

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 1685** Session of
2007

INTRODUCED BY SAMUELSON, MANN, BEYER AND BRENNAN, JULY 3, 2007

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, JULY 6, 2007

AN ACT

1 Authorizing and directing the Department of General Services,
2 with the approval of the Governor, to grant and convey to the
3 Allentown Commercial Industrial Authority, or their assigns,
4 certain lands situate in the City of Allentown and the City
5 of Bethlehem, Lehigh County, Pennsylvania.

6 The General Assembly of the Commonwealth of Pennsylvania
7 hereby enacts as follows:

8 Section 1. Conveyance in the City of Allentown and the City of
9 Bethlehem, Lehigh County.

10 (a) Authorization.--The Department of General Services, with
11 the approval of the Governor, is authorized on behalf of the
12 Commonwealth of Pennsylvania to grant and convey to the
13 Allentown Commercial Industrial Authority, or their assigns, a
14 certain tract of land and improvements thereon, being an unused
15 portion of the Allentown State Hospital, described in subsection
16 (b) under terms and conditions to be established in an agreement
17 of sale with the Department of General Services.

18 (b) Description.--The property to be conveyed under
19 subsection (a) consists of approximately 36.08 acres, more or

1 less, and more particularly bounded and described as follows,
2 subject to an official survey and plan:

3 Beginning at a point being the POINT OF BEGINNING; thence S.
4 08 degrees 31 minutes 43 seconds E., a distance of 327.98 feet;
5 thence S. 76 degrees 19 minutes 04 seconds W., a distance of
6 1,186.33 feet; thence S. 72 degrees 56 minutes 55 seconds W., a
7 distance of 285.07 feet; thence S. 43 degrees 48 minutes 06
8 seconds W., a distance of 727.05 feet; thence S. 54 degrees 56
9 minutes 04 seconds W., a distance of 603.06 feet; thence N. 34
10 degrees 49 minutes 40 seconds W., a distance of 160.00 feet;
11 thence N. 55 degrees 10 minutes 20 seconds E., a distance of
12 243.03 feet; thence N. 27 degrees 11 minutes 30 seconds W., a
13 distance of 394.57 feet; thence continue northwesterly along
14 said line, a distance of 637.91 feet; thence N. 81 degrees 23
15 minutes 17 seconds E., a distance of 531.03 feet; thence S. 43
16 degrees 13 minutes 28 seconds E., a distance of 11.42 feet;
17 thence S. 80 degrees 16 minutes 16 seconds W., a distance of
18 54.97 feet; thence S. 07 degrees 57 minutes 07 seconds W., a
19 distance of 61.36 feet; thence S. 61 degrees 19 minutes 56
20 seconds E., a distance of 163.09 feet; thence N. 68 degrees 57
21 minutes 39 seconds E., a distance of 177.92 feet; thence N. 58
22 degrees 25 minutes 17 seconds E., a distance of 238.88 feet;
23 thence N. 23 degrees 18 minutes 43 seconds W., a distance of
24 36.00 feet; thence N. 82 degrees 58 minutes 17 seconds E., a
25 distance of 1,395.57 feet; thence N. 81 degrees 45 minutes 17
26 seconds E., a distance of 387.40 feet to the POINT OF BEGINNING.

27 CONTAINING 36.08-acres, more or less.

28 (c) Granting and retention of easements.--The Department of
29 General Services is authorized to do all of the following:

30 (1) Grant and convey to the Allentown Commercial

1 Industrial Authority, or their assigns, any easements for
2 utilities and ingress or egress on residual lands of the
3 Commonwealth of Pennsylvania at Allentown State Hospital
4 necessary to comply with local land development and zoning
5 ordinances.

6 (2) Reserve and except any easements on the property to
7 be conveyed to the Allentown Commercial Industrial Authority
8 under this section necessary for the efficient operation of
9 Allentown State Hospital.

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

18 (e) Land restriction.--

19 (1) Any conveyance authorized under this section shall
20 be made under and subject to the ~~condition~~ CONDITIONS, which <—
21 shall be ~~contained in the deed of conveyance, that no portion~~ <—
22 ~~of the~~ CONTAINED IN THE DEED OF CONVEYANCE: <—

23 (I) THAT NO PORTION OF THE property conveyed shall
24 be used as a licensed facility, as defined in 4 Pa.C.S. §
25 1103 (relating to definitions), or any other similar type
26 of facility authorized under State law.

27 (II) THAT THE PROPERTY CONVEYED SHALL BE USED ONLY <—
28 AS COMMERCIAL OR SENIOR RESIDENTIAL PROPERTY OR BOTH.

29 (2) The ~~condition~~ CONDITIONS under paragraph (1) shall <—
30 be covenants running with the land and shall be binding upon

1 the grantee, its successors and assigns. If the grantee, its
2 successors or assigns, permits any portion of the property
3 authorized to be conveyed under this section to be used in
4 violation of this subsection, the title shall immediately
5 revert to and re-vest in the grantor.

6 (f) Execution.--The deed of conveyance shall be by special
7 warranty deed and shall be executed by the Secretary of General
8 Services in the name of the Commonwealth of Pennsylvania.

9 (g) Costs and fees.--Costs and fees incidental to this
10 conveyance shall be borne by the grantee.

11 (h) Nonconveyance.--If an agreement of sale between the
12 Department of General Services and the Allentown Commercial
13 Industrial Authority is not executed within one year from the
14 effective date of this section, the authority contained under
15 this section shall expire.

16 Section 2. Effective date.

17 This act shall take effect in 60 days.