

---

THE GENERAL ASSEMBLY OF PENNSYLVANIA

---

HOUSE BILL

No. 301 Session of  
2009

---

INTRODUCED BY GOODMAN, SEIP, ARGALL, BELFANTI, BEYER, FLECK,  
GROVE, GRUCELA, HALUSKA, HENNESSEY, KORTZ, KOTIK, KULA,  
MAHONEY, MILLARD, PHILLIPS, SIPTROTH, K. SMITH, STABACK,  
STEVENSON, WALKO, YOUNGBLOOD AND HARRIS, FEBRUARY 9, 2009

---

REFERRED TO COMMITTEE ON STATE GOVERNMENT, FEBRUARY 9, 2009

---

AN ACT

1 Authorizing and directing the Department of General Services,  
2 with the approval of the Governor and the Department of  
3 Military and Veterans' Affairs, to grant and convey to the  
4 Schuylkill YMCA certain lands and building situate in the  
5 City of Pottsville, Schuylkill County.

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

8 Section 1. Conveyance in Pottsville, Schuylkill County.

9 (a) Authorization.--The Department of General Services, with  
10 the approval of the Governor and the Department of Military and  
11 Veterans' Affairs, is hereby authorized and directed on behalf  
12 of the Commonwealth of Pennsylvania to grant and convey, to the  
13 Schuylkill YMCA, certain lands and building situate in the City  
14 of Pottsville, Schuylkill County for \$160,000.00.

15 (b) Property description.--The property to be conveyed  
16 pursuant to this section consists of approximately 0.33-acres,  
17 and an armory building bounded and more particularly described  
18 as follows:

1 BEGINNING at a stake in the eastern building line of North  
2 Centre Street at the northwest corner of Lot Number Fourteen  
3 (14) in accordance with the plan of R. S. Bashore's lots dated  
4 February 1907, and made by A. B. Cochrane & Son, Engineers;  
5 thence at right angles to Centre Street eastwardly along the  
6 dividing line between Lots Numbers Thirteen (13) and Fourteen  
7 (14) for a distance of one hundred and thirty-five (135) feet  
8 and eleven and three-quarter (11 3/4) inches to the right of way  
9 of the Philadelphia & Reading Railway Company; thence  
10 southwardly along said right of way a distance of one hundred  
11 (100) feet and five (5) inches to the southeast corner of Lot  
12 Number Eighteen (18) as per said aforementioned plan; thence  
13 westwardly along the dividing line between Lots Numbers Eighteen  
14 (18) and Nineteen (19) to a stake in the eastern building line  
15 of Center Street a distance of one hundred and forty-five (145)  
16 feet and three (3) inches; thence northwardly along said eastern  
17 building line of Centre Street one hundred (100) feet to the  
18 place of BEGINNING.

19 CONTAINING 0.33 Acres.

20 BEING the same property conveyed to the Commonwealth of  
21 Pennsylvania by Robert S. Bashore and May B. Bashore, his wife,  
22 by deed dated March 14, 1912 and recorded in the Schuylkill  
23 County Recorder of Deeds Office in Deed Book 359, Page 103.

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

1 the land or improvements erected thereon.

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

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

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

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

21 (h) Alternate disposition.--In the event that this  
22 conveyance is not executed within six months of the effective  
23 date of this section, the property may be disposed of in  
24 accordance with Article 2406-A of the act of April 9, 1929 (P.L.  
25 177, No.175), known as The Administrative Code of 1929.  
26 Section 2. Effective date.

27 This act shall take effect immediately.