

No. 2002-193

AN ACT

HB 2923

Authorizing the Department of General Services, with the approval of the Department of Public Welfare and the Governor, to grant and convey to the Society for the Prevention of Cruelty to Animals of Chester County, Inc., certain land situate in West Bradford Township, Chester County.

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

Section 1. West Bradford Township, Chester County Conveyance.

(a) Conveyance authorized.—The Department of General Services, with the approval of the Department of Public Welfare and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Society for the Prevention of Cruelty to Animals of Chester County, Inc., 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 West Bradford, Chester County, Pennsylvania, bounded and described as follows:

ALL THAT CERTAIN tract or parcel of land situate in West Bradford Township, Chester County, PA, described according to a plan prepared by Register Associates, Inc., dated March 12, 2002, and last revised May 13, 2002, being Drawing Number C-915, to wit:

BEGINNING at a point in the title line of Public Road S.R. 3062 known as Strasburg Road, marking a corner of the herein described tract and a corner of lands of the Tattersall Golf Community; thence leaving the said point of beginning, leaving Strasburg Road and along lands of the Tattersall Golf Community the following three courses and distances to wit: South 02 degrees 58 minutes 05 seconds East 243.59 feet to a re-rod; South 43 degrees 29 minutes 16 seconds East 248.53 feet to an iron pin; South 28 degrees 12 minutes 17 seconds East 437.96 feet to an iron pin marking a corner of lands of the Commonwealth of Pennsylvania; thence along the same the following two courses and distances to wit; South 44 degrees 28 minutes 27 seconds West 1050.95 feet to an iron pin; North 09 degrees 27 minutes 18 seconds West 1523.20 feet to a point in the title line of Strasburg Road, aforementioned; thence along the same, North 84 degrees 32 minutes 27 seconds East 598.58 feet to the first mentioned point and place of **BEGINNING**.

CONTAINING: 20.000 acres of land be the same 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 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 of conveyance.—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) Special condition.—The conveyance shall be subject to a condition that the lands conveyed under this section shall be used for the principal use of programs and services associated with the prevention of cruelty to animals and enforcement of the animal cruelty laws of the Commonwealth by the grantee or its successor in interest. This condition may be removed by the Commonwealth but only if the grantee demonstrates good reason to do so and pays the Commonwealth an amount which represents the difference in real dollars between the consideration paid by grantee to the Commonwealth for the purchase of lands conveyed in this section with the restrictive covenant and the then current fair market appraised value the property would have had without the restrictive covenant. Should the grantee, while this condition remains in effect, either allow the property to be used for a principal use other than that described above or attempt to convey the premises, title shall immediately revert to and revest in the Commonwealth.

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

Section 2. Effective date.

This act shall take effect immediately.

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

MARK S. SCHWEIKER