

No. 1983-34

AN ACT

HB 86

Authorizing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to sell and convey a certain lot or tract of land situate in the Borough of Emsworth, Allegheny County, Pennsylvania.

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

Section 1. The Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania, to grant and convey in fee simple to the Borough of Emsworth, Allegheny County, Pennsylvania, for a consideration equal to one-half of the fair market value as determined by an independent appraiser selected by the Department of General Services, a tract of land situate in the Borough of Emsworth, County of Allegheny, Commonwealth of Pennsylvania, bounded and described as follows:

All that certain land or property situated in Emsworth Borough and being part of Purparts I, L, and K of the Nancy Gilleland Partition Plan recorded CP No. 2, Doc. 2, Page 401 of Allegheny County and more particularly bounded and described as follows to wit:

Beginning at the centerline of Huntington Avenue (40 feet in width) at the intersection with the westerly line of the Kingsland Place Plan of lots as recorded in Plan Book Volume 37, Page 26, in the Recorder of Deeds Office, Allegheny County; thence along the westerly line of Lots 1 through 8 of the Kings Place Plan a distance of 477.65 feet more or less to the northerly line of the Ohio River Boulevard (State Route No. 65, 120 feet in width); thence along the northerly side of the Ohio River Boulevard by a curve curving to the right a distance of 138 feet more or less; then continuing along the northerly line of the Ohio River Boulevard a distance of 387 feet more or less to a point where the dividing line between Emsworth Borough and Kilbuck Township intersects the northerly line of the Ohio River Boulevard; thence along the dividing line between Emsworth Borough and Kilbuck Township the following courses and distances: north 4 degrees 15 minutes west 85 feet more or less, north 27 degrees 15 minutes east 259.38 feet, north 13 degrees 45 minutes east 273.17 feet to the center line of Huntington Avenue; thence along the center line of Huntington Avenue the following courses and distances: south 58 degrees 45 minutes east 198.73 feet and south 53 degrees 15 minutes east 376.15 feet to a point at the place of beginning.

Containing 6.58 acres more or less.

The conveyance shall be made under and subject to all easements, servitudes and rights of others, including but not confined to streets, roadways

and right 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.

Section 2. The deed of conveyance shall contain a clause that the lands conveyed shall be used for recreational and public purposes by the Borough of Emsworth upon such terms and conditions relative to development, maintenance and compatibility with State use as are reasonable to the Secretary of Public Welfare and, if at any time the said Borough of Emsworth or its successor in function conveys said property or permits said property to be used for any purpose other than those aforementioned, the title thereto shall immediately revert to and revest in the Commonwealth of Pennsylvania.

Section 3. Costs and fees incidental to this conveyance shall be borne by the grantee.

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. This act shall take effect immediately.

APPROVED—The 28th day of July, A. D. 1983.

DICK THORNBURGH