

No. 2002-192

AN ACT

HB 2910

Authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Leon Dwinga and Patricia Dwinga, his wife, certain land situate in the Township of Collier, Allegheny County; authorizing and directing the Department of General Services, with the approval of the Governor, to execute a deed to remove certain restrictions imposed on lands conveyed to Cranberry Township and situate in Cranberry Township, Butler County; and authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to the Uniontown Area School District certain lands and building situate in the City of Uniontown, Fayette County; authorizing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to grant and convey certain vacant land situated at the southeast intersection of Arsenal Boulevard and North Cameron Street in the Seventh Ward of the City of Harrisburg, Dauphin County; and authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Transportation, to grant and convey to the Indiana Fire Association certain lands situate in White Township, Indiana County.

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

Section 1. Conveyance in Collier Township, Allegheny 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 Leon Dwinga and Patricia Dwinga certain land as described in subsection (b) for fair market value as determined by an independent appraisal.

(b) **Property description.**—The tract to be conveyed is situate in the Township of Collier, Allegheny County, Pennsylvania, bounded and described as follows:

ALL THAT CERTAIN tract of land situate in the Township of Collier, County of Allegheny and Commonwealth of Pennsylvania, being parts of Lot Nos. 53 and 54 in A. W. Mellon's Plan of Ewing Farm, recorded in the Recorder's Office of Allegheny County in Plan Book Volume 22, pages 194 and 195, bounded and described as follows:

BEGINNING at a point in the center of Dorrington Road and the Easterly line of Lot 54 as laid out in said plan; thence along the centerline of Dorrington Road to a point on the Westerly line of Lot 53 as laid out in said plan; thence along the Westerly line of Lot 53 to a point; thence along the Southerly line of Lot Nos. 53 and 54 to the centerline of Hill Top Road, S.R. 3052; thence along the centerline of Hill Top Road, S.R. 3052 to a point on the Easterly line of Lot 54 as laid out in said plan; thence along the Easterly side of Lot 54 to a point in the center of Dorrington Road, at the place of beginning.

CONTAINING: .33 acres of land more or less.

(c) Conditions.—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, cable, water, electric, sewer, 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) Deed.—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 and fees.—Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 2. Removal of deed restrictions.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to execute a deed removing the restrictions imposed on the lands conveyed to Cranberry Township by section 2 of the act of December 27, 1974 (P.L.1011, No.328), entitled “An act authorizing the Department of Property and Supplies, with the approval of the Governor, to sell and convey 6.60 acres of land in Cranberry Township, to Cranberry Township, Butler County, Pennsylvania.” situate in Cranberry Township, Butler County, for the consideration of \$174,000.

(b) Deed.—The deed of conveyance shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(c) Costs and fees.—Costs and fees incidental to removing the restrictions shall be borne by the grantee.

Section 3. Conveyance in City of Uniontown, Fayette County.

(a) Authorization.—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 to the Uniontown Area School District certain lands and building described in subsection (b) for fair market value as determined by an independent appraisal.

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of approximately 0.67 acres bounded and more particularly described as follows:

BEGINNING at a point at the intersection of the center lines of Iowa Street and a fifteen foot alley; thence along the center line of said fifteen foot alley, North 80 degrees 06 minutes West, 146.94 feet to a point on the eastern line of a twenty foot alley; thence along the eastern line of said twenty foot alley, North 09 degrees 54 minutes East, 180.11 feet to a point in the center line of another twenty foot alley; thence along the center line of said last mentioned twenty foot alley, North 85 degrees 25 minutes East, 149.23 feet to a point in the center line of Iowa Street, thence along the center line of Iowa Street, South 04 degrees 35 minutes East, 9.80 feet to a

point; thence continuing along the center line of Iowa Street, South 09 degrees 54 minutes West, 207.94 feet to a point, the place of BEGINNING.

CONTAINING 0.67-acres (more or less).

AND BEING the same premises conveyed to the Commonwealth of Pennsylvania by deed of the Cavert Wire Co., Inc., dated December 17, 1969 and recorded in the Recorder's Office of Fayette County in Deed Book Volume 1087, Page 462.

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

(f) Limitation on transfer.—In the event that this conveyance is not executed within 60 days of the effective date of this act, 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 4. City of Harrisburg, Dauphin County.

(a) Conveyance authorized.—The Department of General Services, with the approval of the Governor and the Department of Public Welfare, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey the tract of land bounded and described in subsection (b) for fair market value as determined by independent appraisal in accordance with an agreement of sale dated March 12, 2001, between the Department of General Services and Butter Krust Baking Company.

(b) Property description.—The property to be conveyed pursuant to this section consists of approximately 2.8 acres and more particularly described as follows:

BEGINNING at a point, said point being located the following two courses and distances from the intersection of the Northern right-of-way line of Muench Street with the eastern right-of-way line of Cameron Street, North 15 degrees 18 minutes 31 seconds West, a distance of 307.87 feet to a point;

Thence by a curve having a radius of 30.00 feet, deflecting to the right in a Northeasterly direction for a distance of 26.93 feet measured along the arc of the curve, said arc having a chord bearing of north 10 degrees 24 minutes 58 seconds East, for a distance of 26.04 feet to a point, the Place of BEGINNING.

Thence along lands of the Pennsylvania Department of Transportation, North 13 degrees 13 minutes 02 seconds West, for a distance of 21.65 feet to a copperweld pin;

Thence continuing along the same, North 63 degrees 43 minutes 12 seconds East for a distance of 37.46 feet to a copperweld pin;

Thence continuing along the same South 67 degrees 09 minutes 40 seconds East, for a distance of 261.40 feet to a copperweld pin;

Thence continuing along the same South 49 degrees 13 minutes 00 seconds East, for a distance of 68.76 feet to a copperweld pin at the corner of lands of the Pennsylvania Department of Transportation and other lands of Butter Krust Baking Company;

Thence continuing along lands of Butter Krust Baking company, North 67 degrees 26 minutes 39 seconds West for a distance of 309.54 feet to a point;

Thence continuing along the same by a curve having a radius of 30 feet deflecting to the left in a Southwesterly direction for a distance of 40.02 feet measured along the arc of the curve, said arc having a chord bearing of South 74 degrees 20 minutes 04 seconds West for a distance of 37.12 feet to a point, the PLACE OF BEGINNING.

CONTAINING 7,059.00 square feet.

Being a part of the same premises acquired by the Commonwealth from John Curwen, by deed dated January 31, 1879, and recorded in Dauphin County in Deed Book "Q", Volume 5, Page 476; also part of the same premises acquired by the Commonwealth from Robert Graham and Annie Graham, his wife, by deed dated October 22, 1887, and recorded in Dauphin County in Deed Book "E", Volume 7, Page 404.

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

(f) Alternative disposition.—In the event that this conveyance is not executed within three months of the effective date of this act, 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 5. Land in White Township, Indiana County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Transportation, is hereby

authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Indiana Fire Association certain land situate on the grounds of the Department of Transportation's District 10-0 Engineering Facility described in subsection (b) for \$1.

(a) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately 1.622 acres bounded and more particularly described as follows:

BEGINNING at a point on the northeasterly right of way of L.R. 32046, being 40 feet distant from the centerline thereof, measured at right angles therefrom; thence along said right of way line North 1 degree 32 minutes 21 seconds East 402.79 feet to a point; thence along lands of Thomas Frick North 63 degrees 18 minutes 11 seconds East 79.10 feet to a point; thence along other lands of Thomas M. Frick and Theresa D. Frick, lands of Robert V. Brady and also lands of the Indiana Mall Company by curve to the left having a radius of 3759.83 feet for a arc distance of 355.25 feet, the long chord bearing South 36 degrees 11 minutes 19 seconds East for 355.11 feet to a point; thence through lands of the Commonwealth of Pennsylvania in which the herein described parcel is a part South 62 degrees 29 minutes 58 seconds West 328.25 feet to the point of BEGINNING.

Containing 1.622-acres, more or less.

(c) Easement.—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 contain the following restrictive covenant: under and subject to a condition that the Grantee shall utilize the property herein conveyed as a fire station and for no other purpose. If the property is not utilized as such or the Grantee attempts to convey the property, it shall immediately revert to and revest in the Grantor.

(e) Deed.—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.

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

(g) Alternate disposition.—In the event that this conveyance is not executed within 90 days of the effective date of this act, 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 6. Effective date.

This act shall take effect immediately.

APPROVED—The 9th day of December, A.D. 2002.

MARK S. SCHWEIKER