the
12 Department of Military and Veterans Affairs, to grant and
13 convey certain lands situate in Blairsville Borough, Indiana
14 County, to the Borough of Blairsville; authorizing and
15 directing the Department of General Services, with the
16 approval of the Governor and the Department of Military and
17 Veterans Affairs, to grant and convey certain lands situate
18 in Kutztown Borough, Berks County, to the Borough of
19 Kutztown; and authorizing the Department of General Services,
20 with the approval of the Governor and the Department of
21 Military and Veterans Affairs, to grant and convey a certain
22 tract of land situate in the Borough of Media, Delaware
23 County, to the Borough of Media; and making a repeal.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 Section 1. Latrobe Borough, Westmoreland County.

27 (a) Authorization.--The Department of General Services, with
28 the approval of the Governor and the Department of Military and

1 Veterans Affairs, is hereby authorized and directed on behalf of
2 the Commonwealth of Pennsylvania to grant and convey to the
3 Borough of Latrobe, for fair market value as determined by
4 independent appraisal, the National Guard Armory situate in
5 Latrobe Borough, Westmoreland County, Pennsylvania, described in
6 subsection (b).

7 (b) Description.--The property to be conveyed pursuant to
8 subsection (a) consists of approximately 0.32 acres and an
9 armory building bounded and more particularly described as
10 follows:

11 Tract 1

12 BEING Lot No. 8 in Block 9 of the Brinker Plan of Lots as
13 recorded in Westmoreland County Deed Book 82, Page 225.

14 Said lot having a frontage of fifty (50) feet on the
15 Northerly side of Spring Street, and extending back, of even
16 width, between Lot No. 7 on the East and Lot No. 9 on the West,
17 a distance of one hundred thirty-eight and eighty-six hundredths
18 (138.86) feet to an alley.

19 BEING the same land conveyed to the Commonwealth of
20 Pennsylvania by deed of Effie B. Whiteman, Thomas M. Whiteman,
21 Rachel L. Whiteman, and Harry J. Whiteman, dated November 24,
22 1922, and recorded in the Office of Recorder of Deeds in and for
23 Westmoreland County, Pennsylvania, in Deed Book 720, Page 130.

24 Tract 2

25 BEING Lot No. 7 in Block 9 of the Brinker Plan of Lots in
26 said Borough of Latrobe as recorded in Westmoreland County Deed
27 Book 82, Page 225.

28 Having a frontage of fifty (50) feet on the Northerly side of
29 Spring Street, and extending back of even width, between Ridge
30 Avenue on the East and Lot No. 7 in said block on the West, a

1 distance of one hundred thirty-eight and eighty-six hundredths
2 (138.86) feet to an alley.

3 AND BEING the same land conveyed to the Commonwealth of
4 Pennsylvania by deed of James B. Weaver and Fannie F. Weaver,
5 dated November 24, 1922, and recorded in the Office of Recorder
6 of Deeds in and for Westmoreland County, Pennsylvania, in Deed
7 Book 720, Page 131.

8 (c) Proceeds.--The proceeds from the sale of the land and
9 armory shall be deposited in the State Treasury Armory Fund.

10 (d) Easements.--The conveyance shall be made under and
11 subject to all lawful and enforceable easements, servitudes and
12 rights of others, including but not confined to streets,
13 roadways and rights of any telephone, telegraph, water,
14 electric, gas or pipeline companies, as well as under and
15 subject to any lawful and enforceable estates or tenancies
16 vested in third persons appearing of record, for any portion of
17 the land or improvements erected thereon.

18 (e) Execution.--The deed of conveyance shall be by Special
19 Warranty Deed and shall be executed by the Secretary of General
20 Services in the name of the Commonwealth of Pennsylvania.

21 (f) Alternate disposition.--In the event the conveyance is
22 not executed within three (3) months of the effective date of
23 this act, the Department of General Services may dispose of the
24 property in accordance with section 2406-A of act of April 9,
25 1929 (P.L.177, No.175), known as The Administrative Code of
26 1929.

27 Section 2. Scottdale Borough, Westmoreland County.

28 (a) Authorization.--The Department of General Services, with
29 the approval of the Governor and the Department of Military and
30 Veterans Affairs, is hereby authorized and directed on behalf of

1 the Commonwealth of Pennsylvania to grant and convey, at a price
2 to be determined through competitive bidding, the following
3 tract of land together with any buildings, structures or
4 improvements thereon, situate in Scottdale Borough, Westmoreland
5 County, Pennsylvania.

6 (b) Description.--The property to be conveyed pursuant to
7 subsection (a) consists of approximately 0.719-acres and an
8 armory building bounded and more particularly described as
9 follows:

10 BEGINNING at a point on the Northeasterly corner of the
11 intersection of Edwin Avenue and Everson Street; thence along
12 Everson Street North 23 degrees 35 minutes East 177.03 feet to a
13 point, at the intersection of Everson Street and Park Street;
14 thence along Park Street South 50 degrees 37 minutes East 193.05
15 feet to a point at the intersection of Park Street and North
16 Broadway; thence along North Broadway South 4 degrees 58 minutes
17 West 136.76 feet to a point at the intersection of North
18 Broadway and Edwin Avenue; thence along Edwin Avenue North 65
19 degrees 08 minutes West 229.49 feet to the place of BEGINNING.

20 CONTAINING 0.719-acres, more or less.

21 (c) Proceeds.--The proceeds from the sale of the land and
22 armory shall be deposited in the State Treasury Armory Fund.

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

1 (e) Execution.--The deed of conveyance shall be by Special
2 Warranty Deed and shall be executed by the Secretary of General
3 Services in the name of the Commonwealth of Pennsylvania.

4 Section 3. Blairsville Borough, Indiana County.

5 (a) Authorization.--The Department of General Services, with
6 the approval of the Governor and the Department of Military and
7 Veterans Affairs, is hereby authorized and directed on behalf of
8 the Commonwealth of Pennsylvania to grant and convey to the
9 Borough of Blairsville, for fair market value as determined by
10 independent appraisal, the Blairsville Armory situate in
11 Blairsville Borough, Indiana County, Pennsylvania, described in
12 subsection (b).

13 (b) Description.--The property to be conveyed pursuant to
14 subsection (a) consists of approximately 10,370 square feet and
15 an armory building bounded and more particularly described as
16 follows:

17 Tract 1

18 BEING a certain lot or piece of ground together with the two
19 (2) story building situate in the Borough of Blairsville, County
20 of Indiana and State of Pennsylvania, bounded and described as
21 follows, to wit:

22 BEGINNING on the westerly side of Walnut Street at a point
23 distant seventy (70) feet northwardly from the north west corner
24 of Walnut and Campbell streets, said point of beginning being on
25 the dividing line of property now or late of Mrs. Sarah E. Lyda
26 and premises herein described: thence northwardly along the
27 westerly side of said Walnut Street eighty-six and five tenths
28 (86.5) feet more or less to the southerly line of North Alley;
29 thence extending westwardly along the southerly line of North
30 Alley one hundred twenty two (122) feet more or less to the line

1 of property now or late of St. Peter's Episcopal Church; thence
2 southwardly along the line of said church property a distance of
3 eighty five and four tenths (85.4) feet more or less to the line
4 of land now or late of Mrs. Sarah E. Lyda; thence eastwardly by
5 line of said property now or late of Mrs. Sarah E. Lyda one
6 hundred twenty one and one tenth (121.1) feet more or less to
7 the westerly line of Walnut street aforesaid, the place of
8 beginning.

9 BEING the same land conveyed to the Commonwealth of
10 Pennsylvania by deed of Samuel W. Miller and Wilma F.G. Miller,
11 dated March 25th, 1909 and recorded in the Recorder's Office of
12 Indiana County, Pennsylvania, May 5th, 1909.

13 (c) Proceeds.--The proceeds from the sale of the land and
14 armory shall be deposited in the State Treasury Armory Fund.

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

23 (e) Execution.--The deed of conveyance shall be by Special
24 Warranty Deed and shall be executed by the Secretary of General
25 Services in the name of the Commonwealth of Pennsylvania.

26 (f) Alternate disposition.--In the event the conveyance is
27 not executed within six (6) months of the effective date of this
28 act, the Department of General Services may dispose of the
29 property in accordance with section 2406-A of the act of April
30 9, 1929 (P.L.177, No.175), known as The Administrative Code of

1 1929.

2 Section 4. Kutztown Borough, Berks County.

3 (a) Authorization.--The Department of General Services, with
4 the approval of the Governor and the Department of Military and
5 Veterans Affairs, is hereby authorized and directed on behalf of
6 the Commonwealth of Pennsylvania to grant and convey to the
7 Borough of Kutztown, for fair consideration as determined by
8 independent appraisal, the Apple Alley Garage situate in
9 Kutztown Borough, Berks County, Pennsylvania, described in
10 subsection (b).

11 (b) Description.--The property to be conveyed pursuant to
12 subsection (a) consists of approximately 1 acre seven and
13 fourteen one hundredths (7.14) perches and a maintenance
14 building bounded and more particularly described as follows:

15 Tract 1

16 BEING a certain lot or piece of ground together with the one
17 (1) story frame garage erected thereon, situate on the western
18 side of Pennsylvania Avenue between Normal Avenue and Sander
19 Alley, in the Borough of Kutztown, County of Berks and State of
20 Pennsylvania, bounded on the north by property belonging to the
21 Estate of David Adam, deceased, on the east by residue portion
22 of Pennsylvania Avenue (unopened), on the south by property
23 belonging to George T. Deibert, and on the west by a twenty (20)
24 feet wide alley known as Apple Alley, and being more fully
25 bounded and described as follows, to wit:

26 BEGINNING at a corner marked by an iron pin in Pennsylvania
27 Avenue, a distance of one hundred sixty feet (160') northwardly
28 from the northern topographical building line of Normal Avenue,
29 thence leaving the aforesaid Pennsylvania Avenue, passing
30 through a marble stone on the western topographical building

1 line of same, thirty two feet one eighth inch (32' 0-1/8") from
2 the last described corner and making an interior angle of ninety
3 degrees eight minutes (90 degrees 08') with the aforesaid
4 Pennsylvania Avenue, a distance of one hundred ninety two feet
5 (192') to a corner marked by a marble stone on the eastern side
6 of a twenty (20) feet wide alley known as Apple Alley; thence in
7 a northerly direction location same, making an interior angle of
8 eighty nine degrees fifty two minutes (89 degrees 52') with the
9 last described line, a distance of two hundred thirty seven feet
10 (237') to a corner marked by a marble stone; thence leaving and
11 making an interior angle of ninety degrees eight minutes (90
12 degrees 08') with aforesaid Apple Alley and in an easterly
13 direction along property belonging to the Estate of David Adam,
14 deceased, passing through a marble stone on the western
15 topographical building line of the aforesaid Pennsylvania
16 Avenue, thirty two feet one eighth inch (32' 0-1/8th") from the
17 next described corner, a distance of one hundred ninety two feet
18 (192') to a corner marked by an iron pin in the aforesaid
19 Pennsylvania Avenue; thence in and along same in a southerly
20 direction, making an interior angle of eighty nine degrees fifty
21 two minutes (89 degrees 52') with the last described line, a
22 distance of two hundred thirty seven feet (237') to the place of
23 Beginning. CONTAINING one (1) acre seven and fourteen one
24 hundredths (7.14) perches.

25 BEING the same premises which Percy H. Keodinger, Singleman,
26 by his deed dated September 13, 1948, and about to be recorded
27 in the office of the Recorder of Deeds of Berks County,
28 Pennsylvania, granted and conveyed unto Borough of Kutztown,
29 party hereto, and BEING DELINEATED on blue print attached to
30 this deed and made a part hereof.

1 (c) Proceeds.--The proceeds from the sale of the land and
2 armory shall be deposited in the State Treasury Armory Fund.

3 (d) Easements.--The conveyance shall be made under and
4 subject to all lawful and enforceable easements, servitudes and
5 rights of others, including but not confined to streets,
6 roadways and rights of any telephone, telegraph, water,
7 electric, gas or pipeline companies, as well as under and
8 subject to any lawful and enforceable estates or tenancies
9 vested in third persons appearing of record, for any portion of
10 the land or improvements erected thereon.

11 (e) Execution.--The deed of conveyance shall be by Special
12 Warranty Deed and shall be executed by the Secretary of General
13 Services in the name of the Commonwealth of Pennsylvania.

14 (f) Alternate disposition.--In the event the conveyance is
15 not executed within three (3) months of the effective date of
16 this act, the Department of General Services may dispose of the
17 property in accordance with section 2406-A of the act of April
18 9, 1929 (P.L.177, No.175), known as The Administrative Code of
19 1929.

20 Section 5. Media Borough, Delaware County.

21 (a) Authorization.--The Department of General Services, with
22 the approval of the Governor and the Department of Military and
23 Veterans Affairs, is hereby authorized on behalf of the
24 Commonwealth of Pennsylvania to grant and convey to the Borough
25 of Media, certain land and improvements thereon known as the
26 National Guard Armory described in subsection (b) for fair
27 consideration as determined by independent appraisal.

28 (b) Description.--The property to be conveyed is a tract of
29 land together with improvements thereon situate in the Borough
30 of Media, Delaware County, Pennsylvania, bounded and described

1 as follows:

2 All that certain tract of land situate on the Southwestern
3 corner of State and Church Streets, containing in front or
4 breadth on the said State Street, one hundred (100) feet and
5 extending of that width in length or depth Southwardly one
6 hundred and fifty (150) feet to the Northerly side of Baker
7 Street (thirty feet wide) together with the right and use of
8 said Baker Street in common with the owners of the other land
9 abutting thereon.

10 This property being identified as Tax Map No. 26-04-560.00

11 Being the same property that James A. McDowell Et. Al. as
12 trustees of the First Methodist Episcopal Church of Media, by
13 their deed dated November 7, 1907, and recorded in the Delaware
14 County Recorder of Deeds Office in Deed Book S-12, Page 31,
15 granted and conveyed unto the Commonwealth of Pennsylvania.

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

24 (d) Execution.--The deed of conveyance shall be by Special
25 Warranty Deed and shall be executed by the Secretary of General
26 Services in the name of the Commonwealth of Pennsylvania.

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

29 (f) Proceeds.--The proceeds from the sale shall be deposited
30 in the State Treasury Armory Fund.

1 (g) Alternate disposition.--In the event the conveyance is
2 not executed within six (6) months of the effective date of this
3 act, the Department of General Services may dispose of the
4 property in accordance with section 2406-A of the act of April
5 9, 1929 (P.L.177, No.175), known as The Administrative Code of
6 1929.

7 Section 6. Repeal.

8 Section 3 of the act of June 22, 2000 (P.L.447, No.60),
9 entitled "An act authorizing and directing the Department of
10 General Services, with the approval of the Governor, to grant
11 and convey oil, gas and mineral rights, including coal, that the
12 Commonwealth possesses in a certain parcel of land situate in
13 Canaan Township, Wayne County, Pennsylvania, to the United
14 States of America and releasing certain restrictions on that
15 land; authorizing and directing the Department of General
16 Services, with the approval of the Governor, to sell and convey
17 to Warren County Conservation District a certain tract of land
18 situate in the Township of Glade, Warren County, Pennsylvania;
19 and authorizing and directing the Department of General
20 Services, with the approval of the Governor and the Department
21 of Military and Veterans Affairs, to sell and convey to Media
22 Borough a certain tract of land situate in Media Borough,
23 Delaware County, Pennsylvania," is repealed.

24 Section 7. Effective date.

25 This act shall take effect immediately.