

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 648 Session of 2007

INTRODUCED BY D. WHITE, MARCH 22, 2007

AS AMENDED ON THIRD CONSIDERATION, JUNE 19, 2007

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Department of Military and Veterans Affairs
3 and the Governor, to grant and convey, at a price to be
4 determined through a competitive bid process, certain lands,
5 buildings and improvements situate in the Borough of
6 Ligonier, Westmoreland County; AND AUTHORIZING AND DIRECTING
7 THE DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF THE
8 GOVERNOR AND THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS,
9 TO GRANT AND CONVEY CERTAIN LANDS SITUATE IN THE CITY OF
10 CONNELLSVILLE, A THIRD CLASS CITY, FAYETTE COUNTY, TO THE
11 CITY OF CONNELLSVILLE.

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12 The General Assembly of the Commonwealth of Pennsylvania
13 hereby enacts as follows:

14 Section 1. Conveyance in Ligonier Borough, Westmoreland County.

15 (a) Authorization.--The Department of General Services, with
16 the approval of the Department of Military and Veterans Affairs
17 and the Governor, is hereby authorized on behalf of the
18 Commonwealth of Pennsylvania to grant and convey the following
19 tract of land together with any buildings, structures or
20 improvements thereon, situate in the Borough of Ligonier,
21 Westmoreland County, Pennsylvania. The Department of General
22 Services shall sell the property using, in its discretion, one

1 of the following methods of sale: an invitation for sealed bids
2 or public auction.

3 (b) Property description.--The property to be conveyed
4 pursuant to subsection (a) consists of approximately 2.86-acres
5 and a building bounded and more particularly described as
6 follows:

7 ALL THAT CERTAIN tract of land situate in the Borough of
8 Ligonier, Westmoreland County more particularly bounded and
9 described as follows:

10 BEGINNING at a point in the center line of the Lincoln
11 Highway, where the same intersects with the Southeasterly line
12 of Walnut Street projected; thence North 46 degrees 13 minutes
13 East 39 feet to the right-of-way line of the said Lincoln
14 Highway; thence, continuing along the Southeasterly line of
15 Walnut Street, North 46 degrees 13 minutes East 743.2 feet to a
16 point on the Southwesterly side of a twenty (20) foot alley;
17 thence along same and other lands N/F Ligonier Valley Rail Road
18 Company, South 43 degrees 47 minutes East 190 feet to a point;
19 thence along other lands N/F Ligonier Valley Rail Road Company,
20 South 46 degrees 13 minutes West 493.1 feet to a point; thence
21 along same, South 69 degrees 3 minutes West 119.3 feet to a
22 point; thence along same, South 77 degrees 14 minutes West 163.6
23 feet to a point on the right-of-way line of the Lincoln Highway;
24 thence South 77 degrees 14 minutes West 46.5 feet to a point in
25 the center line of the Lincoln Highway; thence along the center
26 line of said Lincoln Highway, North 43 degrees 30 minutes West
27 35.5 feet to a point, the place of BEGINNING.

28 CONTAINING 2.86-acres more or less.

29 BEING the same property conveyed to the Commonwealth of
30 Pennsylvania by the Ligonier Valley Rail Road Company in its

1 deed, dated July 15, 1937, recorded in the Westmoreland County
2 Recorder of Deeds Office in Deed Book Volume 1004, Page 467.

3 (c) Conditions.--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 (d) Deed of conveyance.--The deed of conveyance shall be by
12 Special Warranty Deed and shall be executed by the Secretary of
13 General Services in the name of the Commonwealth of
14 Pennsylvania.

15 (e) Deposit of proceeds.--The proceeds from the sale shall
16 be deposited in the State Treasury Armory Fund.

17 SECTION 2. CONVEYANCE IN CITY OF CONNELLSVILLE, FAYETTE COUNTY. ←

18 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
19 THE APPROVAL OF THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS
20 AND THE GOVERNOR, IS HEREBY AUTHORIZED AND DIRECTED ON BEHALF OF
21 THE COMMONWEALTH OF PENNSYLVANIA TO GRANT AND CONVEY, FOR
22 \$50,000, AND UNDER TERMS AND CONDITIONS TO BE ESTABLISHED IN AN
23 AGREEMENT OF SALE WITH THE DEPARTMENT OF GENERAL SERVICES, THE
24 FOLLOWING TRACT OF LAND TOGETHER WITH ANY BUILDINGS, STRUCTURES
25 OR IMPROVEMENTS THEREON, KNOWN AS THE NATIONAL GUARD ARMORY, 108
26 WEST WASHINGTON AVENUE, CONNELLSVILLE, FAYETTE COUNTY,
27 PENNSYLVANIA, TO THE CITY OF CONNELLSVILLE, DESCRIBED IN
28 SUBSECTION (B).

29 (B) PROPERTY DESCRIPTION.--THE PROPERTY TO BE CONVEYED
30 PURSUANT TO SUBSECTION (A) CONSISTS OF APPROXIMATELY 0.26-ACRES

1 MORE OR LESS KNOWN AS 108 WEST WASHINGTON AVENUE AND MORE
2 PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:
3 BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF
4 WASHINGTON AVENUE WITH THE EASTERLY LINE OF AETNA STREET; THENCE
5 SOUTH, EIGHTY-NINE (89) DEGREES FIFTY-FIVE (55) MINUTES EAST,
6 NINETY-FOUR (94) FEET ALONG SAID NORTHERLY LINE TO THE WESTERLY
7 LINE OF AN EIGHTEEN FOOT ALLEY; THENCE AT RIGHT ANGLES ALONG
8 SAID WESTERLY LINE OF SAID ALLEY NORTH, NO (0) DEGREES FIVE (5)
9 MINUTES EAST, ONE HUNDRED TWENTY-ONE (121) FEET TO THE SOUTHERLY
10 LINE OF ANOTHER EIGHTEEN FOOT ALLEY; THENCE AT RIGHT ANGLES
11 NORTH, EIGHTY-NINE (89) DEGREES FIFTY-FIVE (55) MINUTES WEST,
12 NINETY-FOUR (94) FEET ALONG SAID SOUTHERLY LINE OF SAID LAST
13 MENTIONED EIGHTEEN FOOT ALLEY TO SAID EASTERLY LINE OF AETNA
14 STREET; THENCE AT RIGHT ANGLES SOUTH, NO (0) DEGREES FIVE (5)
15 MINUTES WEST, ONE HUNDRED TWENTY-ONE (121) FEET ALONG SAID
16 EASTERLY LINE OF AETNA STREET TO THE PLACE OF BEGINNING.

17 CONTAINING: 0.26-ACRES, MORE OR LESS.

18 (C) CONDITIONS.--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) COVENANT.--ANY CONVEYANCE AUTHORIZED UNDER THIS ACT
27 SHALL BE MADE UNDER AND SUBJECT TO THE CONDITION, WHICH SHALL BE
28 CONTAINED IN THE DEED OF CONVEYANCE, THAT NO PORTION OF THE
29 PROPERTY CONVEYED SHALL BE USED AS A LICENSED FACILITY, AS
30 DEFINED IN 4 PA.C.S. § 1103 (RELATING TO DEFINITIONS), OR ANY

1 OTHER SIMILAR TYPE FACILITY AUTHORIZED UNDER STATE LAW. THE
2 CONDITION SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE
3 BINDING UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS. SHOULD THE
4 GRANTEE, ITS SUCCESSORS OR ASSIGNS, PERMIT ANY PORTION OF THE
5 PROPERTY AUTHORIZED TO BE CONVEYED IN THIS ACT TO BE USED IN
6 VIOLATION OF THIS SUBSECTION, THE TITLE SHALL IMMEDIATELY REVERT
7 TO AND REVEST IN THE GRANTOR.

8 (E) DEED OF CONVEYANCE.--THE DEED OF CONVEYANCE SHALL BE BY
9 SPECIAL WARRANTY DEED AND SHALL BE EXECUTED BY THE SECRETARY OF
10 GENERAL SERVICES IN THE NAME OF THE COMMONWEALTH OF
11 PENNSYLVANIA.

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

14 (G) DEPOSIT OF PROCEEDS.--THE PROCEEDS FROM THE SALE OF THE
15 LAND AND BUILDING SHALL BE DEPOSITED IN THE STATE TREASURY
16 ARMORY FUND.

17 (H) DISPOSAL.--IN THE EVENT THE CONVEYANCE IS NOT EXECUTED
18 WITHIN SIX MONTHS OF THE EFFECTIVE DATE OF THIS ACT, THE
19 DEPARTMENT OF GENERAL SERVICES MAY DISPOSE OF THE PROPERTY FOR
20 THE DEPARTMENT OF MILITARY AND VETERANS AFFAIRS IN ACCORDANCE
21 WITH SECTION 2406-A OF THE ACT OF APRIL 9, 1929 (P.L.177,
22 NO.175), KNOWN AS THE ADMINISTRATIVE CODE OF 1929.

23 Section ~~2~~ 3. Effective date.

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24 This act shall take effect immediately.