

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1116 Session of 2013

INTRODUCED BY SWANGER, KAUFFMAN, MILLARD, EVERETT AND GINGRICH, APRIL 3, 2013

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 9, 2013

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 to First Capital
4 Equities, Inc., certain land of the Commonwealth of
5 Pennsylvania situate in East Hanover Township, Lebanon
6 County, being a portion of Fort Indiantown Gap lands.

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

9 Section 1. Conveyance in East Hanover Township, Lebanon 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 to First
14 Capital Equities, Inc., certain land situate in East Hanover
15 Township, Lebanon County, for \$97,600 and under terms and
16 conditions to be established in an Agreement of Sale with the
17 Department of General Services.

18 (b) Property description.--The property to be conveyed
19 pursuant to this section consists of a tract of land totaling

1 2.49-acres more or less, bounded and more particularly described  
2 as follows:

3 ALL THAT CERTAIN LOT OR PIECE OF GROUND situate in East  
4 Hanover Township, County of Lebanon and State of Pennsylvania,  
5 bounded and described as follows, to wit:

6 BEGINNING at a point on the right of way of State Route 934,  
7 said point being the southwest corner of this parcel; thence  
8 along the right of way of State Route 934 on an arc 88.61 feet  
9 to the right, having a radius of 2013.68 feet, the chord of  
10 which is North  $17^{\circ}44'43''$  West for a distance of 88.61 feet;  
11 thence along the right of way of State Route 934 North  $73^{\circ}30'55''$   
12 East a distance of 10.00 feet; thence along the right of way of  
13 State Route 934 on an arc 288.48 feet to the right, having a  
14 radius of 2003.68 feet, the chord of which is North  $12^{\circ}21'36''$   
15 West for a distance of 288.23 feet; thence along the right of  
16 way of State Route 934 South  $81^{\circ}45'52''$  West a distance of 10.00  
17 feet; thence along the right of way of State Route 934 on an arc  
18 123.55 feet to the right, having a radius of 2013.68 feet, the  
19 chord of which is North  $06^{\circ}28'40''$  West for a distance of 123.53  
20 feet; thence along lands of the Commonwealth of Pennsylvania  
21 North  $85^{\circ}16'48''$  East a distance of 247.34 feet; thence along  
22 lands of Joseph W. and Mary M. Re kai and Mary Louise and James  
23 M. Conrad South  $07^{\circ}58'34''$  East a distance of 411.93 feet; thence  
24 along lands of Mary Louise and James M. Conrad South  $75^{\circ}01'26''$   
25 West a distance of 94.00 feet; thence along lands of Mary Louise  
26 and James M. Conrad South  $19^{\circ}58'34''$  East a distance of 42.90  
27 feet; thence along lands of Mary Louise and James M. Conrad  
28 South  $71^{\circ}14'37''$  West a distance of 90.75 feet; thence along  
29 lands of Mary Louise and James M. Conrad South  $77^{\circ}18'08''$  West a  
30 distance of 39.60 feet to POINT OF BEGINNING.

1       CONTAINING: 2.49-acres, more or less.

2       BEING a portion of lands of the Commonwealth of Pennsylvania  
3 recorded in Lebanon County Corporate Deed Book 9, Page 690.

4       ALSO BEING a portion of Tax Parcel No. 21-2286806-407057-  
5 0000.

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

14       (d) Restriction.--Any conveyance authorized under this  
15 section shall be made under and subject to the condition, which  
16 shall be contained in the deed of conveyance, that no portion of  
17 the property conveyed shall be used as a licensed facility, as  
18 defined in 4 Pa.C.S. § 1103 (relating to definitions), or any  
19 other similar type of facility authorized under State law. The  
20 condition shall be a covenant running with the land and shall be  
21 binding upon the Grantee, its successors and assigns. Should the  
22 Grantee, its successors or assigns, permit any portion of the  
23 property authorized to be conveyed in this act to be used in  
24 violation of this subsection, the title shall immediately revert  
25 to and re-vest in the Grantor.

26       (e) Legal description modifications.--The Department of  
27 General Services is authorized to make minor modifications to  
28 the legal description contained in this section, within its  
29 conveyance documents, based on a formal survey and minor  
30 subdivision plan prepared by a Pennsylvania licensed land

1 surveyor.

2 (f) Deed of conveyance.--The deed of conveyance shall be by  
3 Special Warranty Deed and shall be executed by the Secretary of  
4 General Services in the name of the Commonwealth of  
5 Pennsylvania.

6 (g) Costs and fees.--Costs and fees incidental to this  
7 conveyance shall be borne by the Grantee.

8 (h) Deposit of proceeds.--The proceeds from the sale shall  
9 be deposited into the ~~General~~ STATE TREASURY ARMORY Fund. <--

10 (i) Expiration.--In the event that this conveyance is not  
11 executed per the terms and conditions as established in the  
12 Agreement of Sale, with the Department of General Services,  
13 within 12 months of the effective date of this section, the  
14 authorization contained herein shall expire.

15 Section 2. Effective date.

16 This act shall take effect immediately.