

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 852 Session of 2009

INTRODUCED BY ARGALL, MAY 11, 2009

SENATOR MCILHINNEY, STATE GOVERNMENT, AS AMENDED, JUNE 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 Borough 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
14 Borough CITY of Pottsville, Schuylkill County for \$160,000.



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:

19 BEGINNING at a stake in the eastern building line of North
20 Centre Street at the northwest corner of Lot Number Fourteen

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

17 CONTAINING 0.33 Acres.

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

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) Restriction on use.--The conveyance authorized under

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

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

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

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

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

25 This act shall take effect immediately.