

No. 2002-104

## AN ACT

SB 1187

Authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Tolentine Community Center and Development Corporation certain lands and building situate in the City of Philadelphia, Philadelphia County.

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

Section 1. 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 Tolentine Community Center and Development Corporation the former Armory at 1231 South Broad Street, City of Philadelphia, consisting of a parcel of land and building as described in section 2 for fair consideration equal to the fair market value of the property as determined by an independent appraiser.

Section 2. The tract to be conveyed is situate in the City of Philadelphia, Philadelphia County, Pennsylvania, bounded and described as follows:

ALL THAT CERTAIN lot or piece of ground with the buildings thereon erected SITUATE on the East side of Broad Street in the Twenty-sixth Ward of the City of Philadelphia composed of six contiguous lots or pieces of ground viz three thereof commencing at the distance of one hundred and twenty-five feet Northward from the North side of Wharton Street, containing together in front or breadth on the said Broad Street seventy-five feet and extending in length or depth Eastwardly two hundred and twenty feet six inches, bounded on the South by ground now or late of Robert Ross, on the East by ground now or late of James Bond and William G. Alexander, on the North by the lot next described, and on the West by Broad Street aforesaid; one other thereof commencing at the distance of two hundred feet Northward from the North side of Wharton Street, containing in front or breadth on the said Broad Street twenty-five feet and extending in length or depth Eastward of that width between parallel lines at right angles to the said Broad Street two hundred and twenty feet six inches; bounded Northward by the lot next described, Southward by the lot last above described, Eastward by ground late of James Bond and William G. Alexander and Westward by said Broad Street; one other of them commencing at the distance of two hundred and twenty-five feet Northward from the North side of Wharton Street, containing in front or breadth on the said Broad Street seventeen feet and extending in depth Eastward on the South line thereof parallel with said Wharton Street, two hundred and twenty feet six inches and on the North Line in a Northeasterly direction two hundred and twenty-two feet more or less, and containing on the rear and thereof and parallel with Broad Street, thirty-four feet seven inches;

bounded on the North by the lot next described, on the East by ground late of said Bond and Alexander on the South by the lot last described, and on the West by Broad Street; and the other thereof at the distance of two hundred and forty-two feet Northward from the North side of Wharton Street, thence extending on a line South Eighty-two degrees fifteen minutes East by the lot last described two hundred feet ten and a half inches to a fifty feet wide street called Watts Street, thence Northward along the West side of the said Watts Street Eleven feet two inches, thence Westward at right angle to said Broad Street, two hundred feet to the said Broad Street, and thence Southward along the East side of the said Broad Street thirty feet to the place of beginning.

Section 3. 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, cable, 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.

Section 4. 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.

Section 5. The deed of conveyance shall contain a clause restricting the use of the property for community social service programs. Should the Tolentine Community Center and Development Corporation allow the property to be used for any purpose other than for community social service programs or attempts to convey the property, title shall immediately revert to and revest in the Commonwealth of Pennsylvania.

Section 6. The deed of conveyance shall also contain a clause requiring the Tolentine Community Center and Development Corporation 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 7. Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 8. In the event that within one year of the effective date of this act this conveyance is not executed in accordance with the agreement of sale, the property may be disposed of in accordance with Article 2406-A of

the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 9. This act shall take effect immediately.

APPROVED—The 29th day of June, A.D. 2002.

MARK S. SCHWEIKER