

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 492 Session of
2009

INTRODUCED BY M. WHITE, MARCH 2, 2009

AS AMENDED ON THIRD CONSIDERATION, JULY 14, 2009

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 Second Ward of the
6 City of Corry, Erie County.

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

9 Section 1. Conveyance in City of Corry, Erie County.

10 (a) Authorization.--The Department of General Services, with
11 the approval of the Department of Military and Veterans Affairs
12 and the Governor, is hereby authorized on behalf of the
13 Commonwealth of Pennsylvania to grant and convey, at a price to
14 be determined through competitive bidding, the following tracts
15 of land together with any buildings, structures or improvements
16 thereon, situate in the Second Ward of the City of Corry, Erie
17 County, Pennsylvania.

18 (b) Description.--The property to be conveyed pursuant to
19 subsection (a) consists of two (2) tracts of land containing
20 0.480-acres, together with any buildings, structures or

1 improvements, bounded and more particularly described as
2 follows:

3 PARCEL 1 - Parcel ID 06022097001600

4 ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in the City
5 of Corry, County of Erie, Commonwealth of Pennsylvania, being
6 more particularly bounded and described as follows:

7 BEGINNING at an iron pin set at the intersection of the north
8 line of Washington Street (50' R/W) and the west line of Wright
9 Street (50' R/W); thence South 46 degrees 47 minutes 00 seconds
10 West, along the north line of Washington Street, a distance of
11 50.65' to the southeast corner of lands now or formerly of the
12 Commonwealth of Pennsylvania; thence North 05 degrees 34 minutes
13 47 seconds West, along lands now or formerly of the Commonwealth
14 of Pennsylvania, a distance of 131.07' to an iron pipe set in
15 the south line of lands now or formerly of Laverne G. Lindsey
16 and Virginia M. Lindsey; thence North 88 degrees 34 minutes 10
17 seconds East, along the south line of lands now or formerly of
18 Laverne G. Lindsey and Virginia M. Lindsey, a distance of 49.47'
19 to an iron pipe set in the west line of the aforementioned
20 Wright Street; thence South 00 degrees 07 minutes 00 seconds
21 East, along the west line of Wright Street, a distance of 97.00'
22 to the POINT OF BEGINNING.

23 CONTAINING 0.115 acres of land as surveyed by Gerald L. Pike,
24 P.L.S. on March 28, 2008.

25 BEING the same premises conveyed from the Corry Rod and Gun
26 Club, Inc., to the Commonwealth of Pennsylvania, by deed dated
27 May 29, 1974, and recorded September 4, 1974, in the Office of
28 the Recorder of Deeds of Erie County, Pennsylvania, in Deed Book
29 Volume 1127, Page 494.

30 PARCEL 2 - Parcel ID 06022097001700

1 ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in the City
2 of Corry, County of Erie, Commonwealth of Pennsylvania, being
3 more particularly bounded and described as follows:

4 BEGINNING at a drill hole set in concrete at the intersection
5 of the north line of Washington Street (50' R/W) and the east
6 line of Maple Avenue (50' R/W); thence North 17 degrees 00
7 minutes 00 seconds West, along the east line of Maple Avenue, a
8 distance of 179.17' to a drill hole set in concrete at the
9 southwest corner of lands now or formerly of Joseph J. DeMarte
10 III and Shirley A. DeMarte; thence North 71 degrees 56 minutes
11 00 seconds East, along the south line of lands now or formerly
12 of Joseph J. DeMarte III and Shirley A. DeMarte, a distance of
13 77.50' to an iron pipe set at the southwest corner of lands now
14 or formerly of Laverne G. Lindsey and Virginia M. Lindsey;
15 thence North 84 degrees 47 minutes 00 seconds East, along the
16 south line of lands now or formerly of Laverne G. Lindsey and
17 Virginia M. Lindsey, a distance of 39.00' to an iron pipe set at
18 the northwest corner of lands now or formerly of the
19 Commonwealth of Pennsylvania; thence South 05 degrees 34 minutes
20 47 seconds East, along the west line of lands now or formerly of
21 the Commonwealth of Pennsylvania, a distance of 131.07' to a
22 point in the north line of the aforementioned Washington Street;
23 thence South 46 degrees 47 minutes 00 seconds West, along the
24 north line of Washington Street, a distance of 100.00' to the
25 POINT OF BEGINNING.

26 CONTAINING 0.365 acres of land as surveyed by Gerald L. Pike,
27 P.L.S. on March 28, 2008.

28 BEING the same parcel of land conveyed from Elizabeth
29 Edwards, Executrix, to the Commonwealth of Pennsylvania, by deed
30 dated August 30, 1906 and recorded September 8, 1906, in the

1 Office of the Recorder of Deeds of Erie County, Pennsylvania, in
2 Deed Book Volume 160, Page 653.

3 (c) Easements and encumbrances.--The conveyance shall be
4 made under and subject to all lawful and enforceable easements,
5 servitudes and rights of others, including but not confined to
6 streets, 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) Proceeds of sale.--The proceeds from the sale shall be
16 deposited in the State Treasury Armory Fund.

17 (F) RESTRICTED USE.--THE CONVEYANCE AUTHORIZED UNDER THIS
18 SECTION SHALL BE MADE UNDER AND SUBJECT TO THE CONDITION, WHICH
19 SHALL BE CONTAINED IN THE DEED OF CONVEYANCE, THAT NO PORTION OF
20 THE PROPERTY CONVEYED SHALL BE USED AS A LICENSED FACILITY, AS
21 DEFINED IN 4 PA.C.S. § 1103 (RELATING TO DEFINITIONS), OR ANY
22 OTHER SIMILAR TYPE OF FACILITY AUTHORIZED UNDER STATE LAW. THE
23 CONDITION SHALL BE A COVENANT RUNNING WITH THE LAND AND SHALL BE
24 BINDING UPON THE GRANTEE, ITS SUCCESSORS AND ASSIGNS. SHOULD THE
25 GRANTEE, ITS SUCCESSORS OR ASSIGNS, PERMIT ANY PORTION OF THE
26 PROPERTY AUTHORIZED TO BE CONVEYED IN THIS SECTION TO BE USED IN
27 VIOLATION OF THIS SUBSECTION, THE TITLE SHALL IMMEDIATELY REVERT
28 TO AND REVEST IN THE GRANTOR.

29 Section 2. Effective date.

30 This act shall take effect immediately.