

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 921 Session of 2017

INTRODUCED BY BROWNE, OCTOBER 11, 2017

SENATOR FOLMER, STATE GOVERNMENT, AS AMENDED, OCTOBER 17, 2017

AN ACT

1 Authorizing and directing the Department of General Services,
2 with the approval of the Governor, to grant and convey to TCA
3 Properties, L.P., certain lands and improvements situate in
4 the City of Allentown and the City of Bethlehem, Lehigh
5 County.

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

8 Section 1. Conveyance in the City of Allentown and the City of
9 Bethlehem, Lehigh County.

10 (a) Authorization.--The Department of General Services, with
11 the approval of the Governor, is hereby authorized and directed
12 on behalf of the Commonwealth of Pennsylvania to grant and
13 convey, for fair market value, as established through an
14 independent appraisal, the following tracts of land together
15 with any buildings, structures or improvements thereon, situate
16 in the City of Allentown and the City of Bethlehem, Lehigh
17 County, to TCA Properties, L.P.

18 (b) Property description.--The property to be conveyed
19 pursuant to subsection (a) consists of approximately 195.167
20 acres of land and improvements located thereon, bounded and more

1 particularly described as follows:

2 LOT #1

3 ALL THAT CERTAIN LOT OR PIECE OF GROUND situate in the City  
4 of Allentown and City of Bethlehem, Lehigh County, bounded and  
5 described as follows, to wit:

6 BEGINNING at a concrete monument found on the South side of  
7 Hanover Avenue said point being at the Northeast Corner of the  
8 lands of N/F 1514 Inc., thence FROM THE PLACE OF BEGINNING along  
9 the South line of Hanover Avenue the following courses and  
10 distances:

11 (1) S 55°31'17" E for a distance of 511.16' to a point,  
12 thence

13 (2) Along a curve to the Right having a Delta Angle of  
14 5°45'00", a radius of 957.11' for an arc length of 96.05' to a  
15 point, thence

16 (3) N 61°16'18" E for a distance of 5.96' to a point, thence

17 (4) Along a curve to the Left having a Delta Angle of  
18 5°47'00", a radius of 1034.11' for an arc length of 104.38' to a  
19 point, thence

20 (5) N 55°29'17" E for a distance of 45.13' to the Northwest  
21 corner of Hanover Avenue and North Quebec Street; thence along  
22 the West line North Quebec Street S 7°57'43" E for a distance of  
23 553.45' to a point at the Southwest corner of North Quebec

24 Street and East Allen Street; thence along the South line of  
25 East Allen Street N 81°23'17" E for a distance of 678.83' to an  
26 iron pin set at the Northwest corner of Lot #2;

27 Thence along Lot #2 the following course and distances:

28 (1) S 27°11'30" E for a distance of 1032.47' to an iron pin  
29 set; thence

30 (2) S 55°10'20" W for a distance of 243.03' to an iron pin

1 set; thence

2 (3) S 34°49'40" E for a distance of 160.00' to an iron pin  
3 set; thence

4 (4) N 54°56'04" E for a distance of 603.06' to an iron pin  
5 set; thence

6 (5) N 43°48'06" E for a distance of 727.05' to an iron pin  
7 set; thence

8 (6) N 72°56'55" E for a distance of 285.07' to an iron pin  
9 set; thence

10 (7) N 76°19'04" E for a distance of 378.08' to an iron pin  
11 set on the City of Allentown and the City of Bethlehem line;  
12 thence

13 (8) Along the City of Allentown and the City of Bethlehem  
14 line N 6°55'39" W for a distance of 413.29' to an iron pin set;  
15 thence along the lands of N/F Bruce Loch and James Burkos, N/F  
16 A-town Development Company, and N/F Raymond Perez, N 82°59'59" E  
17 for a distance of 396.87' to a point; thence along the lands of  
18 N/F Raymond Perez, the South line of Grandview Boulevard, and  
19 N/F Geraldine P. Holzinger N 81°45'17" E for a distance of  
20 396.71' to a concrete monument found; thence along the lands of  
21 PA Lines LCC S 8°31'43" E for a distance of 469.16' to a point  
22 on the North line of Central Boulevard;

23 Thence along the North line of Central Boulevard the  
24 following courses and distances:

25 (1) Along a curve to the Right having a Delta Angle of  
26 30°53'14", a radius of 798.97' for an arc length of 430.71' to a  
27 point, thence

28 (2) S 75°44'07" W for a distance of 205.24' to a point,  
29 thence

30 (3) S 66°28'27" W for a distance of 232.14' to a point,

1 Thence along the North line of River Drive the following  
2 courses and distances:

3 (1) S 69°08'28" W for a distance of 282.83' to a point;

4 thence

5 (2) S 54°30'17" W for a distance of 507.39' to a point;

6 thence

7 (3) S 50°28'17" W for a distance of 411.58' to a point;

8 thence

9 (4) S 56°43'17" W for a distance of 384.03' to a point;

10 thence

11 (5) Along a curve to the Left having a Delta Angle of  
12 39°02'00", a radius of 256.69' for an arc length of 174.87' to a  
13 point, thence

14 (6) S 17°41'17" W for a distance of 83.85' to a point;

15 thence

16 (7) Along a curve to the Right having a Delta Angle of  
17 8°00'03", a radius of 346.78' for an arc length of 48.47' to a  
18 point,

19 Thence along the lands of N/F Norfolk Southern the following  
20 courses and distances:

21 (1) S 39°24'36" W for a distance of 139.28' to a concrete  
22 monument found; thence

23 (2) S 49°14'43" E for a distance of 6.14' to a point on the  
24 North line of River Drive;

25 Thence along the North line of River Drive the following  
26 courses and distances:

27 (1) S 44°33'17" W for a distance of 159.40' to a point;

28 thence

29 (2) Along a curve to the Left having a Delta Angle of  
30 14°07'00", a radius of 541.84' for an arc length of 133.50' to a

1 point, thence

2 (3) S 30°26'17" W for a distance of 799.21' to a point;

3 thence

4 (4) Along a curve to the Right having a Delta Angle of  
5 18°38'50", a radius of 891.50' for an arc length of 290.14' to a

6 point, thence

7 (5) S 49°05'07" W for a distance of 392.66' to a point;

8 thence

9 (6) Along a curve to the Right having a Delta Angle of  
10 8°09'10", a radius of 536.50' for an arc length of 76.34' to a

11 point, thence

12 (7) S 57°14'17" W for a distance of 332.83' to a point;

13 thence

14 (8) Along a curve to the Right having a Delta Angle of  
15 10°36'40", a radius of 663.50' for an arc length of 122.88' to a

16 point, thence

17 (9) S 46°37'37" W for a distance of 729.66' to a point;

18 thence

19 (10) Along a curve to the Right having a Delta Angle of  
20 8°41'30", a radius of 536.50' for an arc length of 81.39' to a

21 point, thence

22 (11) S 55°19'07" W for a distance of 126.31' to a point at  
23 the Southeast limit of unopened South Maxwell Street; thence

24 along East line of unopened South Maxwell Street N 7°40'54" W  
25 for a distance of 1981.82' to a concrete monument found;

26 Thence along the lands of N/F the Community Services for  
27 Children the following courses and distances:

28 (1) N 77°27'55" E for a distance of 343.59' to a point;

29 thence

30 (2) N 82°36'13" E for a distance of 264.92' to a point;

1 thence  
2 (3) N 7°34'12" W for a distance of 48.78' to a point; thence  
3 (4) N 10°07'23" E for a distance of 18.41' to a point;  
4 thence  
5 (5) N 33°51'14" E for a distance of 77.17' to a point;  
6 thence  
7 (6) N 6°18'35" W for a distance of 41.34' to a point; thence  
8 (7) S 83°24'45" W for a distance of 56.39' to a point;  
9 thence  
10 (8) N 6°18'23" W for a distance of 35.42' to a point; thence  
11 (9) N 83°44'46" E for a distance of 56.41' to an iron pipe  
12 found; thence  
13 (10) N 6°16'03" W for a distance of 223.32' to a point;  
14 thence  
15 (11) S 83°06'05" W for a distance of 6.70' to a point;  
16 thence  
17 (12) N 7°22'55" W for a distance of 78.48' to an iron pipe  
18 found; thence  
19 (13) S 76°24'27" W for a distance of 46.07' to a point;  
20 thence  
21 (14) N 13°36'19" W for a distance of 35.10' to an iron pipe  
22 found; thence  
23 (15) N 76°12'08" E for a distance of 49.86' to an iron pipe  
24 found; thence  
25 (16) N 7°25'05" W for a distance of 258.86' to an iron pipe  
26 found; thence  
27 (17) S 83°23'26" W for a distance of 257.59' to a point;  
28 Thence along the lands of N/F Baldeu Raj SharmaTrust, the  
29 East limit of East Pine Street and N/F Richard C. Birch Sr. N  
30 1°54'54" W for a distance of 250.32' to a concrete monument

1 found on the South line of East Gordon Street; thence along the  
2 South line of East Gordon street N 82°02'47" E for a distance of  
3 319.05' to an iron pipe found at the Southeast corner of East  
4 Gordon North Oswego Streets; thence along the East line of North  
5 Oswego Street N 6°39'00" W for a distance of 8.01' to a point;  
6 thence along the lands of Kelly Brookhart and Mark MacNemara N  
7 81°51'17" E for a distance of 229.30' to a concrete monument  
8 found; thence along the lands of N/F Tina Rivera, N/F Karl &  
9 Ruth Schuster, N/F Dee Ann Diaz, N/F Timothy Koppenhaver, N/F  
10 David & Ruth Koppenhaver, N/F Eugene & Constance Fritz, N/F  
11 Miriam Estrella, N/F David & Helen Galbraith, N/F Gary & Kay  
12 Matsco, N/F Charles & Jacqueline Scherer, N/F Sharon Peters, N/F  
13 Jeremy Ingle, and the East Limit of East Clair Street N 8°17'43"  
14 W for a distance of 733.25' to a point, thence along the East  
15 line of 1514 Inc. N 34°22'50" W for a distance of 152.66' to the  
16 place of BEGINNING.

17 CONTAINING 165.846-Acres.

18 BEING shown as Lot #1 on the Final Minor Subdivision Plan of  
19 the Allentown State Hospital prepared by the City of Allentown  
20 Department of Public Works, Drawing #06-005, dated July 20,  
21 2007, last revised March 25, 2009.

22 LOT #2

23 ALL THAT CERTAIN LOT OR PIECE OF GROUND situate in the City  
24 of Allentown, Lehigh County, bounded and described as follows,  
25 to wit:

26 BEGINNING at an iron pin set on the south line of East Allen  
27 Street, said point being located North 81° 23' 17" East for a  
28 distance of 678.83 feet from the Southwest corner of North  
29 Quebec Street and the said point of BEGINNING being the  
30 Northwest corner of this described parcel; thence from the place

1 of BEGINNING along the South line of East Allen Street and the  
2 South Line of Oil Process Systems North  $81^{\circ} 23' 17''$  East for a  
3 distance of 531.03 feet to a concrete monument found; thence  
4 along the lands of Bruce Loch and James Burkos the following  
5 nine (9) courses and distances;

6 (1) South  $43^{\circ} 13' 28''$  East - 11.42 feet to a concrete  
7 monument found; thence

8 (2) South  $80^{\circ} 16' 15''$  West - 54.97 feet to an iron pin  
9 found; thence

10 (3) South  $7^{\circ} 57' 07''$  West - 61.34 feet to a concrete  
11 monument found; thence

12 (4) South  $61^{\circ} 19' 56''$  East - 163.09 feet to a concrete  
13 monument found; thence

14 (5) North  $68^{\circ} 57' 39''$  East - 177.92 feet to a concrete  
15 monument found; thence

16 (6) North  $58^{\circ} 25' 17''$  East - 238.88 feet to a concrete  
17 monument found; thence

18 (7) North  $23^{\circ} 18' 43''$  West - 36.00 feet to a concrete  
19 monument found; thence

20 (8) North  $82^{\circ} 58' 20''$  East - 987.96 feet to a concrete  
21 monument found; thence

22 (9) North  $82^{\circ} 59' 59''$  East - 1.43 feet to a point; thence  
23 along Lot #1, the residue lands of the Commonwealth of

24 Pennsylvania the following eight (8) courses and distances;

25 (1) South  $6^{\circ} 55' 39''$  East - 413.29 feet to a iron pin set;  
26 thence

27 (2) South  $76^{\circ} 19' 04''$  West - 378.08 feet to a iron pin set;  
28 thence

29 (3) South  $72^{\circ} 56' 55''$  West - 285.07 feet to a iron pin set;  
30 thence



1 (4) South 43° 48' 06" West - 727.05 feet to a iron pin;

2 thence

3 (5) South 54° 56' 04" West - 603.06 feet to a iron pin;

4 thence

5 (6) North 34° 49' 40" West - 160.00 feet to a iron pin set;

6 thence

7 (7) North 55° 10' 20" East - 243.03 feet to a iron pin set;

8 thence

9 (8) North 27° 11' 30" West - 1032.47 feet to the place of

10 BEGINNING.

11 CONTAINING 29.321-Acres.

12 BEING shown as Lot #2 on the Final Minor Subdivision Plan of  
13 the Allentown State Hospital prepared by the City of Allentown  
14 Department of Public Works, Drawing #06-005, dated July 20,  
15 2007, last revised March 25, 2009.

16 (c) Requirement for conveyance.--The conveyance shall be  
17 made under and subject to all lawful and enforceable easements,  
18 servitudes and rights of others, including, but not confined to,  
19 streets, roadways and rights of any telephone, telegraph, water,  
20 electric, gas or pipeline companies, as well as under and  
21 subject to any lawful and enforceable estates or tenancies  
22 vested in third persons appearing of record, for any portion of  
23 the land or improvements erected thereon.

24 (d) Gaming restriction.--Any conveyance authorized under  
25 this section shall be made under and subject to the condition,  
26 which shall be contained in the deed of conveyance, that no  
27 portion of the property conveyed shall be used as a licensed  
28 facility, as defined in 4 Pa.C.S. § 1103 (relating to  
29 definitions), or any other similar type of facility authorized  
30 under State law. The condition shall be a covenant running with

1 the land and shall be binding upon the grantee, its successors  
2 and assigns. Should the grantee, its successors or assigns  
3 permit any portion of the property authorized to be conveyed in  
4 this section to be used in violation of this subsection, the  
5 title shall immediately revert to and revest in the grantor.

6 (e) Covenants, conditions and restrictions.--The Secretary  
7 of General Services may impose any covenants, conditions,  
8 restrictions and reservations on the sale of the property as is  
9 deemed in the best interests of the Commonwealth of  
10 Pennsylvania.

11 (f) Easements.--The Secretary of General Services may grant  
12 or retain any easements necessary to effectuate this section.

13 (g) Deed of conveyance.--The deed of conveyance shall be by  
14 special warranty deed and shall be executed by the Secretary of  
15 General Services in the name of the Commonwealth of  
16 Pennsylvania.

17 (h) Costs and fees.--All costs and fees incurred by the  
18 Department of General Services shall be borne by the grantee.

19 ~~Section 2. Repeals.~~ <--

20 ~~Repeals are as follows:~~

21 ~~(1) The General Assembly declares that the repeal under~~  
22 ~~paragraph (2) is necessary to effectuate section 1 of this~~  
23 ~~act.~~

24 ~~(2) Section 4 of the act of July 9, 2013 (P.L.429,~~  
25 ~~No.62), is repealed insofar as it is inconsistent with this~~  
26 ~~act.~~

27 SECTION 2. EXPIRATION. <--

28 IF THE DEPARTMENT OF GENERAL SERVICES AND THE GRANTEE UNDER  
29 SECTION 1(A) HAVE NOT EXECUTED AN AGREEMENT OF SALE WITHIN THREE  
30 YEARS OF THE EFFECTIVE DATE OF THIS SECTION, THE AUTHORITY

1 PROVIDED UNDER THIS ACT SHALL EXPIRE.

2 Section 3. Effective date.

3 This act shall take effect in 60 days.