

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2667 Session of
2008

INTRODUCED BY GEIST, FLECK AND STERN, JUNE 25, 2008

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 25, 2008

AN ACT

1 Authorizing and directing the Department of General Services,
2 with the approval of the Governor, to grant and convey to
3 Altoona Regional Health System certain lands situate in the
4 City of Altoona, Blair County.

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

7 Section 1. Conveyance in City of Altoona, Blair County.

8 (a) Authorization.--The Department of General Services, with
9 the approval of the Governor, is hereby authorized on behalf of
10 the Commonwealth of Pennsylvania to grant and convey to Altoona
11 Regional Health System certain land and buildings situate in the
12 City of Altoona, Blair County, for one dollar.

13 (b) Property description.--The property to be conveyed
14 pursuant to section 1 consists of approximately 2.70 acres and
15 improvements thereon bounded and more particularly described as
16 follows:

17 BEGINNING at a stake marking the intersection of the
18 Southeasterly property line of Willow Avenue with the

1 Southwesterly property line of Fourth Street; thence along the
2 Southwesterly property line of said Fourth Street South fifty
3 one (51) degrees fifty two (52) minutes zero (0) seconds East
4 two hundred eighty and thirty three one-hundredths (280.33) feet
5 to an iron pin at the center line of Walnut Avenue (now closed);
6 thence continuing by said line of Fourth Street South fifty one
7 (51) degrees fifty three (53) minutes twenty seven (27) seconds
8 East two hundred eighty and twenty one one-hundredths (280.21)
9 feet to a stake on the Northwesterly property line of Howard
10 Avenue; thence along the Northwesterly property line of said
11 Howard Avenue South thirty eight (38) degrees seven (7) minutes
12 ten (10) seconds West one hundred seventy three and sixty one-
13 hundredths (173.60) feet to a stake at lands now or formerly of
14 the Altoona Hospital; thence along said Hospital property North
15 fifty one (51) degrees forty (40) minutes fifty (50) seconds
16 West three hundred fifty two and forty one-hundredths (352.40)
17 feet to a stake; thence continuing by same South forty three
18 (43) degrees forty eight (48) minutes thirty (30) seconds West
19 one hundred four (104) feet to a stake; thence by same North
20 fifty one (51) degrees two (2) minutes forty eight (48) seconds
21 West one hundred ninety seven and eighty nine one-hundredths
22 (197.89) feet to a stake on the Southeasterly property line of
23 Willow Avenue, (said point being North thirty eight (38) degrees
24 seven (7) minutes thirty one (31) seconds East one hundred
25 twenty five and twelve one-hundredths (125.12) feet from the
26 property line of Fifth Street); thence along the Southeasterly
27 property line of Willow Avenue North thirty eight (38) degrees
28 seven (7) minutes thirty one (31) seconds East two hundred
29 seventy two and ninety nine one-hundredths (272.99) feet to a
30 stake on the Southwesterly property line of Fourth Street, the

1 point and place of beginning.

2 CONTAINING 2.70-acres, more or less.

3 BEING the same premises conveyed from the Altoona Hospital,
4 to the Commonwealth of Pennsylvania, General State Authority, by
5 deed dated February 24, 1969 and recorded March 25, 1969 in the
6 Blair County, Recorder of Deeds Office in Deed Book Volume 884,
7 Page 626.

8 BEING the same parcel and tract of land conveyed to the
9 Commonwealth of Pennsylvania, Department of General Services, by
10 the General State Authority in its deed, dated June 16, 1989,
11 recorded in the Blair County, Recorder of Deeds Office in Deed
12 Book Volume 1178, Page 451.

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

21 (d) Land use restriction.--Any conveyance authorized under
22 this act shall be made under and subject to the condition, which
23 shall be contained in the deed of conveyance, that no portion of
24 the property conveyed shall be used as a licensed facility, as
25 defined in 4 Pa.C.S. § 1103 (relating to definitions), or any
26 other similar type of facility authorized under State law. The
27 condition shall be a covenant running with the land and shall be
28 binding upon the Grantee, its successors and assigns. Should the
29 Grantee, its successors or assigns, permit any portion of the
30 property authorized to be conveyed in this act to be used in

1 violation of this subsection, the title shall immediately revert
2 to and revest in the Grantor.

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

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

8 (g) Alternate disposal of property.--In the event that this
9 conveyance is not executed in accordance with a lease and option
10 to purchase agreement with the Department of General Services,
11 dated May 1, 2007, the property may be disposed of in accordance
12 with section 2406-A of the Act of April 9, 1929 (P.L.177,
13 No.175), known as The Administrative Code of 1929.

14 Section 2. This act shall take effect immediately.