

## No. 1992-101

## AN ACT

## HB 2010

Amending the act of December 7, 1990 (P.L.667, No.166), entitled "An act authorizing the Department of General Services, with the approval of the Governor and the Department of Corrections, to convey certain land in the Borough of Huntingdon, Huntingdon County, to the Borough of Huntingdon; authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to Bernard C. Banks, Jr., a tract of land situate in Kingston Township, Luzerne County, Pennsylvania; authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to Frank Jerome an easement over lands belonging to the Commonwealth situate in Indiana Township, Allegheny County, Pennsylvania; authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to the Middletown Fire Department a tract of land situate in Middletown Township, Delaware County, Pennsylvania; authorizing the State Armory Board of the Department of Military Affairs and the Department of General Services, with the approval of the Governor, to sell and convey a tract of land, together with the building and structures thereto, in the City of Chester, Delaware County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Education, to lease to Temple University a tract of land with improvements thereon in the City of Philadelphia, Pennsylvania; and authorizing and directing the Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, to convey to Pavia Cemetery Association a certain tract of land situate in Union Township, Bedford County, in exchange for a certain tract of land," further providing for the sale and conveyance of the Chester National Guard Armory.

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

Section 1. Section 5(a) of the act of December 7, 1990 (P.L.667, No.166), entitled "An act authorizing the Department of General Services, with the approval of the Governor and the Department of Corrections, to convey certain land in the Borough of Huntingdon, Huntingdon County, to the Borough of Huntingdon; authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to Bernard C. Banks, Jr., a tract of land situate in Kingston Township, Luzerne County, Pennsylvania; authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to Frank Jerome an easement over lands belonging to the Commonwealth situate in Indiana Township, Allegheny County, Pennsylvania; authorizing and directing the Department of Transportation, with the approval of the Governor, to convey to the Middletown Fire Department a tract of land situate in Middletown Township, Delaware County, Pennsylvania; authorizing the State Armory Board of the Department of Military Affairs and the Department of General Services, with the approval of the Governor, to sell and convey a tract of land, together with the building and structures thereto, in the City of Chester,

Delaware County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Education, to lease to Temple University a tract of land with improvements thereon in the City of Philadelphia, Pennsylvania; and authorizing and directing the Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, to convey to Pavia Cemetery Association a certain tract of land situate in Union Township, Bedford County, in exchange for a certain tract of land," is amended to read:

Section 5. (a) The State Armory Board of the Department of Military Affairs having determined in accordance with 51 Pa.C.S. § 1507 (relating to sale of unusable armories and land) that Chester Armory and the real estate to which it is appurtenant are no longer suitable for military services due to changes in the needs of the military service, it and the Department of General Services, with the approval of the Governor, are hereby authorized to sell and convey, by general warranty deed, acting on behalf of the Commonwealth of Pennsylvania, **[for a consideration of \$82,500, which consideration is hereby determined to be the fair market value of the real estate and structures hereinafter described,]** to the highest responsible bidder, its successors and assigns, the right, title and interest of the Commonwealth in a tract of land, and the armory building known as Chester Armory, appurtenant thereto, in the City of Chester, Delaware County, Commonwealth of Pennsylvania, containing approximately 16,000 square feet with an armory building thereon erected, more particularly described as follows:

All that certain lot or piece of ground situated in the City of Chester aforesaid, described according to a survey thereof made by B. G. Ladomus, City Engineer, on the thirteenth day of November A.D. 1906, as follows, to wit:

Situate on the southwest corner of Eighth Street (sixty feet wide) and Market Street (fifty feet wide) containing in front or breadth on the said Eighth Street one hundred and sixty (160) feet and extending of that width in length or depth southward between lines at right angles to the said Eighth Street, and along the west side of said Market Street one hundred (100) feet to a certain twenty (20) feet wide alley leading eastward into the said Market Street (the smaller part of the lot of ground) above described (being part of a large lot or piece of ground) which John D. Lear by indenture dated the fourth day of September A.D. 1906 and recorded in the office for Recording of Deeds in and for the County of Delaware aforesaid in Deed Book L. No. 12, Page 52400, granted and conveyed unto the said J. Irvin Taylor in fee. Subject to the payment of a certain mortgage for two thousand dollars therein mentioned which has since been fully paid off and satisfied of indenture dated the twenty-eighth day of December A.D. 1906 and intended to be forthwith recorded, granted and conveyed unto the said J. Irvin Taylor in fee, together with the right and use of said alley in common with the owners of other lands abutting thereon.

The above described tract being the whole, or part of, the site of Chester Armory.

Being the same premises which the Commonwealth of Pennsylvania, acting by and through the Department of Property and Supplies, by its deed bearing date March 16, 1907, and recorded in the office for recording of deeds in and for Delaware County, Pennsylvania, in Deed Book P. No. 12, Page 270, granted, conveyed and confirmed unto the General State Authority (first party hereto), its successors and assigns.

The conveyance shall be made under and subject, nevertheless, to all 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, nevertheless, to any estate or tenancies vested in third persons, whether or not appearing of record, for any portion of the said land or improvements erected thereon.

The conveyance shall also be made under and subject to any reservations set forth in the aforementioned deeds to the Commonwealth of Pennsylvania.

\* \* \*

Section 2. This act shall take effect immediately.

APPROVED—The 9th day of July, A. D. 1992.

ROBERT P. CASEY