

No. 1992-2

AN ACT

HB 1631

Authorizing the Department of Transportation, with the approval of the Governor, to sell and convey to the Borough of Aspinwall certain excess land situate in the Borough of Aspinwall, Allegheny County.

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

Section 1. Conveyance authorization.

The Department of Transportation, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant, sell and convey to the Borough of Aspinwall for consideration equal to one-half the fair market value as determined by an independent appraiser appointed by the Department of Transportation the tract of land described in section 2.

Section 2. Property description.

The property to be conveyed pursuant to section 1 is the following tract of land situate in the Borough of Aspinwall, Allegheny County, Pennsylvania, bounded and described as follows:

Beginning at a point on the northerly line of Fifth Avenue at the southeast corner of Lot No. 379 in plan of the Aspinwall Land Company, as recorded in the Recorder's Office of Allegheny County in Plan Book Volume 9, Pages 84 and 85; thence north 22 degrees 13 minutes east 100 feet to Sixth Street; thence north 67 degrees 47 minutes west 159.4 feet to a point; thence north 84 degrees 38 minutes 30 seconds west 68.96 feet to a point; thence south 22 degrees 13 minutes west 80 feet, this line being nine feet east of and parallel to the easterly line of Western Avenue, to a point on the northerly line of Fifth Avenue; and thence south 67 degrees 47 minutes east 225.4 feet to the place of beginning.

Section 3. Easements, etc.

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.

Section 4. Deposit of proceeds.

The proceeds of this sale shall be paid into the State Treasury and deposited in the Motor License Fund.

Section 5. Approval and execution of deed.

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

Section 6. Costs and fees.

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

Section 7. Condition of conveyance.

The deed of conveyance shall contain a clause that the property conveyed shall be used for municipal purposes by the Borough of Aspinwall, and, if at any time the Borough of Aspinwall or its successor in function conveys the property or permits the property to be used for any purpose other than those specified in this section, the title to the property shall immediately revert to and revest in the Commonwealth of Pennsylvania.

Section 8. Effective date.

This act shall take effect immediately.

APPROVED—The 12th day of February, A. D. 1992.

ROBERT P. CASEY