

No. 2006-62

AN ACT

SB 1068

Authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Capital Self Storage Associates, LLC, certain lands situate in the City of Harrisburg and Susquehanna Township, Dauphin County.

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

Section 1. 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 Capital Self Storage Associates, LLC, certain lands situate in the City of Harrisburg and Susquehanna Township, Dauphin County, for fair consideration not less than fair market value as determined by an independent appraisal.

Section 2. The property to be conveyed pursuant to section 1 consists of approximately 0.389 acres bounded and more particularly described as follows:

BEGINNING at a point, said point being located North 07 degrees 29 minutes 49 seconds West a distance of 517.20 feet from the intersecting centerlines of Herr Street and North 18th Street (as surveyed); thence from said point of BEGINNING along the centerline of North 18th Street North 07 degrees 19 minutes 37 seconds West a distance of 35.00 feet; thence along lands now or formerly of Capital Self Storage Associates, LLC North 82 degrees 40 minutes 23 seconds East a distance of 473.00 feet; thence along the same South 41 degrees 45 minutes 57 seconds East a distance of 42.44 feet; thence along lands now or formerly of the Commonwealth of Pennsylvania South 82 degrees 40 minutes 23 seconds West a distance of 497.00 feet to the place of BEGINNING as referenced in an exhibit labeled "Boundary Exhibit" for the Department of General Services, dated 9/9/05.

CONTAINING 0.389-acres.

BEING a portion of the same property conveyed to the Commonwealth of Pennsylvania by J.S. Haldeman on August 27, 1874 as recorded in the Dauphin County Recorder of Deeds Office in Deed Book Z-4, Page 235.

Section 3. 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.

Section 4. Any conveyance authorized under this act shall be made under and subject to the condition, which shall be contained in the deed of

conveyance, that 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. The condition shall be a covenant running with the land and shall be binding upon the Grantee, its successors and assigns. Should the Grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this act to be used in violation of this subsection, the title shall immediately revert to and revest in the Grantor.

Section 5. 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.

Section 6. Costs and fees incidental to this conveyance shall be borne by the Grantee.

Section 7. In the event that this conveyance is not executed within one year of the effective date of this act, the authority contained herein shall expire.

Section 8. This act shall take effect immediately.

APPROVED—The 29th day of June, A.D. 2006.

EDWARD G. RENDELL