

## No. 2002-70

## AN ACT

## SB 1171

Authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the City of Harrisburg tracts of land and a building situate in the City of Harrisburg, Dauphin County.

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

**Section 1. 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 the City of Harrisburg, Dauphin County, 1.34 acres of land and building described in section 2 for fair consideration equal to the fair market value of the property as determined by an independent appraisal in accordance with an executed agreement of sale.

**Section 2. Description.**

The property to be conveyed pursuant to section 1 consists of all those certain lots, pieces or parcels of land situated in the City of Harrisburg, Dauphin County, Pennsylvania, bounded and described as follows:

**Tract 1**

BEGINNING at a point on the Northwest corner of Hudson and Caledonia Streets; thence Northwardly along the western line of Hudson Street, seventy-two (72) feet, more or less, to the southern line of Lot No. 35, on hereinafter named plan; thence westwardly at right angles to Hudson Street and along the line of said Lot No. 35, one hundred ten (110) feet to the eastern line of Cona Street; thence southwardly along the eastern line of said Cona Street, one hundred eighty-two (182) feet to Caledonia Street; thence northeasterly along the line of Caledonia Street, one hundred fifty (150) feet, more or less, to the place of beginning.

Being lots Nos. 36 and 37, as shown on Plan "B", Cloverly Heights, Plan Book "G", Page 58, Block 12 of said plan.

**Tract 2**

BEGINNING at the northeast corner of Nineteenth and Caledonia Streets; thence along Nineteenth Street northwardly two hundred and thirty-five (235) feet to property of East End Trust Company; thence eastwardly along last mentioned property one hundred and twenty (120) feet to Cona Street; thence southwardly along Cona Street two hundred (200) feet to Caledonia Street; thence westwardly along Caledonia Street one hundred twenty-four (124) feet; more or less, to the place of Beginning, being lots one (1) to five (5), both inclusive, Block 12, Plan B, Cloverly Heights, recorded in Plan Book G, Page 58.

**Tract 3**

**BEGINNING** at a point on the west side of Hudson Street at the line of property now or formerly of Benjamin Baisi, being the northern line of Lots Nos. 36 and 37 Block 12 on Plan B, Cloverly Heights; recorded in the Dauphin County Recorder's Office in Plan Book "G", Page 58, which point is seventy-two (72) feet north of Caledonia Street; thence northwardly along the west side of Hudson Street, eighty (80) feet to the line of property now or formerly of the Trustees Capital Bank and Trust Company, being also the southern line of Lot No. 33 Block 12 on said Plan; thence westwardly along the line of said property; one hundred ten (110) feet to the east side of Cona Street; thence southwardly along the east side of Cona Street; eighty (80) feet to the northern line of said property of Benjamin Baisi, being the northern line of Lots Nos. 36 and 37 of Block 12 on Plan aforesaid; and thence eastwardly along the line of said property; one hundred ten (110) feet to the place of Beginning.

**Section 3. Covenants.**

The conveyance authorized by this act 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 telephone, telegraph, cable, water, electric, sewer, gas or pipeline companies, as well as under and subject to any lawful and enforceable interest, estates or tenancies vested in third persons appearing of record for any portion of the land or improvements erected thereon.

**Section 4. Consideration.**

The deed of conveyance shall be by special warranty deed and shall ensure a return of fair consideration equal to or greater than \$140,000 beginning on a date consistent with the executed agreement of sale.

**Section 5. Historical standards.**

The deed of conveyance shall contain a clause requiring the City of Harrisburg to ensure that any design for new construction, rehabilitation, alteration or demolition work on the property is compatible with its original architectural design and landscape/site plan in terms of scale, massing, fenestration, materials and color and is consistent with the recommended approaches in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as revised in 1995, and no new construction, demolition, alteration, remodeling or landscaping/site work shall be undertaken or permitted to be undertaken on the property without 30 days' prior written notice to the Pennsylvania Historical and Museum Commission.

**Section 6. Deed execution.**

The deed of conveyance authorized by this section 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.

**Section 7. Expenses.**

Costs and fees incidental to this conveyance authorized by this section shall be borne by the grantee.

**Section 8. Alternate disposition.**

In the event that this conveyance is not executed in accordance with the agreement of sale, the property may be disposed of in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

**Section 9. Effective date.**

This act shall take effect immediately.

APPROVED—The 25th day of June, A.D. 2002.

**MARK S. SCHWEIKER**