

## No. 2000-5

## AN ACT

## SB 1097

Authorizing the Department of General Services, with the approval of the Governor, to sell and convey to Transitional Housing and Care Center of Columbia and Montour Counties certain land and a building, referred to as the Gatehouse, situate on Danville State Hospital, Montour County; authorizing the Department of Transportation, with the approval of the Governor, to sell and convey to the Public Auditorium Authority of Allegheny County certain land situate in the City of Pittsburgh, County of Allegheny, Commonwealth of Pennsylvania; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Community Services for Children, Inc., certain lands situate in the City of Allentown, Lehigh County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey certain tracts of land situate in the City of Philadelphia, Pennsylvania; and authorizing the transfer of a certain bridge in Metal Township, Franklin County.

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

Section 1. Conveyance at Danville State Hospital, Montour County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Transitional Housing and Care Center of Columbia and Montour Counties the tract of land and building, referred to as the Gatehouse, described in subsection (b), for fair consideration based on a fair market value as determined by an independent appraisal.

(b) Description.—The property to be conveyed pursuant to subsection (a) is the following tract of land and building situate on Danville State Hospital, Montour County, bounded and described as follows:

Beginning at a point on the northerly edge of the macadam on an access road, said point being North 18 degrees 19 minutes 56 seconds West 122.66 feet from a point in the center line intersection of another macadam access road and existing railroad tracks; thence along the northerly edge of the macadam on the first mentioned access road, North 42 degrees 42 minutes 48 seconds West, a distance of 650.73 feet to a point; thence passing through a rebar set on line 5.00 feet from the last mentioned corner, North 46 degrees 38 minutes 57 seconds East, a distance of 195.62 feet to a rebar set; thence passing through a rebar set on line 5.00 feet from the next mentioned corner, South 43 degrees 18 minutes 25 seconds East, a distance of 332.45 feet to a point on a curve on the westerly edge of the macadam on another access road; thence along the westerly edge of the macadam on said access road and along a curve to the left having a radius of 182.19 feet, arc length of 113.80 feet, delta angle of 35 degrees 47 minutes 20 seconds, a chord bearing of South 14 degrees 24 minutes 38 seconds West, and a chord

length of 111.96 feet to a point; thence along the same and along a curve to the left having a radius of 100.32 feet, arc length of 57.92 feet, delta angle of 33 degrees 04 minutes 44 seconds, a chord bearing of South 15 degrees 35 minutes 36 seconds East, and a chord length of 57.12 feet to a point; thence along the same, South 23 degrees 46 minutes 43 seconds East, a distance of 120.26 feet to a point; thence along the same, South 24 degrees 20 minutes 09 seconds East, a distance of 100.60 feet to a point of curve; thence the same and along a curve to the right having a radius of 4.87 feet, arc length of 9.84 feet, delta angle of 115 degrees 51 minutes 53 seconds, a chord bearing of South 49 degrees 47 minutes 15 seconds West, a chord length of 8.25 feet to the place of beginning.

Containing 2.000 acres of land in all.

(c) Easements.—The conveyance shall be made under and subject to any and all easements for utilities which cross said property, including, but not limited to, streets, roadways and rights of any storm sewer, electric service, potable water service and a sanitary sewer lateral, as well as under and subject to any interest, estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Execution.—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. In the event this property is not conveyed to Transitional Housing and Care Center of Columbia and Montour Counties within 12 months of the effective date of this act, at the discretion of the Secretary of General Services, the property shall be offered for sale through auction, sealed bid or request for proposal, under the terms of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(e) Costs.—All other costs and fees, including, but not limited to, appraisal fees, title insurance and surveys, incidental to this conveyance shall be borne by the grantee.

Section 2. Conveyance to Public Auditorium Authority, Allegheny County.

(a) Authorization.—The Department of Transportation, with the approval of the Governor and the Federal Highway Administration, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Public Auditorium Authority of Allegheny County for fair consideration as determined by the Department of Transportation the tract of land described in subsection (b).

(b) Description.—The property to be conveyed pursuant to subsection (a) is the following tract of land situate in the 21st Ward, City of Pittsburgh, Allegheny County, bounded and described as follows:

Beginning at a point at the western right-of-way line of Allegheny Avenue, said point being located South 2 degrees 31 minutes 51 seconds West 49.98 feet from Station 1039 + 56.99 feet at the center line of the Southbound lane of Legislative Route 1039. Thence South 14 degrees 02 minutes 43 seconds East 17.26 feet to a point of curvature of the western

right-of-way line of Allegheny Avenue, said line being 32.00 feet from center line of Allegheny Avenue, the true point of beginning. Thence by a curve bearing to the right with a radius of 1064.60 feet for an arc distance of 156.35 feet to a point of tangency on the western right-of-way line of Allegheny Avenue. Thence along the western right-of-way line of Allegheny Avenue, South 05 degrees 37 minutes 50 seconds East a distance of 20.57 feet, to a point on the northern right-of-way line of relocated Reedsdale Street. Thence along the northern right-of-way line of Reedsdale Street South 74 degrees 49 minutes 43 seconds West 209.83 feet to a point of curve of a curve bearing to the right with a radius of 296.00 feet for an arc distance of 51.61 feet to a point of tangency. Thence South 84 degrees 49 minutes 05 seconds West a distance of 6.64 feet to a point at the intersection of the northern right-of-way line of Reedsdale Street (relocated) and the eastern line of Walker Street. Thence by the easterly line of Walker Street (a 40 feet right-of-way) North 14 degrees 04 minutes 42 seconds West a distance of 239.73 feet. Thence by a new line, the following five courses and distances: North 84 degrees 59 minutes 58 seconds East, a distance of 25.54 feet, South 79 degrees 51 minutes 34 seconds East a distance of 65.41 feet, South 88 degrees 20 minutes 15 seconds East a distance of 79.40 feet, North 75 degrees 43 minutes 59 seconds East a distance of 80.46 feet and South 87 degrees 37 minutes 24 seconds East a distance of 42.33 feet to the point of beginning.

Containing an area of 1.30 acres according to a survey by L. Robert Kimball and Associates dated April 29, 1999.

This conveyance is comprised of a portion of the property as conveyed to the Commonwealth of Pennsylvania by the Urban Redevelopment Authority of the City of Pittsburgh by deed dated August 24, 1994, and recorded in Deed Book Volume 9930, Page 151, in the Recorders Office of Allegheny County.

(c) Condition.—Prior to execution of a deed of conveyance, the slope of State Route 65 adjacent to the tract of land described in subsection (b) shall be stabilized and returned to its original condition in a manner acceptable to the Department of Transportation.

(d) Easements.—The conveyance shall be made under and subject to all easements and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, cable, 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.

(e) Execution.—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.

(f) Costs.—All other costs and fees, including, but not limited to, appraisal fees, title insurance and surveys incidental to this conveyance, shall be borne by the grantee.

(g) Disposition of proceeds.—Revenue from the sale authorized by this section shall be deposited in the Motor License Fund.

### Section 3. Conveyance at Allentown State Hospital, Lehigh County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Community Services for Children, Inc., certain land and buildings situate on the grounds of Allentown State Hospital described in subsection (b) for \$225,000.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately 8.9395 acres and three buildings bounded and more particularly described as follows:

Beginning at a concrete monument on the southerly right-of-way of East Gordon Street, said point also being South 83 degrees 33 minutes 0 seconds West 319.50 feet from the easterly right-of-way of North Oswego Street.

Thence South 0 degrees 26 minutes 0 seconds East 251.70 feet along the line of a previously leased lot to Lehigh County Housing Authority to a point. Said point is the new place of beginning for this subdivided lot.

Thence along a line in the lease agreement with Lehigh County Housing Authority North 84 degrees 50 minutes 18 seconds East 275.59 feet to a point. Said point is along the western edge of an interior road in the lands of Allentown State Hospital.

Thence the following courses and distances along the interior road:

South 5 degrees 57 minutes 6 seconds East 258.86 feet to a point,

South 77 degrees 23 minutes 2 seconds West 49.78 feet to a point,

South 12 degrees 8 minutes 20 seconds East 35.10 feet to a point,

North 77 degrees 14 minutes 47 seconds East 45.76 feet to a point,

South 5 degrees 57 minutes 6 seconds East 78.53 feet to a point,

North 84 degrees 20 minutes 45 seconds East 6.68 feet to a point,

South 4 degrees 49 minutes 4 seconds East 223.37 feet to a point,

South 85 degrees 12 minutes 45 seconds West 56.41 feet to a point,

South 4 degrees 50 minutes 24 seconds East 35.42 feet to a point,

North 84 degrees 52 minutes 44 seconds East 56.39 feet to a point,

South 4 degrees 50 minutes 36 seconds East 41.34 feet to a point,

South 35 degrees 19 minutes 13 seconds West 77.17 feet to a point,

South 11 degrees 35 minutes 22 seconds West 18.41 feet to a point,

South 6 degrees 6 minutes 13 seconds East 48.78 feet to a point. Said point is also a corner in the parking lot that abuts the aforementioned road.

Thence the following two courses and distances along the remaining lands of the Allentown State Hospital:

South 84 degrees 4 minutes 12 seconds West 264.92 feet to a point,

South 78 degrees 56 minutes 1 second West 333.01 feet to a point. Said point also being on the easterly right-of-way of North Maxwell Street.

Thence along the easterly right-of-way of North Maxwell Street North 6 degrees 9 minutes 0 seconds West 452.15 feet to a point.

Thence along a line in the property of Badev Sharma, North 83 degrees 3 minutes 0 seconds East 342.34 feet to a point.

Thence still along the lands of Badev Sharma, North 0 degrees 26 minutes 0 seconds West 373.75 feet to a point, the aforementioned new place of beginning.

Less and excepting to the grantor all aboveground or subterranean utilities which serve Allentown State Hospital and ingress, egress and regress to said utilities.

Containing 8.9395 acres, more or less.

(c) Easements.—

(1) The Department of General Services is authorized to grant any necessary access/utility easements to the grantee for the efficient operation and maintenance of the facilities being conveyed.

(2) The conveyance shall be made under and subject to all lawful and enforceable easements, 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 to any lawful and enforceable estates or tenancies vested in third persons appearing of record, for any portion of the land or improvements erected thereon.

(d) Execution.—The deed of conveyance shall be by Special Warranty Deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

(f) Conditions of conveyance.—

(1) In the event that this conveyance is not executed within 18 months of the effective date of this act, the property may be disposed of in accordance with section 2405-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(2) The conveyance shall be conditioned on the grantee's meeting and insuring that the requirements of the Commonwealth are met as described in an agreement of sale to be executed by the Department of General Services.

Section 4. Conveyance of certain tracts in City of Philadelphia.

(a) The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey the following tracts of land situate in the City of Philadelphia, Pennsylvania, more particularly bounded and described as follows:

TRACT NO. 1

Beginning at a point of intersection of the northeasterly side of Southampton Road (60 feet wide) and the northwesterly side of Roosevelt Boulevard (254 feet wide - S.R. 0001); thence along the northeasterly side of Southampton Road North 42 degrees 54 minutes 40 seconds West a distance of 200.031 feet to a point; thence by a line being 200.00 feet northwest and parallel with Roosevelt Boulevard along lands of the Philadelphia State Hospital North 48 degrees 05 minutes 49 seconds East a distance of 2370.634 feet to a point common to lands of the Philadelphia State Hospital and other lands of Benjamin Rush State Park; thence along other lands of Benjamin Rush State Park South 86 degrees 45 minutes 07 seconds East a distance of 282.100 feet to the northwesterly side of Roosevelt Boulevard; thence by the same South 48 degrees 05 minutes 49 seconds West a distance of 2566.065 feet to a point at the intersection of the northeasterly side of Southampton Road with the northwesterly side of Roosevelt Boulevard, place of beginning.

Containing 11.3331 acres of land.

#### TRACT NO. 2

Beginning at a point on the southeasterly side of Carter Road (46.5 feet wide), said corner being further defined as being North 41 degrees 04 minutes 22 seconds East a distance of 1142.357 feet from the intersection of the southeasterly side of Carter Road with the northeasterly side of Southampton Road; thence from said point of beginning along the southeasterly side of said Carter Road North 41 degrees 04 minutes 22 seconds East a distance of 261.028 feet to a point; thence by same North 46 degrees 06 minutes 32 seconds East a distance of 929.351 feet to a point on the southeasterly side of Carter Road and being a corner of other lands of Benjamin Rush State Park; thence by said other lands of Benjamin Rush State Park South 43 degrees 39 minutes 11 seconds East a distance of 201.605 feet to a point common to other lands of Benjamin Rush State Park and lands of the Philadelphia State Hospital; thence by lands of said Philadelphia State Hospital South 46 degrees 06 minutes 32 seconds West 919.647 feet to a point; thence by same South 41 degrees 04 minutes 22 seconds West a distance of 277.530 feet to a point; thence by same North 41 degrees 41 minutes 49 seconds West a distance of 201.603 feet to a point on the southeasterly side of Carter Road, place of beginning.

Containing 5.5199 acres of land.

#### TRACT NO. 3

Beginning at a point on the southeasterly side of an access road between the West units and North units of the Philadelphia State Hospital Complex being a common corner of lands of said Philadelphia State Hospital and lands of Benjamin Rush State Park, said point of beginning also being the following two (2) courses and distances from the northeast corner of Tract No. 1 previously described herein: (1) North 86 degrees 54 minutes 11 seconds West a distance of 159.687 feet to a point and (2) North 41 degrees 54 minutes 11 seconds West a distance of 382.747 feet to place of

beginning; thence by lands of the Philadelphia State Hospital North 41 degrees 54 minutes 11 seconds West 141.421 feet to a point; thence by the same North 03 degrees 05 minutes 49 seconds East a distance of 159.687 feet to a point; thence by the same North 48 degrees 05 minutes 49 seconds East a distance of 141.421 feet to a point common to lands of the Philadelphia State Hospital and other lands of Benjamin Rush State Park; thence by other lands of Benjamin Rush State Park South 03 degrees 05 minutes 49 seconds West a distance of 359.687 feet to a point, the place of beginning.

Containing 0.5961 acre of land.

(b) The three tracts or parts thereof may be offered together or separately.

(c) Notwithstanding the provisions of Article XXIV-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, the Department of General Services shall, through sealed bids, auction or request for proposal, select the purchaser of the tracts and sell the property. Acceptance of an offer shall be subject to a minimum price requirement as established by the Department of General Services which shall be within a range of fair market value as established through independent appraisal. Proposals submitted in response to a request for proposal must demonstrate a value to the Commonwealth equivalent to the fair market value range as established by the Department of General Services through independent appraisal. In establishing the value equivalent, the Department of General Services shall consider the following factors: actual monetary consideration, creation of construction jobs, creation of permanent jobs, expansion of local tax base, economic growth, community development, highest and best use and public purpose.

(d) 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, appearing of record, for any portion of the land or improvements erected thereon.

(e) 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.

(f) The cost and fees incurred by the Department of General Services for preparing the property for sale, including, but not limited to, environmental assessments, marketing services, title searches, advertising, appraisals, auctioneer fees and surveys, shall be deducted from the purchase price, and that amount shall be an executively authorized augmentation to the appropriation from which the costs and fees were paid by the department.

(g) The tracts and parcels of land described in this section and the jurisdiction and control over the same herein authorized to be transferred shall be transferred free and clear of any limitations or rights of reversion

more particularly set forth in section 1 of the act of September 29, 1938 (Sp.Sess., P.L.53, No.21), entitled "An act relating to institutions of counties, cities, wards, boroughs, townships, institution districts and other political subdivisions, for the care, maintenance, and treatment of mental patients; providing for the transfer to the Commonwealth for the care, maintenance and treatment of mental patients of such institutions, and all grounds, lands, buildings and personal property of such political subdivisions used for the care and maintenance of indigent persons connected with such mental institutions; providing for the management and operation or closing and abandonment thereof; and the maintenance of mental patients therein; including the collection of maintenance in certain cases; providing for the retransfer of certain property to counties, cities, wards, boroughs, townships, institution districts and other political subdivisions under certain circumstances; conferring and imposing upon the Governor, the Department of Welfare, the courts of common pleas and counties, cities, wards, boroughs, townships, institution districts and other political subdivisions certain powers and duties; prohibiting cities, counties, wards, boroughs, townships, institution districts and other political subdivisions from maintaining and operating institutions, in whole or in part, for the care and treatment of mental patients; and repealing inconsistent laws."

Section 5. Transfer of bridge.

The Department of Transportation shall assume jurisdiction of and responsibility for maintenance of County Bridge No. 116 on State Route 4004 in Metal Township, Franklin County, and shall restore that bridge to sound condition.

Section 6. Effective date.

This act shall take effect immediately.

APPROVED—The 17th day of March, A.D. 2000.

THOMAS J. RIDGE