

No. 2013-57

AN ACT

HB 1119

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 Uptown Entertainment Alliance, or its successors or assigns, certain lands, buildings and improvements situate in the Borough of West Chester, Chester County.

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

Section 1. Conveyance in West Chester Borough, Chester 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 Uptown Entertainment Alliance, or its successors or assigns, certain lands, buildings and improvements situate in the Borough of West Chester, Chester County, for \$760,000 and under terms and conditions to be established in an agreement of sale.

(b) Property description.—The property to be conveyed under this section consists of approximately 0.58 acres of land and improvements located thereon, bounded and more particularly bounded and described as follows:

ALL THAT CERTAIN LOT, PIECE OR PARCEL OF LAND situate in the West Ward of the Borough of West Chester, Chester County, bounded and described as follows, to wit:

BEGINNING at the intersection of the street lines at the Southwest corner of High and Washington Streets, thence extending Westwardly along the South street line of Washington Street a distance of 147 feet 6 inches to the Easterly side of a 20 foot wide public alley, thence Southward at right angles to Washington Street and along the Easterly line of the aforesaid alley (known as School Alley) a distance of 175 feet 5 inches to the North line of another 20 foot wide public alley (known as Patton Alley), thence Eastward along the North line of the last mentioned public alley a distance of 147 feet 9 inches to the West street line of High Street, thence Northward along the West street line of said High Street a distance of 171 feet 1 inch to the first mentioned point and place of BEGINNING.

CONTAINING 0.58-acres more or less.

BEING Tax Parcel No. 01050221000E; 1-5-221E.

BEING the same premises conveyed by Linda A. Painter to the Commonwealth of Pennsylvania, by deed, dated December 6, 1915 and recorded in Chester County in Deed Book R14, Volume 339, Page 282.

(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 act 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) Oil, gas and mineral rights.—The oil, gas and mineral rights shall be retained by the Department of General Services, on behalf of the Commonwealth of Pennsylvania, and may be leased by the Department of General Services in accordance with the authority granted in the act of October 8, 2012 (P.L.1194, No.147), known as the Indigenous Mineral Resources Development Act.

(f) Conditions.—The Secretary of General Services may impose any covenants, conditions or restrictions on the property at settlement as determined to be in the best interests of this Commonwealth.

(g) 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.

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

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

(j) Alternative disposition.—In the event that this conveyance is not executed within three years of the effective date of this section, the property may be disposed of through a competitive bid process.

Section 2. Effective date.

This act shall take effect immediately.

APPROVED—The 9th day of July, A.D. 2013

TOM CORBETT