

No. 2008-25

## AN ACT

SB 810

Authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey certain lands situate in the City of Pittston, Luzerne County, to the Redevelopment Authority of the City of Pittston.

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

Section 1. Conveyance in City of Pittston, Luzerne 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, for fair market value as determined by an independent appraisal, the following tract of land together with any buildings, structures or improvements thereon, situate in the City of Pittston, Luzerne County, Pennsylvania, to the Redevelopment Authority of the City of Pittston.

(b) Description.—The property to be conveyed pursuant to this section consists of approximately 22,111 square feet or 0.51 acres and a one-story office building bounded and more particularly described as follows:

BEGINNING at a corner in the westerly right-of-way of proposed State Highway where said right-of-way is intersected by the southerly sideline of Dock Street if extended:

THENCE along said right-of-way on a curve to the left having a radius of five thousand seven hundred fifty-four and sixty-five hundredths (5,754.65) an arc length of eighty-four and fifty-three hundredths (84.53) feet and having a chord on a bearing of south thirty-three degrees, forty-nine minutes west, eighty-four and fifty-two hundredths (84.52) feet to a corner;

THENCE north fifty-nine degrees thirty minutes west, one hundred sixty-three and forty-eight hundredths (163.48) feet to a corner in the easterly right-of-way of Lehigh Valley Railroad Company;

THENCE along said easterly right-of-way of Lehigh Valley Railroad Company north fifty-four degrees twenty-three minutes east, ninety-two and twenty-eight hundredths (92.28) feet to a corner;

THENCE continuing along same north fifty-nine degrees thirty minutes west, two and seventy-one hundredths (2.71) feet to a corner in right-of-way line of Lehigh Valley Railroad Company;

THENCE along the said right-of-way of said Lehigh Valley Railroad Company, north forty-seven degrees forty-five minutes east, eighty-one (81) feet to a corner of lands of Insalaco Brothers;

THENCE along lands of Insalaco Brothers, south fifty-nine degrees thirty minutes east, one hundred fifteen and twenty-seven hundredths (115.27) feet to a corner in the said westerly right-of-way of proposed State Highway;

THENCE along said proposed State Highway right-of-way on a curve to the left having a radius of five thousand seven hundred fifty-four and sixty-five hundredths (5,754.65) feet an arc length of seventy-seven and fifty-six hundredths (77.56) feet and having a chord on a bearing of south thirty-four degrees thirty-seven minutes west, seventy-seven and fifty-six hundredths (77.56) feet to the point of beginning.

CONTAINING 0.51-acres more or less.

(c) Easements.—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) Land use restriction.—Any conveyance authorized under this section shall be made under and subject to the condition, which shall be contained in the deed of conveyance, that no portion of the property conveyed shall be used as a licensed facility, as defined in 4 Pa.C.S. § 1103 (relating to definitions), or any other similar type facility authorized under State law. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should the grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) 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.

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

(g) Alternate disposal of property.—In the event the conveyance is not executed within six months of the effective date of this section, the Department of General Services may dispose of the property 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 2. Effective date.

This act shall take effect immediately.

APPROVED—The 11th day of June, A.D. 2008.

EDWARD G. RENDELL