

No. 2005-75

AN ACT

SB 932

Amending the act of November 20, 2004 (P.L.886, No.121), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Erie-Western Pennsylvania Port Authority and to Robert L. and Karen N. Douth, Leona B. Disbrow, Louise F. Waller, Mary Schabacker, Paul D. and Mary Ann Brugger, and Ralph and Janet Toland, Sr., certain lands situate in the City of Erie, County of Erie; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Derry Township Municipal Authority a certain easement for sanitary sewer purposes, together with an existing sanitary sewer line and appurtenances, situate in Derry Township, Dauphin County; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Summerdale Associates, L.P., certain lands situate in the Township of East Pennsboro, County of Cumberland; and authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Doylestown certain lands situate in the Borough of Doylestown, Bucks County," further providing for conveyance to the Borough of Doylestown, Bucks County.

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

Section 1. Section 5 of the act of November 20, 2004 (P.L.886, No.121), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Erie-Western Pennsylvania Port Authority and to Robert L. and Karen N. Douth, Leona B. Disbrow, Louise F. Waller, Mary Schabacker, Paul D. and Mary Ann Brugger, and Ralph and Janet Toland, Sr., certain lands situate in the City of Erie, County of Erie; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Derry Township Municipal Authority a certain easement for sanitary sewer purposes, together with an existing sanitary sewer line and appurtenances, situate in Derry Township, Dauphin County; authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Summerdale Associates, L.P., certain lands situate in the Township of East Pennsboro, County of Cumberland; and authorizing and directing the Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, to grant and convey to the Borough of Doylestown certain lands situate in the Borough of Doylestown, Bucks County," is amended to read:

Section 5. Conveyance to Borough of Doylestown, Bucks County.

(a) Authorization.—The Department of General Services, with the approval of the Department of Military and Veterans Affairs and the Governor, is hereby authorized on behalf of the Commonwealth of

Pennsylvania to grant and convey to the Borough of Doylestown certain lands and improvements thereon situate in the Borough of Doylestown described in subsection (b) for \$444,000.

(b) **Property description.**—The property to be conveyed pursuant to subsection (a) consists of approximately 0.34 acres of land and building bounded and more particularly described as follows:

BEGINNING at a point on the center line of Shewell Avenue; thence extending Northeast 42.75 degrees a distance of 148 feet to a point; thence extending Southeast 47.25 degrees a distance of 100 feet to a point; thence extending Southwest 42.75 degrees a distance of 148 feet to the center line of Shewell Avenue; thence extending Northwest along the center line of Shewell Avenue 47.25 degrees a distance of 100 feet to the point and place of BEGINNING.

CONTAINING 0.34-acres.

(c) **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.

(d) **Restrictions.**—*Any conveyance authorized under this section shall be made under and subject to the following conditions, which shall be contained in the deed of conveyance:*

(1) The property may only be further conveyed to another public agency. The conveyance may only be made under terms that have been approved in writing by the Department of General Services prior to the conveyance. For purposes of this paragraph, "public agency" shall mean an agency of the Federal, State or local government or a municipal authority.

(2) The property shall be used for nonproprietary governmental or public purposes only.

(3) No portion of the property conveyed shall be used as a licensed facility as defined in 4 Pa.C.S. § 1103 (relating to definitions) or any other similar type of facility authorized under State law.

(4) If at any time the property or any portion thereof is conveyed in violation of the provisions of paragraph (1) or used in violation of the provisions of paragraph (2) or (3), the title to the property shall immediately revert to and revest in the grantor.

(5) These conditions shall be covenants running with the land and shall be binding upon the grantee, its successors and assigns.

[(d)] (e) **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.

[(e)] (f) **Costs and fees.**—Costs and fees incidental to this conveyance shall be borne by the grantee.

[(f)] (g) Other disposition.—In the event that this conveyance is not executed within **[12] 18** months of the effective date of this act, the property may be disposed of 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.

[(g)] (h) Proceeds.—The proceeds from the conveyance shall be deposited in the State Treasury Armory Fund.

Section 2. This act shall take effect immediately.

APPROVED—The 22nd day of November, A.D. 2005.

EDWARD G. RENDELL