
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 648 Session of
2007

INTRODUCED BY D. WHITE, MARCH 22, 2007

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF
REPRESENTATIVES, AS AMENDED, JULY 6, 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; AND AUTHORIZING AND DIRECTING THE ←
12 DEPARTMENT OF GENERAL SERVICES, WITH THE APPROVAL OF THE
13 GOVERNOR, TO GRANT AND CONVEY TO THE ALLENTOWN COMMERCIAL
14 INDUSTRIAL AUTHORITY, OR THEIR ASSIGNS, CERTAIN LANDS SITUATE
15 IN THE CITY OF ALLENTOWN AND THE CITY OF BETHLEHEM, LEHIGH
16 COUNTY, PENNSYLVANIA.

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. Conveyance in Ligonier Borough, Westmoreland 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 the following

1 tract of land together with any buildings, structures or
2 improvements thereon, situate in the Borough of Ligonier,
3 Westmoreland County, Pennsylvania. The Department of General
4 Services shall sell the property using, in its discretion, one
5 of the following methods of sale: an invitation for sealed bids
6 or public auction.

7 (b) Property description.--The property to be conveyed
8 pursuant to subsection (a) consists of approximately 2.86-acres
9 and a building bounded and more particularly described as
10 follows:

11 ALL THAT CERTAIN tract of land situate in the Borough of
12 Ligonier, Westmoreland County more particularly bounded and
13 described as follows:

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

1 35.5 feet to a point, the place of BEGINNING.

2 CONTAINING 2.86-acres more or less.

3 BEING the same property conveyed to the Commonwealth of
4 Pennsylvania by the Ligonier Valley Rail Road Company in its
5 deed, dated July 15, 1937, recorded in the Westmoreland County
6 Recorder of Deeds Office in Deed Book Volume 1004, Page 467.

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

15 (d) Deed of conveyance.--The deed of conveyance shall be by
16 Special Warranty Deed and shall be executed by the Secretary of
17 General Services in the name of the Commonwealth of
18 Pennsylvania.

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

21 Section 2. Conveyance in City of Connellsville, Fayette County.

22 (a) Authorization.--The Department of General Services, with
23 the approval of the Department of Military and Veterans Affairs
24 and the Governor, is hereby authorized and directed on behalf of
25 the Commonwealth of Pennsylvania to grant and convey, for
26 \$50,000, and under terms and conditions to be established in an
27 agreement of sale with the Department of General Services, the
28 following tract of land together with any buildings, structures
29 or improvements thereon, known as the National Guard Armory, 108
30 West Washington Avenue, Connellsville, Fayette County,

1 Pennsylvania, to the City of Connellsville, described in
2 subsection (b).

3 (b) Property description.--The property to be conveyed
4 pursuant to subsection (a) consists of approximately 0.26-acres
5 more or less known as 108 West Washington Avenue and more
6 particularly bounded and described as follows:

7 BEGINNING at the intersection of the northerly line of
8 Washington Avenue with the easterly line of Aetna Street; thence
9 south, eighty-nine (89) degrees fifty-five (55) minutes east,
10 ninety-four (94) feet along said northerly line to the westerly
11 line of an eighteen foot alley; thence at right angles along
12 said westerly line of said alley north, no (0) degrees five (5)
13 minutes east, one hundred twenty-one (121) feet to the southerly
14 line of another eighteen foot alley; thence at right angles
15 north, eighty-nine (89) degrees fifty-five (55) minutes west,
16 ninety-four (94) feet along said southerly line of said last
17 mentioned eighteen foot alley to said easterly line of Aetna
18 Street; thence at right angles south, no (0) degrees five (5)
19 minutes west, one hundred twenty-one (121) feet along said
20 easterly line of Aetna Street to the place of beginning.

21 Containing: 0.26-acres, more or less.

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

30 (d) Covenant.--Any conveyance authorized under this act

1 shall be made under and subject to the condition, which shall be
2 contained in the deed of conveyance, that no portion of the
3 property conveyed shall be used as a licensed facility, as
4 defined in 4 Pa.C.S. § 1103 (relating to definitions), or any
5 other similar type facility authorized under State law. The
6 condition shall be a covenant running with the land and shall be
7 binding upon the Grantee, its successors and assigns. Should the
8 Grantee, its successors or assigns, permit any portion of the
9 property authorized to be conveyed in this act to be used in
10 violation of this subsection, the title shall immediately revert
11 to and revest in the Grantor.

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

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

18 (g) Deposit of proceeds.--The proceeds from the sale of the
19 land and building shall be deposited in the State Treasury
20 Armory Fund.

21 (h) Disposal.--In the event the conveyance is not executed
22 within six months of the effective date of this act, the
23 Department of General Services may dispose of the property for
24 the Department of Military and Veterans Affairs in accordance
25 with section 2406-A of the act of April 9, 1929 (P.L.177,
26 No.175), known as The Administrative Code of 1929.

27 SECTION 3. CONVEYANCE IN THE CITY OF ALLENTOWN AND THE CITY OF
28 BETHLEHEM, LEHIGH COUNTY. ←

29 (A) AUTHORIZATION.--THE DEPARTMENT OF GENERAL SERVICES, WITH
30 THE APPROVAL OF THE GOVERNOR, IS AUTHORIZED ON BEHALF OF THE

1 COMMONWEALTH OF PENNSYLVANIA TO GRANT AND CONVEY TO THE
2 ALLENTOWN COMMERCIAL INDUSTRIAL AUTHORITY, OR THEIR ASSIGNS, A
3 CERTAIN TRACT OF LAND AND IMPROVEMENTS THEREON, BEING AN UNUSED
4 PORTION OF THE ALLENTOWN STATE HOSPITAL, DESCRIBED IN SUBSECTION
5 (B) UNDER TERMS AND CONDITIONS TO BE ESTABLISHED IN AN AGREEMENT
6 OF SALE WITH THE DEPARTMENT OF GENERAL SERVICES.

7 (B) DESCRIPTION.--THE PROPERTY TO BE CONVEYED UNDER
8 SUBSECTION (A) CONSISTS OF APPROXIMATELY 36.08 ACRES, MORE OR
9 LESS, AND MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS,
10 SUBJECT TO AN OFFICIAL SURVEY AND PLAN:

11 BEGINNING AT A POINT BEING THE POINT OF BEGINNING; THENCE S.
12 08 DEGREES 31 MINUTES 43 SECONDS E., A DISTANCE OF 327.98 FEET;
13 THENCE S. 76 DEGREES 19 MINUTES 04 SECONDS W., A DISTANCE OF
14 1,186.33 FEET; THENCE S. 72 DEGREES 56 MINUTES 55 SECONDS W., A
15 DISTANCE OF 285.07 FEET; THENCE S. 43 DEGREES 48 MINUTES 06
16 SECONDS W., A DISTANCE OF 727.05 FEET; THENCE S. 54 DEGREES 56
17 MINUTES 04 SECONDS W., A DISTANCE OF 603.06 FEET; THENCE N. 34
18 DEGREES 49 MINUTES 40 SECONDS W., A DISTANCE OF 160.00 FEET;
19 THENCE N. 55 DEGREES 10 MINUTES 20 SECONDS E., A DISTANCE OF
20 243.03 FEET; THENCE N. 27 DEGREES 11 MINUTES 30 SECONDS W., A
21 DISTANCE OF 394.57 FEET; THENCE CONTINUE NORTHWESTERLY ALONG
22 SAID LINE, A DISTANCE OF 637.91 FEET; THENCE N. 81 DEGREES 23
23 MINUTES 17 SECONDS E., A DISTANCE OF 531.03 FEET; THENCE S. 43
24 DEGREES 13 MINUTES 28 SECONDS E., A DISTANCE OF 11.42 FEET;
25 THENCE S. 80 DEGREES 16 MINUTES 16 SECONDS W., A DISTANCE OF
26 54.97 FEET; THENCE S. 07 DEGREES 57 MINUTES 07 SECONDS W., A
27 DISTANCE OF 61.36 FEET; THENCE S. 61 DEGREES 19 MINUTES 56
28 SECONDS E., A DISTANCE OF 163.09 FEET; THENCE N. 68 DEGREES 57
29 MINUTES 39 SECONDS E., A DISTANCE OF 177.92 FEET; THENCE N. 58
30 DEGREES 25 MINUTES 17 SECONDS E., A DISTANCE OF 238.88 FEET;

1 THENCE N. 23 DEGREES 18 MINUTES 43 SECONDS W., A DISTANCE OF
2 36.00 FEET; THENCE N. 82 DEGREES 58 MINUTES 17 SECONDS E., A
3 DISTANCE OF 1,395.57 FEET; THENCE N. 81 DEGREES 45 MINUTES 17
4 SECONDS E., A DISTANCE OF 387.40 FEET TO THE POINT OF BEGINNING.

5 CONTAINING 36.08-ACRES, MORE OR LESS.

6 (C) GRANTING AND RETENTION OF EASEMENTS.--THE DEPARTMENT OF
7 GENERAL SERVICES IS AUTHORIZED TO DO ALL OF THE FOLLOWING:

8 (1) GRANT AND CONVEY TO THE ALLENTOWN COMMERCIAL
9 INDUSTRIAL AUTHORITY, OR THEIR ASSIGNS, ANY EASEMENTS FOR
10 UTILITIES AND INGRESS OR EGRESS ON RESIDUAL LANDS OF THE
11 COMMONWEALTH OF PENNSYLVANIA AT ALLENTOWN STATE HOSPITAL
12 NECESSARY TO COMPLY WITH LOCAL LAND DEVELOPMENT AND ZONING
13 ORDINANCES.

14 (2) RESERVE AND EXCEPT ANY EASEMENTS ON THE PROPERTY TO
15 BE CONVEYED TO THE ALLENTOWN COMMERCIAL INDUSTRIAL AUTHORITY
16 UNDER THIS SECTION NECESSARY FOR THE EFFICIENT OPERATION OF
17 ALLENTOWN STATE HOSPITAL.

18 (D) EASEMENTS, SERVITUDES AND RIGHTS.--THE CONVEYANCE SHALL
19 BE MADE UNDER AND SUBJECT TO ALL LAWFUL AND ENFORCEABLE
20 EASEMENTS, SERVITUDES AND RIGHTS OF OTHERS, INCLUDING BUT NOT
21 CONFINED TO STREETS, ROADWAYS AND RIGHTS OF ANY TELEPHONE,
22 TELEGRAPH, WATER, ELECTRIC, GAS OR PIPELINE COMPANIES, AS WELL
23 AS UNDER AND SUBJECT TO ANY LAWFUL AND ENFORCEABLE ESTATES OR
24 TENANCIES VESTED IN THIRD PERSONS APPEARING OF RECORD, FOR ANY
25 PORTION OF THE LAND OR IMPROVEMENTS ERECTED THEREON.

26 (E) LAND RESTRICTION.--

27 (1) ANY CONVEYANCE AUTHORIZED UNDER THIS SECTION SHALL
28 BE MADE UNDER AND SUBJECT TO THE FOLLOWING CONDITIONS, WHICH
29 SHALL BE CONTAINED IN THE DEED OF CONVEYANCE:

30 (I) THAT NO PORTION OF THE PROPERTY CONVEYED SHALL

1 BE USED AS A LICENSED FACILITY, AS DEFINED IN 4 PA.C.S. §
2 1103 (RELATING TO DEFINITIONS), OR ANY OTHER SIMILAR TYPE
3 OF FACILITY AUTHORIZED UNDER STATE LAW.

4 (II) THAT THE PROPERTY CONVEYED SHALL BE USED ONLY
5 AS COMMERCIAL OR SENIOR RESIDENTIAL PROPERTY OR BOTH.

6 (2) THE CONDITION UNDER PARAGRAPH (1) SHALL BE COVENANTS
7 RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE GRANTEE,
8 ITS SUCCESSORS AND ASSIGNS. IF THE GRANTEE, ITS SUCCESSORS OR
9 ASSIGNS, PERMITS ANY PORTION OF THE PROPERTY AUTHORIZED TO BE
10 CONVEYED UNDER THIS SECTION TO BE USED IN VIOLATION OF THIS
11 SUBSECTION, THE TITLE SHALL IMMEDIATELY REVERT TO AND REVEST
12 IN THE GRANTOR.

13 (F) EXECUTION.--THE DEED OF CONVEYANCE SHALL BE BY SPECIAL
14 WARRANTY DEED AND SHALL BE EXECUTED BY THE SECRETARY OF GENERAL
15 SERVICES IN THE NAME OF THE COMMONWEALTH OF PENNSYLVANIA.

16 (G) COSTS AND FEES.--COSTS AND FEES INCIDENTAL TO THIS
17 CONVEYANCE SHALL BE BORNE BY THE GRANTEE.

18 (H) NONCONVEYANCE.--IF AN AGREEMENT OF SALE BETWEEN THE
19 DEPARTMENT OF GENERAL SERVICES AND THE ALLENTOWN COMMERCIAL
20 INDUSTRIAL AUTHORITY IS NOT EXECUTED WITHIN ONE YEAR FROM THE
21 EFFECTIVE DATE OF THIS SECTION, THE AUTHORITY CONTAINED UNDER
22 THIS SECTION SHALL EXPIRE.

23 Section 3 4. Effective date.

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24 This act shall take effect immediately.