

No. 1984-91

## AN ACT

SB 709

Authorizing the Department of General Services to convey a tract of land in Mahoning Township, Montour County, to the Danville Daycare Center for Child Development Inc.

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

Section 1. (a) The Department of General Services, acting on behalf of the Commonwealth of Pennsylvania, with the approval of the Governor, the Department of Agriculture and the Department of Public Welfare, is hereby authorized and directed to grant and convey, for a consideration of \$38,250, to the Danville Daycare Center for Child Development Inc., a certain tract of land, described in accordance with a plan prepared by Peter J. Uhl, Registered Surveyor, Danville, Pennsylvania, situate in Mahoning Township, Montour County, and the Commonwealth of Pennsylvania, bounded and described as follows:

Beginning at an existing stone monument at the northeast corner of the Lutheran Cemetery, also being the northwest corner of the described tract of land; thence along the southern right-of-way line of Wall Street south 78 degrees 53 minutes east 428.65 feet to an iron pin; thence along the western right-of-way line of a drive to the Danville State Hospital south 02 degrees 47 minutes west 5.20 feet to an iron pin; thence along the same on a curve to the left having a radius of 2669.42 feet, arc distance of 163.07 feet and a chord bearing and distance of south 01 degree 02 minutes west 163.04 feet to an iron pin; thence along the same south 00 degrees 43 minutes east 3.93 feet to an iron pin; thence along the Commonwealth of Pennsylvania north 78 degrees 53 minutes west 454.90 feet to an iron pin; thence along the Lutheran Cemetery north 09 degrees 49 minutes east 169.55 feet to the point of beginning.

Containing 1.71 acres.

(b) The conveyance shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

(c) The conveyance shall be made under and subject to the restrictions and covenant by the grantee, for itself, its successors and assigns, which covenant shall run with the land, that the premises herein shall be used for a child day care center or for any other human service use compatible with the operation of the facility known as the Danville State Hospital, now or in the future, as determined by the Secretary of Public Welfare, or successor Com-

monwealth agency having jurisdiction of same; and that the premises herein shall not be used for any purpose which poses a threat to hospitalized patients or conflicts or interferes with the public use of the adjoining hospital grounds and buildings.

Section 2. The purchase price of \$38,250 shall be paid in full to the Commonwealth over a maximum period of five years and may be paid in equal annual installments. If paid in annual installments, the first payment shall be due on July 15 of the year following the effective date of this act and each succeeding payment shall be due on July 15 of the year in which it is due.

Section 3. The proceeds of the sale shall be paid into the State Treasury and deposited in the Capital Facilities Redemption Fund.

Section 4. The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

Section 5. Costs and fees incidental to this conveyance shall be borne by the grantee.

Section 6. This act shall take effect immediately.

APPROVED—The 28th day of June, A. D. 1984.

DICK THORNBURGH