
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1476 Session of
2010

INTRODUCED BY D. WHITE, SEPTEMBER 20, 2010

REFERRED TO STATE GOVERNMENT, SEPTEMBER 20, 2010

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to grant and convey to Indiana
3 University of Pennsylvania certain lands situate in White
4 Township, Indiana County.

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

7 Section 1. Conveyance to Indiana University of Pennsylvania in
8 White Township, Indiana County.

9 (a) Authorization.--The Department of General Services, with
10 the approval of the Governor, is hereby authorized on behalf of
11 the Commonwealth of Pennsylvania to grant and convey to Indiana
12 University of Pennsylvania certain lands, and any improvements
13 thereon, situate in White Township, Indiana County, for
14 \$600,000.00.

15 (b) Description.--The property to be conveyed pursuant to
16 subsection (a) consists of approximately 3.35-acres, and any
17 improvements thereon, bounded and more particularly described as
18 follows:

19 Being all of that certain piece or parcel of ground situate in

1 White Township, Indiana County, PA more particularly bound and
2 described as follows:

3 Beginning at a point along the western right of way line of
4 Wayne Avenue, a.k.a. State Route 4005 a variable width right of
5 way and the northeastern corner of the parent parcel, thence
6 continuing along Wayne Avenue; South 35° 37'37" West 618.58 feet
7 to a point, thence along the southern line of Pratt Drive, a
8 private right of way; North 54° 09'45" West 118.15 feet to the
9 True Point of Beginning.

10 Thence, by eight (8) new lines through lands of which this was
11 originally a part, the following courses and distances:

- 12 1. South 69°20'00" West 454.00 feet to a point, thence;
- 13 2. South 65°05'00" West 120.00 feet to a point, thence;
- 14 3. South 32°20'00" West 105.00 feet to a point, thence;
- 15 4. North 33°46'00" West 312.00 feet to a point, thence;
- 16 5. South 87°24'00" East 85.00 feet to a point, thence;
- 17 6. North 02°36'00" East 35.00 feet to a point, thence;
- 18 7. South 87°24'00" East 190.00 feet to a point, thence;
- 19 8. North 34°30'00" East 299.45 feet to a point, thence,
20 along Pratt Drive;
- 21 9. South 54°09'45" East 391.36 feet to the Point and Place
22 of Beginning.

23 Containing 146,138 square feet or 3.35-acres, more or less.

24 Being a portion of the property conveyed to the Commonwealth of
25 Pennsylvania, acting by and through its Department of General
26 Services, by Kovalchick Salvage Company by its deed, dated
27 January 8, 2007 and recorded in the Indiana County Recorder of
28 Deeds Office at Deed Book Volume 1647, Page 625.

29 (c) Easements.--The conveyance shall be made under and
30 subject to all lawful and enforceable easements, servitudes and

1 rights of others, including but not confined to streets,
2 roadways and rights of any telephone, telegraph, water,
3 electric, gas or pipeline companies, as well as under and
4 subject to any lawful and enforceable estates or tenancies
5 vested in third persons appearing of record, for any portion of
6 the land or improvements erected thereon.

7 (d) Land use restriction.--Any conveyance authorized under
8 this section shall be made under and subject to the condition,
9 which shall be contained in the deed of conveyance, that no
10 portion of the property conveyed shall be used as a licensed
11 facility, as defined in 4 Pa.C.S. § 1103 (relating to
12 definitions), or any other similar type of facility authorized
13 under State law. The condition shall be a covenant running with
14 the land and shall be binding upon the grantee, its successors
15 and assigns. Should the grantee, its successors or assigns,
16 permit any portion of the property authorized to be conveyed in
17 this section to be used in violation of this subsection, the
18 title shall immediately revert to and revest in the grantor.

19 (e) Special warranty deed.--The deed of conveyance shall be
20 by special warranty deed and shall be executed by the Secretary
21 of General Services in the name of the Commonwealth of
22 Pennsylvania.

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

25 (g) Property lines.--The Department of General Services is
26 authorized to make minor modifications to the property lines in
27 order to obtain final subdivision approval from all applicable
28 local governmental bodies.

29 (h) Other easements.--The Department of General Services is
30 authorized to grant or reserve any utility and ingress and

1 egress easements on the subject lands or residue lands of the
2 Commonwealth of Pennsylvania at Indiana University of
3 Pennsylvania as the department deems necessary.

4 (i) Deposit.--The amount received by the Department of
5 General Services from Indiana University of Pennsylvania under
6 subsection (a) shall be deposited into the Capital Debt Fund and
7 shall be applied to outstanding debt associated with Project No.
8 DGS 407-66, the construction of a convocation and events center,
9 Indiana University of Pennsylvania, as authorized by the act of
10 June 5, 1999 (P.L.237, No.35), known as the Capital Budget
11 Project Itemization Act for 1999-2000.

12 (j) Expiration.--In the event that this conveyance is not
13 executed within 12 months of the effective date of this section,
14 the authority contained in this section shall expire.

15 Section 2. This act shall take effect immediately.