

No. 1999-27

AN ACT

SB 209

Authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County, and to convey to the trustees of the University of Pittsburgh certain land situate in the City of Pittsburgh, Allegheny County; and authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania.

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

Section 1. East Allen Township, Northampton County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to East Allen Township the tract of land described in subsection (b), as dedication of land in lieu of payment of the full amount that could be assessed against the Department of General Services as set forth in Section 1007 of the East Allen Township Subdivision and Land Development Ordinance.

(b) Description.—The property to be conveyed pursuant to subsection (a) is the following tract of land situate in East Allen Township, Northampton County, bounded and described as follows:

BEGINNING at a point at the intersection of the center line of Weaversville Road (SR 3017) and the center line of Colony Drive (T-437) at the Southeast corner of the property herein described, thence:

(1) South 54 degrees 38 minutes 40 seconds West along the dividing line of the parcel herein described and Parcel VI of the Allentown State Farm for a distance of 870.00 feet to a concrete monument;

(2) North 33 degrees 47 minutes 40 seconds West along the dividing line of the parcel herein described and Parcel VI of the Allentown State Farm for a distance of 624.49 feet to a concrete monument;

(3) North 57 degrees 01 minutes 07 seconds East along the dividing line of the parcel herein described and lands now or formerly of Northampton County for a distance of 517.79 feet to a concrete monument;

(4) North 21 degrees 32 minutes 31 seconds East along the dividing line of the parcel herein described and lands now or formerly of Northampton County for a distance of 52.51 feet to a concrete monument;

(5) North 63 degrees 21 minutes 08 seconds East along the dividing line of the parcel herein described and lands now or formerly of Northampton

County for a distance of 299.92 feet to center line of Weaversville Road (SR 3017);

(6) South 36 degrees 11 minutes 04 seconds East along the center line of Weaversville Road (SR 3017) for a distance of 181.18 feet to a point;

(7) South 33 degrees 49 minutes 30 seconds East along the center line of Weaversville Road (SR 3017) for a distance of 277.49 feet to a point;

(8) South 35 degrees 20 minutes 50 seconds East along the center line of Weaversville Road (SR 3017) for a distance of 127.53 feet to a point; said being the point of beginning.

CONTAINING an area of 12.16 acres as per survey of Kurtanich Engineers & Associates, Inc., Hermitage, PA, dated May 5, 1997. Revised April 28, 1998.

(c) Easements.—The conveyance shall be made under and subject to all easements and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, cable, 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 land or improvements erected thereon. For purposes of this act, the terms “easements” and “rights of others” shall include any avigation easements and aerial rights-of-way, whether or not appearing of record, currently in existence and used by the Lehigh-Northampton Airport Authority.

(d) Execution.—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. Within two years of this conveyance, East Allen Township shall have the right of declaring in writing in the form of notice sent to the Department of General Services, Bureau of Real Estate, 505 North Office Building, Harrisburg, PA 17125, a reversion of the property to the Department of General Services in the event that East Allen Township determines that there are environmental problems not originating during East Allen Township ownership for which it chooses not to undertake abatement and/or remediation of those problems. In the event the property reverts to Commonwealth of Pennsylvania within two years of this conveyance:

(1) East Allen Township shall assume financial responsibility for any costs of restoring the Premises to the condition it was in at the time of this transfer, if the Premises are damaged as a result of East Allen Township’s use thereof, ordinary wear and tear excluded. Costs shall include, but not be limited to, remediation of environmental contamination, if any, resulting from East Allen Township’s use thereof; and

(2) the Department of General Services will not be responsible for any fees that were nullified by the dedication of land in lieu of payment as set forth in Section 1007 of East Allen Township Subdivision and Land Development Ordinance; and

(3) at the discretion of the Secretary of General Services, the property shall be offered for sale through auction, sealed bid or request for proposal, under terms of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, and conditions in section 2405-A of the Administrative Code of 1929 authorizing the conveyance of the herein noted property to East Allen Township shall automatically cease and become null and void.

(e) Purpose.—Notwithstanding the provisions set forth in subsection (d), the deed of conveyance shall contain a clause that the land conveyed shall be used only for purposes which are compatible to the provisions under the Surplus Property Disposition Plan No. 1 of 1995.

(f) Costs.—All other costs and fees, including, but not limited to, appraisal fees, title insurance and surveys, incidental to this conveyance shall be borne by the Grantee.

Section 2. City of Pittsburgh, Allegheny County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the trustees of the University of Pittsburgh, for the consideration of \$1, the tracts of land described in subsection (b).

(b) Description.—The property to be conveyed pursuant to subsection (a) is the following tracts of land situate in the Fourth Ward, City of Pittsburgh, Allegheny County, bounded and described as follows:

TRACT 1

BEGINNING on the Southwesterly side of Bouquet Street on line of land now or late of Matgouranis; thence extending Southeastwardly along the said side of Bouquet Street, 50.84 feet to a point on the land now or late of J. V. Wilson; thence extending Southwestwardly along said Wilson's line 109.25 feet to line of land now or late Politis and Orsini; thence Northwestwardly along said last mentioned line 50 feet to the line of Matgouranis aforesaid; thence Northeastwardly along said Matgouranis line 100 feet to the place of beginning. BEING designated as Block 28-C, Lot No. 304, in the records of the Deed Registry Office of Allegheny County, Pennsylvania.

TRACT 2

BEGINNING at a point in the Southwesterly side of South Bouquet Street (50.06 feet wide), said point being in the line dividing lands herein described and lands now or late of James Economos et ux; said point also being South 53 degrees 37 minutes 17 seconds East a distance of 330.75 feet from the Southeasterly side of Forbes Avenue; thence along the Southwesterly side of South Bouquet Street South 53 degrees 37 minutes 17 seconds East a distance of 25.42 feet to lands now or late of Ernest Quinque et ux; thence along said dividing line South 46 degrees 55 minutes 03 seconds West a distance of 117.67 feet to lands now or late of Agnes Cronin; thence along said dividing line North 43 degrees 06 minutes 51 seconds West a distance of 25.00 feet to lands now or late of James Economos et ux; thence along said dividing

line North 46 degrees 55 minutes 03 seconds East a distance of 113.05 feet to the point of beginning. BEING designated as Block 28-C, Lot 305, in the Deed Registry Office of Allegheny County, Pennsylvania.

TRACT 3

BEGINNING at the corner of Bouquet Street and Sennott Street; thence Southwestwardly along Sennott Street a distance of 108 feet; thence Southeastwardly and parallel with Oakland Avenue, a distance of 25 feet; thence Northeastwardly and parallel with Sennott Street, a distance of 112 feet, more or less, to Bouquet Street; and thence Northwestwardly along Bouquet Street, a distance of 25 feet 5-1/16 inches to Sennott Street, the place of beginning. BEING designated as Block 28-C, Lot No. 306, in the Record of the Deed Registry Office of Allegheny County.

TRACT 4

BEGINNING at a point in the Northeasterly side of Oakland Avenue (50.06 feet wide) said point being S 43 degrees 06 minutes 51 seconds E a distance of 50.00 feet from the Southeasterly side of Sennott Street (50.06 feet wide); said point also being in the line dividing lands herein described and lands now or late of Charles Orsini et ux; thence along the Northeasterly side of Oakland Avenue 43 degrees 06 minutes 51 seconds a distance of 25.54 feet to a point; thence along the line dividing lands herein described and lands now or late of Jennie Cronin and Julia Cronin N 46 degrees 55 minutes 03 seconds E a distance of 108.42 feet to lands now or late of James Economos et ux; thence along the line dividing lands herein described, and lands now or late of Marinos G. Matgouranis et ux, S 43 degrees 06 minutes 51 seconds E a distance of 25.54 feet to lands now or late of Charles Orsini et ux; thence along said dividing line S 46 degrees 55 minutes 03 seconds W a distance of 108.42 feet to the point of beginning. BEING designated and known as Block 28-C, Lot No. 308.

TRACT 5

BEGINNING at the intersection of the Southeasterly side of Sennott Street (50.06 feet wide) and the Northeasterly side of Oakland Avenue (50.06 feet wide); thence along the Northeasterly side of Oakland Avenue S 43 degrees 06 minutes 51 seconds E a distance of 24.46 feet to lands now or late of Agnes Cronin, unmarried; thence along said dividing line N 46 degrees 55 minutes 03 seconds W a distance of 108.42 feet to land now or late of James Economos et ux; thence along said dividing line N 43 degrees 06 minutes 51 seconds W a distance of 24.46 feet to the Southeasterly side of Sennott Street; thence along Sennott Street S 46 degrees 55 minutes 03 seconds W a distance of 108.41 feet to the point of beginning. BEING designated and known as Block 28-C, Lot No. 309.

TRACT 6

BEGINNING on the Eastwardly side of Oakland (formerly Charlotte) Avenue at the corner of land now or formerly owned by Ernest F. Rousch and extending thence in front along said Avenue, Southeastwardly 25 feet to a point; and thence in depth with the line of said Rousch property, and property

now or late of D. Kenzer, as the northern boundary thereof, and preserving the same width of 25 feet, extending back Northeastwardly 138 feet, more or less, to line of property now or formerly of one Hoch. BEING designated and known as Block 28-C, Lot No. 310, in the records of the Deed Registry Office of Allegheny County.

TRACT 7

BEGINNING at a point in the Northeasterly side of Oakland Avenue (50.06 feet circle) said point being South 43 degrees 06 minutes 51 seconds East a distance of 75 feet from the Southeasterly side of Sennott Street, said point also being in the line dividing lands herein described and lands now or late of Charles Orsini et ux; thence along said dividing line, North 46 degrees 55 minutes 03 seconds East a distance of 126.11 feet to lands now or late of Ernest Quinque et ux; thence along said dividing line, South 43 degrees 06 minutes 51 seconds East a distance of 25 feet to lands now or late of Tesse Copetas; thence along said dividing line South 46 degrees 55 minutes 03 seconds West a distance of 126.11 feet to the Northeasterly side of Oakland Avenue, thence along said side of Oakland Avenue, North 43 degrees 06 minutes 51 seconds West a distance of 25 feet to the point of beginning. BEING designated as Block 28-C, Lot 311, as recorded in the Deed Registry Office of Allegheny County.

(c) Easements.—The conveyance shall be made under and subject to all easements and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, cable, 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 land or improvements erected thereon.

(d) Execution.—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.

(e) Costs.—All other costs and fees, including, but not limited to, appraisal fees, title insurance and surveys, incidental to this conveyance shall be borne by the Grantee.

(f) Exemption.—This conveyance shall be exempt from all taxes, imposts, fees and costs relating to such conveyances which are levied, imposed or chargeable by any taxing authority.

Section 3. Borough of Indiana, Indiana County.

(a) Conveyance.—The State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, are hereby authorized and directed, on behalf of the Commonwealth, to grant and convey to the Historical and Genealogical Society of Indiana County, for consideration of the conveyance of land provided for in section 4, the following tract of land, together with the armory thereon erected, situated in the Borough of Indiana, County of Indiana, Pennsylvania, bounded and described as follows:

Beginning at a post at the intersection of Washington Street and Sixth Street; thence along the West side of Sixth Street, North 2 degrees 48 minutes East 75 feet to a post; thence along other land of or formerly of the County of Indiana of which the lot hereby conveyed is a part, North 89 degrees 33 minutes West 100.00 feet to a post on Wayne Avenue; thence along the eastern side of Wayne Avenue, South 35 degrees 11 minutes West 91.13 feet to a post corner of Wayne Avenue and Washington Street; thence along the North side of Washington Street, South 89 degrees 33 minutes East 184 feet to a post on Sixth Street the place of beginning, containing .5 acres according to a survey of said lot made by Thomas Peslor on January 11, 1917.

(b) Easements.—The conveyance shall be made under and subject to easements, servitudes, rights, interests, estates or tenancies, whether or not appearing of record, for any portion of the land or improvements erected thereon.

(c) Approval.—The deed of conveyance must be approved as provided by law and shall be executed by the Adjutant General for the State Armory Board of the Department of Military and Veterans Affairs and the Secretary of General Services in the name of the Commonwealth.

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

Section 4. White Township, Indiana County.

The conveyance authorized in section 3 is subject to the conveyance by the Indiana County Airport Authority to the Commonwealth of Pennsylvania by general warrant deed, good and marketable fee simple title, free and clear of all liens and encumbrances the following described tract of land:

The True Point of Beginning being a PT. IN CL GEESEY RD; thence S 28 degrees 53 minutes 36 seconds E for 46.7700 Feet to a PT. IN CL GEESEY RD; thence along a 244.2700 Feet radius curve to the Right (chord bears S 22 degrees 54 minutes 11 seconds E 66.3800 Feet) 66.5860 Feet to a PT. IN CL GEESEY RD; thence N 83 degrees 50 minutes 00 seconds W for 207.6100 Feet to a FOUND IRON PIN; thence S 10 degrees 41 minutes 00 seconds W for 198.9200 Feet to a FOUND IRON PIN; thence S 04 degrees 10 minutes 00 seconds W for 594.7900 Feet to a PT. IN CL STORMER ROAD; thence N 86 degrees 17 minutes 26 seconds W for 252.8282 Feet to a PT. IN CL STORMER ROAD; thence N 3 degrees 58 minutes 12 seconds E for 307.0400 Feet to a FOUND IRON PIN; thence N 86 degrees 01 minutes 48 seconds W for 635.0000 Feet to a FENCE CORNER; thence N 03 degrees 58 minutes 12 seconds E for 574.7400 Feet to a SET IRON PIN; thence S 86 degrees 09 minutes 04 seconds E for 1065.1972 Feet to a PT. IN CL GEESEY RD, to the True Point of Beginning, the Area being 14.03 ACRES, all in White Township, Indiana County, Pennsylvania, end of description.

Section 5. Effective date.

This act shall take effect immediately.

APPROVED—The 25th day of June, A.D. 1999.

THOMAS J. RIDGE