

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 932 Session of
2005

INTRODUCED BY CONTI, OCTOBER 13, 2005

AS AMENDED ON THIRD CONSIDERATION, OCTOBER 25, 2005

AN ACT

1 Amending the act of November 20, 2004 (P.L.886, No.121),
2 entitled "An act authorizing and directing the Department of
3 General Services, with the approval of the Governor, to grant
4 and convey to Erie-Western Pennsylvania Port Authority and to
5 Robert L. and Karen N. Doult, Leona B. Disbrow, Louise F.
6 Waller, Mary Schabacker, Paul D. and Mary Ann Brugger, and
7 Ralph and Janet Toland, Sr., certain lands situate in the
8 City of Erie, County of Erie; authorizing the Department of
9 General Services, with the approval of the Governor, to grant
10 and convey to Derry Township Municipal Authority a certain
11 easement for sanitary sewer purposes, together with an
12 existing sanitary sewer line and appurtenances, situate in
13 Derry Township, Dauphin County; authorizing and directing the
14 Department of General Services, with the approval of the
15 Governor, to grant and convey to Summerdale Associates, L.P.,
16 certain lands situate in the Township of East Pennsboro,
17 County of Cumberland; and authorizing and directing the
18 Department of General Services, with the approval of the
19 Department of Military and Veterans Affairs and the Governor,
20 to grant and convey to the Borough of Doylestown certain
21 lands situate in the Borough of Doylestown, Bucks County,"
22 further providing for conveyance to the Borough of
23 Doylestown, Bucks County.

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

26 Section 1. Section 5 of the act of November 20, 2004
27 (P.L.886, No.121), entitled "An act authorizing and directing
28 the Department of General Services, with the approval of the

1 Governor, to grant and convey to Erie-Western Pennsylvania Port
2 Authority and to Robert L. and Karen N. Doult, Leona B. Disbrow,
3 Louise F. Waller, Mary Schabacker, Paul D. and Mary Ann Brugger,
4 and Ralph and Janet Toland, Sr., certain lands situate in the
5 City of Erie, County of Erie; authorizing the Department of
6 General Services, with the approval of the Governor, to grant
7 and convey to Derry Township Municipal Authority a certain
8 easement for sanitary sewer purposes, together with an existing
9 sanitary sewer line and appurtenances, situate in Derry
10 Township, Dauphin County; authorizing and directing the
11 Department of General Services, with the approval of the
12 Governor, to grant and convey to Summerdale Associates, L.P.,
13 certain lands situate in the Township of East Pennsboro, County
14 of Cumberland; and authorizing and directing the Department of
15 General Services, with the approval of the Department of
16 Military and Veterans Affairs and the Governor, to grant and
17 convey to the Borough of Doylestown certain lands situate in the
18 Borough of Doylestown, Bucks County," is amended to read:

19 Section 5. Conveyance to Borough of Doylestown, Bucks County.

20 (a) Authorization.--The Department of General Services, with
21 the approval of the Department of Military and Veterans Affairs
22 and the Governor, is hereby authorized on behalf of the
23 Commonwealth of Pennsylvania to grant and convey to the Borough
24 of Doylestown certain lands and improvements thereon situate in
25 the Borough of Doylestown described in subsection (b) for
26 \$444,000.

27 (b) Property description.--The property to be conveyed
28 pursuant to subsection (a) consists of approximately 0.34 acres
29 of land and building bounded and more particularly described as
30 follows:

1 BEGINNING at a point on the center line of Shewell Avenue;
2 thence extending Northeast 42.75 degrees a distance of 148 feet
3 to a point; thence extending Southeast 47.25 degrees a distance
4 of 100 feet to a point; thence extending Southwest 42.75 degrees
5 a distance of 148 feet to the center line of Shewell Avenue;
6 thence extending Northwest along the center line of Shewell
7 Avenue 47.25 degrees a distance of 100 feet to the point and
8 place of BEGINNING.

9 CONTAINING 0.34-acres.

10 (c) Conditions.--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 (D) RESTRICTIONS.--ANY CONVEYANCE AUTHORIZED UNDER THIS
19 SECTION SHALL BE MADE UNDER AND SUBJECT TO THE FOLLOWING
20 CONDITIONS, WHICH SHALL BE CONTAINED IN THE DEED OF CONVEYANCE:

21 (1) THE PROPERTY MAY ONLY BE FURTHER CONVEYED TO ANOTHER
22 PUBLIC AGENCY. THE CONVEYANCE MAY ONLY BE MADE UNDER TERMS
23 THAT HAVE BEEN APPROVED IN WRITING BY THE DEPARTMENT OF
24 GENERAL SERVICES PRIOR TO THE CONVEYANCE. FOR PURPOSES OF
25 THIS PARAGRAPH, "PUBLIC AGENCY" SHALL MEAN AN AGENCY OF THE
26 FEDERAL, STATE OR LOCAL GOVERNMENT OR A MUNICIPAL AUTHORITY.

27 (2) THE PROPERTY SHALL BE USED FOR NONPROPRIETARY
28 GOVERNMENTAL OR PUBLIC PURPOSES ONLY.

29 (3) NO PORTION OF THE PROPERTY CONVEYED SHALL BE USED AS
30 A LICENSED FACILITY, AS DEFINED IN 4 PA.C.S. § 1103 (RELATING

1 TO DEFINITIONS) OR ANY OTHER SIMILAR TYPE OF FACILITY
2 AUTHORIZED UNDER STATE LAW.

3 (4) IF AT ANY TIME, THE PROPERTY OR ANY PORTION THEREOF
4 IS CONVEYED IN VIOLATION OF THE PROVISIONS OF PARAGRAPH (1)
5 OR USED IN VIOLATION OF THE PROVISIONS OF PARAGRAPH (2) OR
6 (3), THE TITLE TO THE PROPERTY SHALL IMMEDIATELY REVERT TO
7 AND REVEST IN THE GRANTOR.

8 (5) THESE CONDITIONS SHALL BE COVENANTS RUNNING WITH THE
9 LAND AND SHALL BE BINDING UPON THE GRANTEE, ITS SUCCESSORS
10 AND ASSIGNS.

11 **[(d)] (E)** Deed.--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 **[(e)] (F)** Costs and fees.--Costs and fees incidental to this <—
15 conveyance shall be borne by the grantee.

16 **[(f)] (G)** Other disposition.--In the event that this <—
17 conveyance is not executed within [12] ~~24~~ 18 months of the <—
18 effective date of this act, the property may be disposed of in
19 accordance with section 2406-A of the act of April 9, 1929
20 (P.L.177, No.175), known as The Administrative Code of 1929.

21 **[(g)] (H)** Proceeds.--The proceeds from the conveyance shall <—
22 be deposited in the State Treasury Armory Fund.

23 Section 2. This act shall take effect immediately.