

No. 2005-9

AN ACT

HB 1338

Authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Military and Veterans' Affairs, to grant and convey to the Borough of Columbia, Lancaster County, certain lands situate in Columbia Borough, Lancaster County.

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

Section 1. Conveyance in Columbia Borough, Lancaster County.

(a) Authorization.—The Department of General Services, with the approval of the Governor and the Department of Military and Veterans' Affairs, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the Borough of Columbia, Lancaster County, for fair market value as determined by an independent appraisal, the tract of land described in subsection (b) together with any buildings, structures or improvements thereon, situate in Columbia Borough, Lancaster County, Pennsylvania.

(b) Description of property.—The property to be conveyed pursuant to this section consists of approximately 0.37 acres and an armory building bounded and more particularly described as follows:

BEGINNING at a point in the north line of Walnut Street, one hundred and seventeen and one-half (117 1/2) feet east of the east line of Second Street, and extending in an eastwardly direction along said north line of Walnut Street, in width in front, eighty-two and one-half (82 1/2) feet, and extending in depth, in a northwardly direction, uniform in width and at right angles to Walnut Street, two hundred (200') feet to public alley G;

Bounded: North by alley G, south by Walnut Street, east by property of the estate of Jessie Wolf, deceased, and west by a ten feet (10') wide private alley and property of Michael S. Shuman.

CONTAINING 0.37 acres, more or less.

(c) Deposit of proceeds.—The proceeds from the sale of the land and armory described in subsection (b) shall be deposited in the State Treasury Armory Fund.

(d) Conditions.—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.

(e) Land use restriction.—All conveyances authorized or referred to under this act shall be made under and subject to the condition, which shall be contained in the deeds of conveyance, that no portion of the parcels

conveyed shall be used as the location for a licensed gaming entity authorized under 4 Pa.C.S. Part II (relating to gaming) or similar type of facility authorized under the laws of this Commonwealth. The condition shall be a covenant running with the land and shall be binding upon the grantee, its successors and assigns. Should any grantee, its successors or assigns permit any parcel conveyed in this act or any portion thereof to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(f) Deed.—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.

(g) Alternate disposition.—In the event the conveyance is not executed within three months of the effective date of this section, the Department of General Services may dispose of the property in accordance with section 2406-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 2. Effective date.

This act shall take effect immediately.

APPROVED—The 30th day of June, A.D. 2005.

EDWARD G. RENDELL