

No. 2013-48

## AN ACT

SB 964

Authorizing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to First Capital Equities, Inc., certain land of the Commonwealth of Pennsylvania situate in East Hanover Township, Lebanon County, being a portion of Fort Indiantown Gap lands.

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

Section 1. Conveyance in East Hanover Township, Lebanon County.

(a) Authorization.—The Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to First Capital Equities, Inc., certain land situate in East Hanover Township, Lebanon County, for \$97,600 and under terms and conditions to be established in an agreement of sale with the Department of General Services.

(b) Property description.—The property to be conveyed pursuant to this section consists of a tract of land totaling 2.49 acres more or less, bounded and more particularly described as follows:

ALL THAT CERTAIN LOT OR PIECE OF GROUND situate in East Hanover Township, County of Lebanon and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point on the right of way of State Route 934, said point being the southwest corner of this parcel; thence along the right of way of State Route 934 on an arc 88.61 feet to the right, having a radius of 2013.68 feet, the chord of which is North 17°44'43" West for a distance of 88.61 feet; thence along the right of way of State Route 934 North 73°30'55" East a distance of 10.00 feet; thence along the right of way of State Route 934 on an arc 288.48 feet to the right, having a radius of 2003.68 feet, the chord of which is North 12°21'36" West for a distance of 288.23 feet; thence along the right of way of State Route 934 South 81°45'52" West a distance of 10.00 feet; thence along the right of way of State Route 934 on an arc 123.55 feet to the right, having a radius of 2013.68 feet, the chord of which is North 06°28'40" West for a distance of 123.53 feet; thence along lands of the Commonwealth of Pennsylvania North 85°16'48" East a distance of 247.34 feet; thence along lands of Joseph W. and Mary M. Re kai and Mary Louise and James M. Conrad South 07°58'34" East a distance of 411.93 feet; thence along lands of Mary Louise and James M. Conrad South 75°01'26" West a distance of 94.00 feet; thence along lands of Mary Louise and James M. Conrad South 19°58'34" East a distance of 42.90 feet; thence along lands of Mary Louise and James M. Conrad South 71°14'37" West a distance of 90.75 feet; thence along lands of Mary Louise and James M. Conrad South 77°18'08" West a distance of 39.60 feet to POINT OF BEGINNING.

CONTAINING: 2.49-acres, more or less.

BEING a portion of lands of the Commonwealth of Pennsylvania recorded in Lebanon County Corporate Deed Book 9, Page 690.

ALSO BEING a portion of Tax Parcel No. 21-2286806-407057-0000.

(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) 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 of 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 act to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Legal description modifications.—The Department of General Services is authorized to make minor modifications to the legal description contained in this section, within its conveyance documents, based on a formal survey and minor subdivision plan prepared by a Pennsylvania licensed land surveyor.

(f) 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.

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

(h) Deposit of proceeds.—The proceeds from the sale shall be deposited into the State Treasury Armory Fund.

(i) Expiration.—In the event that this conveyance is not executed per the terms and conditions as established in the agreement of sale with the Department of General Services within 12 months of the effective date of this section, the authorization contained herein shall expire.

Section 2. Effective date.

This act shall take effect immediately.

APPROVED—The 2nd day of July, A.D. 2013

TOM CORBETT