

No. 1992-57

AN ACT

SB 177

Authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military Affairs, to convey to the Borough of Milton an improved tract of land situate in the Borough of Milton, Northumberland County; and authorizing the Department of Military Affairs and the Department of General Services, with the approval of the Governor, to sell and convey a tract of land, together with the buildings and structures thereto, in the City of Philadelphia, Philadelphia County.

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

Section 1. (a) The Department of General Services, with the approval of the Governor and the Department of Military Affairs, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Borough of Milton, Northumberland County, for a consideration of one-half the fair market value as determined by an independent appraiser approved by the Department of Military Affairs, the following improved tract of land situate in the Borough of Milton, Northumberland County, Pennsylvania, bounded and described as follows:

All that certain lot or parcel of ground situate in the Third Ward of the Borough of Milton, Northumberland County, Pennsylvania, bounded and described as follows, to wit:

Beginning at a point on the east side of Ridge Avenue, which point is at the southwest corner of lands of Shimer Hose Company, and running thence along said Shimer Hose Company lands, south 84 degrees 28.25 minutes east a distance of 150 feet to a stake; thence along other lands of Milton Borough School District, south 05 degrees 26.50 minutes west a distance of 150 feet to a stake; thence along other lands of Milton Borough School District, north 84 degrees 28.25 minutes west a distance of 150 feet to Ridge Avenue; and thence along the east side of Ridge Avenue, north 05 degrees 26.50 minutes east a distance of 150 feet to the place of beginning.

(b) The conveyance shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

(c) The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(d) The deed of conveyance shall contain a clause that the lands conveyed shall be used for municipal purposes by the Borough of Milton, and if at any time the Borough of Milton or its successor in function conveys said

property or permits said property to be used for any purpose other than that aforementioned, the title thereto shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(e) The deed of conveyance shall contain a clause providing that the owner will rehabilitate and maintain the property in accordance with the approaches in "The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (U.S. Department of the Interior, National Park Service, 1983)."

(f) Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 2. (a) The Department of Military Affairs and the Department of General Services, with the approval of the Governor, are hereby authorized to sell and convey, by general warranty deed, acting on behalf of the Commonwealth of Pennsylvania, for a consideration of not less than \$890,000, which consideration is hereby determined to be the fair market value of the real estate and the structures hereinafter described as determined by Charles A. Thomas, MAI, on April 10, 1990, the right, title and interest of the Commonwealth in a tract of land and all buildings attached and appurtenant thereto in the City of Philadelphia, Philadelphia County, more particularly described as follows:

Tract No. 1

All that certain lot or piece of ground situate in the 40th Ward of the City of Philadelphia and described as follows, to wit:

Beginning at the point of intersection of the west side of Island Avenue (as plotted 180 feet wide, but not upon the City Plan) and the north right-of-way line of the Sixtieth Street Branch of the Philadelphia, Baltimore and Washington Railroad Company; thence extending northward along the west side of Island Avenue 400 feet to a point; thence south 70 degrees 55 minutes 12 seconds west 200 feet to a point; thence south 19 degrees 4 minutes 48 seconds east 400 feet to a point; thence north 70 degrees 55 minutes 12 seconds east 200 feet to the point and place of beginning.

Being part of the same premises which William Gray Knowles et al., by Indenture dated July 26, 1917, and recorded in Deed Book JMH No. 184, Page 480 & c., granted and conveyed unto the said City of Philadelphia in a fee.

Less all that certain tract or parcel of ground situate in the 40th Ward, City of Philadelphia, bounded and described in accordance with a Plan of Property made by Albright & Friel, Inc., Consulting Engineers of Philadelphia, Pennsylvania, and approved by Maurice H. Goldich, Surveyor and Regulator, Tenth Survey District, on October 15, 1963, as follows:

Beginning at a point on the southwesterly side of Island Avenue (180 feet wide), said beginning point being south 19 degrees 4 minutes 48 seconds east a distance of 1,548.717 feet as measured along said southwesterly side of Island Avenue from an angle point, said angle point being south 22 degrees 41 minutes 49 seconds east a distance of 576.351 feet as measured along said southwesterly side of Island Avenue from the point of intersection of the prolongation of said southwesterly side of Island Avenue with the prolonga-

tion of the southeasterly side of Essington Avenue (108 feet wide); thence extending along southwesterly side of Island Avenue south 19 degrees 4 minutes 48 seconds east a distance of 76.632 feet to a point; thence extending south 34 degrees 29 minutes 57 seconds west a distance of 62.137 feet to a point; thence extending north 19 degrees 4 minutes 48 seconds west a distance of 113.523 feet to a point; thence extending north 70 degrees 55 minutes 12 seconds east, a distance of 50 feet to a point on the aforementioned southwesterly side of Island Avenue, the first mentioned point and place of beginning.

Containing in area .1091 acre.

Tract No. 2

All that certain tract or parcel of ground situate in the 40th Ward, City of Philadelphia, bounded and described in accordance with a Plan of Property made by Albright & Friel, Inc., Consulting Engineers of Philadelphia, Pennsylvania, and approved by Maurice H. Goldich, Surveyor and Regulator, Tenth Survey Distance, on October 15, 1963, as follows:

Beginning at a point on the southwesterly side of Island Avenue (180 feet wide), said beginning point being south 19 degrees 4 minutes 48 seconds east a distance of 1548.717 feet as measured along said southwesterly side of Island Avenue from an angle point, said angle point being south 22 degrees 41 minutes 49 seconds east a distance of 576.351 feet as measured along said southwesterly side of Island Avenue from the point of intersection of the prolongation of said southwesterly side of Island Avenue with the prolongation of the southeasterly side of Essington Avenue (108 feet wide); thence extending along the southwesterly side of Island Avenue south 19 degrees 4 minutes 48 seconds east a distance of 76.632 feet to a point; thence extending south 34 degrees 29 minutes 57 seconds west a distance of 319.897 feet to a point; thence extending north 19 degrees 4 minutes 48 seconds west a distance of 666.578 feet to a point; thence extending north 70 degrees 55 minutes 12 seconds east a distance of 57.414 feet to a point; thence extending south 19 degrees 4 minutes 48 seconds east a distance of 400 feet to a point; thence extending north 70 degrees 55 minutes 12 seconds east a distance of 200 feet to a point on the aforementioned southwesterly side of Island Avenue, the first mentioned point and place of beginning.

Containing in area 1.5413 acres.

(b) Tract 1 and Tract 2 have erected thereon buildings which comprised the former Pennsylvania Air National Guard facility.

(c) The conveyance of the property described in subsection (a) shall be made under and subject, nevertheless, to all easements, leases, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, gas or pipeline companies, as well as under and subject, nevertheless, to any estate or tenancies vested in third persons, whether or not appearing of record, for any portion of the said land or improvements erected thereon.

(d) The conveyance of the property described in subsection (a) shall also be made under and subject to any reservations set forth in the aforementioned deeds to the Commonwealth of Pennsylvania.

(e) The deed of conveyance of the property described in subsection (a) shall be approved as provided by law and shall be executed by the Adjutant General for the State Armory Board of the Department of Military Affairs and the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) All moneys received from the sale of the land and armory authorized to be conveyed in this section shall be deposited in the State Treasury Armory Fund.

Section 3. This act shall take effect immediately.

APPROVED—The 25th day of June, A. D. 1992.

ROBERT P. CASEY