

No. 2014-100

AN ACT

HB 1945

Authorizing the Department of General Services to survey certain lands and buildings situate partly in the City of Harrisburg and partly in Susquehanna Township, Dauphin County; authorizing the Department of Transportation, with the approval of the Governor, to grant and convey to East Liberty Development Corporation certain lands and improvements situate in the City of Pittsburgh, Allegheny County; 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, at a price to be determined through a competitive bid process, certain lands, buildings and improvements situate in the City of Pittsburgh, Allegheny County, and the Borough of Pine Grove, Schuylkill County; authorizing the Department of General Services, with the approval of the Governor, to remove and release the restrictive use covenants imposed on certain real property situate in the Borough of Blossburg, Tioga County; authorizing the Department of General Services, with the approval of the Department of Labor and Industry and the Governor, to grant and convey to the Coatesville Area Senior Center, or its successors or assigns, certain lands, buildings and improvements situate in the City of Coatesville, Chester County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Philadelphia Technician Training School certain lands situate in the City of Philadelphia, Philadelphia County; authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to Fort LeBoeuf Historical Society certain lands situate in the Borough of Waterford, Erie County; authorizing and directing the Department of General Services, with the approval of Millersville University of Pennsylvania of the State System of Higher Education and the Governor, to grant and convey to Penn Manor School District certain lands situate in the Borough of Millersville, Lancaster County, and further authorizing and directing the Department of General Services to accept, in exchange, a conveyance of certain lands situate in the Borough of Millersville, Lancaster County, from the Penn Manor School District; authorizing the Department of General Services, with the approval of the Governor, to remove and release the restrictive use and reversionary covenants imposed on certain real property situate in the City of Scranton, Lackawanna County; partially removing and releasing restrictive use covenants on certain lands situate in Benner Township, Centre County; and authorizing the Department of General Services, with the approval of the Attorney General and the concurrence of the Department of Environmental Protection, to lease to the City of Philadelphia land within the bed of the Delaware River within the City of Philadelphia.

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

Section 1. Survey of land in Harrisburg and Susquehanna Township, Dauphin County.

(a) Authorization.—The Department of General Services is hereby authorized on behalf of the Commonwealth of Pennsylvania to conduct a comprehensive survey of the land described in subsection (b) together with any buildings, structures or improvements thereon, situate partly in the City

of Harrisburg and partly in Susquehanna Township, Dauphin County, Pennsylvania.

(b) Property description.—Except as otherwise provided in subsection (c), the property to be surveyed pursuant to this section consists of the following described tract or tracts of land, and all improvements located thereon, bounded and more particularly described as follows:

ALL THAT CERTAIN tract or tracts of land, and all improvements thereon erected, situate partly in the City of Harrisburg and partly in Susquehanna Township, Dauphin County, known formerly as the Harrisburg State Hospital and Harrisburg State Hospital Farm, and now known in part as the DGS Annex Complex, and being Dauphin County Tax ID #62-026-004, acquired by the Commonwealth of Pennsylvania pursuant to the following deeds recorded with the Dauphin County Recorder of Deeds:

Book Volume B-2, Page 453
Book Volume C-27, Page 231
Book Volume C-27, Page 233
Book Volume C-27, Page 234
Book Volume C-27, Page 236
Book Volume C-27, Page 239
Book Volume C-27, Page 241
Book Volume D-3, Page 560
Book Volume H-4, Page 317
Book Volume H-6, Page 476
Book Volume L-7, Page 367
Book Volume L-22, Page 212
Book Volume N-6, Page 215
Book Volume N-22, Page 507
Book Volume P-11, Page 1
Book Volume Q-22, Page 498
Book Volume T-2, Page 313
Book Volume U-6, Page 551
Book Volume V-6, Page 401
Book Volume V-8, Page 555
Book Volume W.B.-N, Page 416
Book Volume X-25, Page 461
Book Volume X-6, Page 221
Book Volume Y-2, Page 333

LESS AND EXCEPTING all prior conveyances appearing of record.

(c) Survey requirements.—The final legal description of the property to be surveyed shall be established by a survey prepared by a Pennsylvania-licensed land surveyor under a contract with the Department of General Services. The property to be surveyed shall exclude the following Commonwealth-owned facilities, including suitable grounds therefore and such easements and other appurtenances as are necessary or desirable for the current and future operation of such facilities, each of which is currently located on a portion of the property:

- (1) Pennsylvania State Police Headquarters.
- (2) Pennsylvania Game Commission Headquarters.
- (3) Pennsylvania Fish and Boat Commission Headquarters.

- (4) Pennsylvania Emergency Management Agency Headquarters.
- (5) Department of Agriculture Headquarters.
- (6) Department of Agriculture - Farm Show Complex or Parking Facilities.
- (7) Department of Military and Veterans Affairs - 28th Division Headquarters.
- (8) Department of Transportation - Materials Testing Laboratory.
- (9) Department of Transportation - Vehicle Maintenance Facility.
- (10) Pennsylvania Senate and Pennsylvania House of Representatives - Mailroom and Print Shop Facility.
- (11) Any other portion of the property required for Commonwealth operations as determined by the Department of General Services.

The Department of General Services shall consult with each entity having jurisdiction and control over the facilities enumerated in this subsection or any other portion of the property before establishing final property boundaries to ensure that adequate property is retained for current and future operations. The subdivision of this property shall be exempt from the provisions of the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, and local subdivision and land development ordinances.

(d) Conditions.—A plan for conveyance shall be prepared that includes all lawful and enforceable easements, servitudes and rights of others, including, but not confined to, streets, roadways, green space 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) Report.—Upon completion of the survey, the Department of General Services shall present a plan for conveyance to both Houses of the General Assembly that includes a recommended division of the property and the fair market value of each parcel.

(f) Zoning.—The Department of General Services may seek a zoning variance from Susquehanna Township during the conduct of the survey.

(g) Relocation.—The Department of General Services shall prepare other facilities to receive Commonwealth employees who will be displaced by the sale of the property.

(h) Conveyance.—Following the receipt of the plan under subsection (e), the General Assembly shall authorize the Department of General Services to convey the property described in subsection (b) within 18 legislative days. The General Assembly may add additional conditions or amendments to specific parcel transfers and other conditions as appropriate.

Section 2. Conveyance in City of Pittsburgh, Allegheny County.

(a) Authorization.—The Department of Transportation, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to East Liberty Development, Inc., certain lands and improvements situate in the City of Pittsburgh, Allegheny County, as described in subsection (b), for fair market value based on an appraisal and under terms and conditions to be established in an agreement of sale.

(b) Description.—The property to be conveyed pursuant to subsection (a) consists of approximately .0473 acres more or less and all improvements thereon, being more particularly bounded and described as follows:

All that certain parcel of ground situate in the 11th Ward, City of Pittsburgh, County of Allegheny, and Commonwealth of Pennsylvania, being a portion of lands within the right of way of Penn Circle East, an 85 foot public right of way, being more fully described herewith:

Beginning at a point on the westerly right of way line of Penn Circle East, where the same is intersected by the northerly line of Penn Avenue, a 100 foot public right of way, said point also being the southeast corner of lands now or formerly of Stanley S. Chen, thence along the westerly right of way line of Penn Circle East North 26 degrees 11 minutes 00 seconds East for a distance of 144.96 feet to a point on the southerly line of Kirkwood Street, a 40 foot public right of way; thence by a line through Penn Circle East for the following seven courses and distances: First- South 63 degrees 40 minutes 40 seconds East for a distance of 15.75 feet; Second - South 26 degrees 11 minutes 00 seconds West for a distance of 22.00 feet; Third - North 63 degrees 49 minutes 00 seconds West for a distance of 1.00 feet; Fourth - South 26 degrees 42 minutes 40 Seconds West for a distance of 97.41 feet; Fifth - South 30 degrees 39 minutes 30 seconds West for a distance of 20.06 feet; Sixth - by the arc of a circle curving to the right with a radius of 6.00 feet for an arc distance of 8.97 feet; Seventh - North 63 degrees 40 minutes 40 seconds West for a distance of 6.29 feet to a point, said point being the intersection of the westerly right of way line of Penn Circle East and the northerly line of Penn Avenue, the place of beginning.

(c) Easements.—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) Prohibited use.—The conveyance 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 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 the grantee, its successors or assigns, permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Deed.—The deed of conveyance shall be by quit claim deed and shall be executed by the Secretary of Transportation in the name of the Commonwealth of Pennsylvania.

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

(g) Deposit of proceeds.—Proceeds from the sale shall be deposited into the Motor License Fund.

Section 3. Conveyance in Pittsburgh, Allegheny County.

(a) Conveyance authorized.—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, at a price to be determined through competitive bidding, two tracts of land together with any buildings, structures or improvements thereon, situate in the City of Pittsburgh, Allegheny County.

(b) Legal description.—The property to be conveyed pursuant to this section consists of two tracts containing approximately 1.839 acres of land and improvements located thereon, bounded and more particularly described as follows to wit:

Tract 1

All that certain lot or piece of ground situate in the Seventh Ward of the City of Pittsburgh, Allegheny County, being Lots #4, #5, #6 and #7 in the Bayard Place Plan of Lots laid out by Susan E. Bayard and Mary Bayard and of record in Allegheny County in Plan Book Volume 25, Page 26, together bounded and described as follows:

Beginning on the Westerly side of Emerson Street at a point distant measured along said side of Emerson Street, South 11 degrees and 26 minutes West 99.61 feet from the Southerly side of Alder Street, and at the dividing line between Lots #1 and #4 in said plan; thence along said side of Emerson Street South 11 degrees 26 minutes West 200 feet to the dividing line between Lots #7 and #8 in said plan; thence along said last mentioned dividing line North 78 degrees 34 minutes West 177.62 feet of the Easterly side of Carron Alley as shown on said plan; thence along said side of Carron Alley North 5 degrees 10 minutes East 204.14 feet to the line of premises now or formerly of E.Z. Smith; thence along said Smith line and along the line dividing Lots #1, #2 and #3 in said Plan from Lot #4 in said plan, South 75 degrees 44 minutes East 199.94 feet to the Westerly side of Emerson Street at the place of beginning.

Containing approximately 0.884-acres.

Being the same premises conveyed to the Commonwealth of Pennsylvania by deed from Susan E. Bayard and Mary Bayard, dated June 20, 1910 and recorded in the Allegheny County Recorder of Deeds Office in Deed Book Volume 1693, Page 1.

Being a portion of Tax Parcel No. 84-L-283.

Tract 2

All that certain lot or piece of ground situate in the Seventh Ward of the City of Pittsburgh, Allegheny County, being Lots #8, #9, #10, #11 and part of #12 in Bayard Place Plan of Lots, laid out by Mary and Susan E. Bayard and of record in Allegheny County in Plan Book Volume 25, Pages 26 and 27, bounded and described as follows:

Beginning on the Westerly side of Emerson Street at a point distant 299.61 feet Southwardly from the Southerly side of Alder Street and at the

dividing line between Lots #7 and #8 in said plan; thence along said side of Emerson Street South 11 degrees 26 minutes West 253.97 feet to a point; thence North 78 degrees 34 minutes West, 139.69 feet to the Easterly line of Carron Way; thence along Carron Way, North 71 degrees 04 minutes West 10.30 feet to an angle in said Carron Way; thence along the Easterly side of Carron Way, North 5 degrees 10 minutes East 254.13 feet to the dividing line between Lots #7 and #8 aforesaid; thence along said dividing line, South 78 degrees 34 minutes East, 177.62 feet to Emerson Street at the place of BEGINNING.

Containing approximately 0.955-acres.

Being the same premises conveyed to the Commonwealth of Pennsylvania by deed from Bertha Bayard Galbraith and William M. Galbraith, and others, dated July 17, 1916, and recorded in the Allegheny County Recorder of Deeds Office in Deed Book Volume 1848, Page 345.

Being a portion of Tax Parcel No. 84-L-283.

(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. The conveyance shall be subject to all the protections, responsibilities and duties placed upon the property by its designation as a historic structure under State and municipal law, including preservation of the structure's facade.

(d) Perpetual easement.—The Secretary of General Services, on behalf of the Commonwealth of Pennsylvania, is further authorized to convey to the successful bidder the perpetual easement associated with the property, acquired by the Commonwealth of Pennsylvania from Genefreda A. Swartz and John S. Swartz, by their deed dated April 1, 1916, and recorded in the Allegheny County Records of Deeds Office in Deed Book Volume 1848, Page 342.

(e) Oil, gas and mineral rights.—The oil, gas and mineral rights associated with the property may be retained by the Department of General Services, on behalf of the Commonwealth of Pennsylvania, and may be leased by the Department of General Services in accordance with the authority granted in the act of October 8, 2012 (P.L. 1194, No. 147), known as the Indigenous Mineral Resources Development Act.

(f) Discretion of Secretary of General Services.—The Secretary of General Services may impose any covenants, conditions or restrictions on the property at settlement as determined to be in the best interests of the Commonwealth.

(g) Deed of conveyance.—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.

(h) Deposit of proceeds.—The proceeds from the sale shall be deposited in the State Treasury Armory Fund.

Section 4. Conveyance in Pine Grove Borough, Schuylkill County.

(a) Conveyance authorized.—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, at a price to be determined through competitive bidding, a tract of land together with any buildings, structures or improvements thereon, situate in the Borough of Pine Grove, Schuylkill County.

(b) Legal description.—The property to be conveyed pursuant to this section consists of a tract containing approximately 0.35 acres of land and improvements located thereon, bounded and more particularly described as follows to wit:

Tract 1

ALL THAT CERTAIN lot, piece or parcel of land situate in the Borough of Pine Grove, Schuylkill County bounded and described as follows:

BEGINNING at the corner of Mill and Tulpehocken Streets, thence along Tulpehocken Street, North 6 degrees 28 minutes East 30 feet 3 inches; thence still along Tulpehocken Street, North 1 degree 48 minutes East 69 feet 11 inches; thence South 84 degrees East 154 feet 10.5 inches; thence at right angles to last line, South 6 degrees West 100 feet, to a corner on Mill Street; thence again at right angles and long Mill Street North 84 degrees West 150 feet to the BEGINNING.

CONTAINING approximately 0.35-acres.

BEING the same premises conveyed to the Commonwealth of Pennsylvania by deed from Levi Miller, Sr., dated September 14, 1907, and recorded in the Schuylkill County Recorder of Deeds Office in Deed Book Volume 306, Page 483.

BEING Schuylkill County Tax Parcel No. 58-07-0146.000.

(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) Oil, gas and mineral rights.—The oil, gas and mineral rights associated with the property may be retained by the Department of General Services, on behalf of the Commonwealth of Pennsylvania, and may be leased by the Department of General Services in accordance with the authority granted in the act of October 8, 2012 (P.L.1194, No.147), known as the Indigenous Mineral Resources Development Act.

(e) Discretion of Secretary of General Services.—The Secretary of General Services may impose any covenants, conditions or restrictions on the property at settlement as determined to be in the best interests of the Commonwealth.

(f) Deed of conveyance.—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) Deposit of proceeds.—The proceeds from the sale shall be deposited in the State Treasury Armory Fund.

Section 5. Release of restrictive use covenants in Borough of Blossburg, Tioga County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to remove and release the restrictive use covenants imposed on certain real property conveyed to North Penn Comprehensive Health Services, predecessor to Laurel Health Systems, by the Department of General Services pursuant to the authority contained in the act of December 11, 1986 (P.L.1508, No.163), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to convey to Emsworth Borough 7.5 acres of land, more or less, situate in Kilbuck Township, Allegheny County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey to the County of Chester 230.693 acres of land, more or less, situate in Newlin and West Bradford Townships, Chester County, Pennsylvania; authorizing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey to North Penn Comprehensive Health Services 8.7 acres of land, more or less, situate in the Borough of Blossburg, Tioga County, Pennsylvania; authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Environmental Resources, to convey to Gilbert Collussy, Lena M. Collussy, James T. Dresher and Virginia M. Dresher, a tract of land situate in North Shenango Township, Crawford County, Pennsylvania, in exchange for a tract of land in the same township, and for other consideration; authorizing and directing the Department of General Services, with the approval of the Governor and the Departments of Environmental Resources and Transportation, to convey to the Mid-State Regional Airport Authority a tract of land situate in Rush Township, Centre County, Pennsylvania; and authorizing the Department of General Services, with the approval of the Governor and the Secretary of Public Welfare, to sell and convey to West Bradford Township a tract of land situate in West Bradford Township, Chester County," upon the terms and conditions and for consideration acceptable to the Department of General Services.

(b) Property description.—The restrictions to be released pursuant to subsection (a) are on a tract of land totaling approximately 8.766 acres, formerly known as the Blossburg State General Hospital, more particularly described as follows:

All that certain lot, piece or parcel of land, together with the improvements located thereon, situate in the Borough of Blossburg, Tioga County, Pennsylvania, bounded and described in accordance with a survey, dated August, 1979, prepared by Duane Wetmore under the direction of Boyer Kantz, R.S (revised April, 1986) as follows:

Beginning at a point in the center line of Granger Street, said point being the northeast corner of lands now or formerly of Joseph W. Stempien and the southeast corner hereof; thence along lands of said Stempien, South 78 degrees 00 minutes 16 seconds west a distance of 699.81 feet to a point in

the center line of Ruah Street (said line passing over reference iron rods set 25.00 feet from the center line of Granger Street and 30.00 feet from the center line of Ruah Street), the southwest corner hereof; thence north 19 degrees 10 minutes 51 seconds west a distance of 381.94 feet to a point marked by an iron rod set; thence along the former Railroad Street, north 44 degrees 01 minutes 11 seconds west a distance of 343.00 feet to a point marked by an iron rod set, the northwest corner hereof; thence north 48 degrees 58 minutes 49 seconds east a distance of 868.36 feet to a point in the center line of Ruah Street; thence along lands now or formerly of Walter Kuzneski, north 48 degrees 58 minutes 49 seconds east a distance of 338.64 feet to a point marked by an old iron rod found (said line passing through an iron rod set 25.00 feet from the center line of Ruah Street), the northernmost corner hereof; thence along lands now or formerly of Robert J. Kuzneski the following two courses and distances: (1) south 38 degrees 30 minutes 54 seconds east a distance of 200.00 feet to an old iron rod found; and (2) north 55 degrees 06 minutes 19 seconds east a distance of 113.66 feet to a point in the center line of Granger Street (said line passing through a utility pole located 11.06 feet from said center line), the northeasternmost corner thereof; thence along the center line of Granger Street, south 38 degrees 07 minutes 43 seconds east a distance of 92.93 feet to a point, the northeast corner of lands now or formerly of Larry Smith; thence along lands of said Smith the following three courses and distances: (1) south 51 degrees 42 minutes and 31 seconds west a distance of 223.35 feet to an iron rod set (said line passing over an old iron rod found 23.35 feet from the center line of Granger Street); (2) south 38 degrees 36 minutes east a distance of 375.00 feet to a point marked by an old iron rod found; and (3) north 52 degrees 24 minutes east a distance of 226.70 feet to a point in the center line of Granger Street (said line passing over an iron rod set 25.00 feet from said center line); thence along the center line of Granger Street the following four courses and distances: (1) south 39 degrees 06 minutes 17 seconds east a distance of 73.56 feet; (2) south 42 degrees 01 minutes 20 seconds east a distance of 81.39 feet; (3) south 35 degrees 48 minutes 29 seconds east a distance of 189.94 feet; and (4) south 11 degrees 16 minutes 25 seconds east a distance of 11.80 feet to the point and place of Beginning.

Subject to the easement of right-of-way of Granger Street as indicated on said survey, and also subject to the easement of right-of-way of Ruah Street located on the western portion of said premises.

Containing approximately 8.766-acres of land.

Being the same property conveyed to North Penn Comprehensive Health Services by the Commonwealth of Pennsylvania, acting by and through the Department of General Services, by its deed, dated December 3, 1987, and recorded in the Recorder of Deeds of Tioga County on March 7, 1988 in Deed Book 473, Page 1023.

(c) Form of release.—Any legal instruments necessary to remove and release the restrictive use covenants shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(d) Costs.—Any costs and fees incidental to the removal of the restrictive use covenants shall be borne by the grantee.

(e) Proceeds.—Proceeds received by the Department of General Services for the release of the restrictive use covenants shall be deposited into the General Fund.

Section 6. Conveyance in City of Coatesville, Chester County.

(a) Authorization.—The Department of General Services, with the approval of the Department of Labor and Industry and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Coatesville Area Senior Center, or its successors or assigns, certain land and improvements thereon, being known as the Department of Labor and Industry's Office of Employment Security (CareerLink), situate in the City of Coatesville, Chester County, for \$281,000 and under terms and conditions to be established in an agreement of sale with the Department of General Services.

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of a tract of land containing approximately 0.362 acres, including all improvements located thereon, more particularly described as follows:

ALL THAT CERTAIN tract of land situated in the City of Coatesville, County of Chester, Commonwealth of Pennsylvania, bounded and described according to a survey made February 15, 1967 by DeArmit and Hayes, Consulting Engineers and Surveyors, as follows, to wit:

BEGINNING at a point at the intersection of the proposed South curb line of Harmony Street with the West curb line of South Third Avenue, said point being located Eight feet South of the existing South curb line of Harmony Street; thence along the West curb line of South Third Avenue, South Four degrees, sixteen minutes East, One hundred twenty-eight feet to a point, a corner of land remaining of N/F the City of Coatesville; thence leaving the said West curb line of South Third Avenue and along the land remaining of N/F the City of Coatesville, South Eighty-four degrees, sixteen minutes West, one hundred twenty-one and seventy-one one-hundredths feet to a point; thence continuing along the land remaining of N/F the City of Coatesville North Five degrees, forty-four minutes West, One hundred twenty-seven and ninety-six one-hundredths feet to a point in the aforementioned proposed South curb line of Harmony Street; thence along the same North Eighty-four degrees, sixteen minutes East, One hundred twenty-five feet to the first mentioned point and place of beginning.

CONTAINING 15,786 square feet of land, more or less.

BEING the same premises conveyed from the City of Coatesville, to the Commonwealth of Pennsylvania, General State Authority, by deed dated June 28, 1967 and recorded July 3, 1967, in the Office of the Recorder of Deeds in and for Chester County, in Deed Book Q-37, Page 311.

ALSO BEING the same parcel and tract of land conveyed to the Commonwealth of Pennsylvania, Department of General Services, by the General State Authority in its deed, dated June 16, 1989, and recorded in the Office of the Recorder of Deeds in and for Chester County, in Deed Book 2098, Page 426.

ALSO BEING Tax Parcel Number 16-05-0279.000E.

(c) Easements.—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) Prohibited use.—Any conveyance authorized under this section 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 section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(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.

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

(g) Alternate disposition.—In the event that this conveyance is not executed per the terms and conditions as established in an agreement of sale, with the Department of General Services, the property may be disposed of in accordance with section 2405-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

(h) Proceeds.—The proceeds from the sale shall be deposited in the General Fund.

Section 7. Conveyance in City of Philadelphia, Philadelphia County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to Philadelphia Technician Training School certain land, and all improvements located thereon, situate in the City of Philadelphia, Philadelphia County, for \$2,200,000.

(b) Property description.—The property to be conveyed pursuant to subsection (a) consists of approximately 1.53 acres of land and improvements thereon bounded and more particularly described as follows:

ALL THAT CERTAIN lot or piece of ground with the improvements thereon erected, situate in the 29th Ward of the City of Philadelphia, described according to a Survey and Plan of Property made for the Redevelopment Authority of the City of Philadelphia by Thomas J. Johnston, Surveyor and Regulator of the 3rd District, dated February 1, 1967, as follows, to wit:

BEGINNING at a point of intersection formed by the Easterly side of 20th Street (46 feet wide) and the Northerly side of Girard Avenue (80 feet wide); thence extending North 11 degrees 21 minutes East along the said Easterly side of 20th Street, the distance of 121 feet 1 7/8 inches to a point on the Southerly side of South College Avenue (60 feet wide); thence North 83 degrees 03 minutes 07 seconds East along the said Southerly side of

South College Avenue 155 feet 10 7/8 inches to a point; thence South 6 degrees 56 minutes 53 seconds East, 94 feet 10 7/8 inches to a point on the Northerly side of a 3 feet wide alley by deeds, which leads Eastwardly and Westwardly connecting at its Easterly end with a 5 feet wide alley by deeds, which leads Eastwardly; thence South 78 degrees 39 minutes East along the Northerly side of said 3 feet wide alley by deeds and passing through said 5 feet wide alley by deeds 74 feet 9 3/8 inches to a point in the bed of said 5 feet wide alley by deeds; thence North 6 degrees 56 minutes 53 seconds West, partly crossing said 5 feet wide alley by deeds 118 feet 4 5/8 inches to a point on the said Southerly side of South College Avenue; thence North 83 degrees 03 minutes 07 seconds East along the said Southerly side of South College Avenue 192 feet 0 inches to a point on the Westerly side of 19th Street (50 feet wide); thence South 11 degrees 21 minutes West along the said Westerly side of 19th Street 252 feet 8 1/8 inches to a point on the said Northerly side of Girard Avenue; thence North 78 degrees 39 minutes West along the said Northerly side of Girard Avenue 397 feet 8 3/4 inches to a point on the said Easterly side of 20th Street, being the first mentioned point and place of BEGINNING.

BEING the same premises acquired by the General State Authority (predecessor to the Pennsylvania Department of General Services) from the Redevelopment Authority of the City of Philadelphia by deed, dated February 27, 1968, and recorded with the Philadelphia Recorder of Deeds at D-041-232.

(c) Easements.—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) Prohibited use.—Any conveyance authorized under this section 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 section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(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.

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

(g) Alternate disposition.—In the event that the Department of General Services and the grantee cannot reach a mutually acceptable agreement of sale within one year from the effective date of this section, the property may

be disposed of in accordance with section 2405-A of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 8. Conveyance of Washington Monument Park in Borough of Waterford, Erie County.

(a) Authorization.—The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Fort LeBoeuf Historical Society certain lands and any improvements thereon described in subsection (b), the property being known locally as the Washington Monument Park, situate in the Borough of Waterford, Erie County, for \$1.

(b) Description of property.—The property to be conveyed pursuant to this section consists of approximately 0.104 acres, including any improvements located thereon, more particularly described as follows:

Tract 1

ALL THAT CERTAIN piece or parcel of land situate in the Borough of Waterford, County of Erie, and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point fifty (50) feet west of the west line of High Street and twenty (20) feet north of the north line of First Alley; thence southwardly, parallel with High Street, four (4) feet and eight (8) inches to a point; thence eastwardly and parallel with First Alley, four (4) feet and eight (8) inches to a point; thence northerly and parallel with High Street, four (4) feet and eight (8) inches to a point; thence westwardly, parallel with First Alley, four (4) feet and eight (8) inches to the place of BEGINNING.

BEING the same property conveyed to the Commonwealth of Pennsylvania, from the Fort LeBoeuf Chapter, Daughters of American Colonists, by deed dated April 11, 1945, and recorded in Erie County Deed Book No. 454, Page 396.

Tract 2

ALL THAT CERTAIN piece or lot of land situated in the Borough of Waterford, in the County of Erie, and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

COMMENCING at the southeast corner of what is N/F known as the Eagle Hotel Lot on High Street; thence westwardly along same, eighty-two and one-half (82 1/2) feet; thence southwardly along said lot and parallel with High Street, fifty-five (55) feet to First Alley; thence eastwardly, eighty-two and one-half (82 1/2) feet to High Street; thence along High Street northwardly, fifty-five (55) feet to the PLACE OF BEGINNING.

BEING the same property conveyed to the Commonwealth of Pennsylvania, from the Fort LeBoeuf Chapter, Daughters of American Colonists, by deed dated August 16, 1950, and recorded in Erie County in Deed Book 573, Page 131.

EXCEPTING THEREFROM, however, a piece of land four (4) feet and eight (8) inches square, heretofore conveyed by the Fort LeBoeuf Chapter,

Daughters of the American Colonists, to the Commonwealth of Pennsylvania, by deed dated April 11, 1945, and recorded in Deed Book 454, Page 396.

Being Parcel ID #46-9-57-2.

(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) Gaming restriction.—Any conveyance authorized under this section 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 and its successors. Should the grantee, or its successors, permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Restrictive covenant.—The following restrictive covenants shall be included in the deed of conveyance:

Declaration of Covenants
Washington Monument Park
Borough of Waterford, Erie County, Pennsylvania

(1) Covenants.

(a) The deed of transfer of this property, which property shall hereinafter be described in this agreement as "Washington Monument Park," shall contain the following language: "Fort LeBoeuf Historical Society and its successors, (hereafter referred to as "FLHS") covenants and agrees to assume responsibility for the maintenance, preservation, and administration of the property in a manner that is satisfactory to the Pennsylvania Historical and Museum Commission ("Commission") for a demonstrable public benefit in perpetuity, under and subject to the condition that the buildings and lands conveyed herein shall be accessible to the public."

(b) The provisions of these covenants, hereinafter expressed as covenants running with the land, are herein set forth so as to ensure the maintenance and preservation of the qualities, natural resources and historical characteristics of Washington Monument Park.

(2) Standards for Historic Preservation.

(a) Washington Monument Park shall be maintained and preserved in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

- (b) No construction, alteration, rehabilitation, remodeling, demolition, site development, ground disturbance or other action shall be undertaken or permitted to said property without the prior written permission from the Commission.
 - (c) Prior to the commencement of work, FLHS agrees to notify, in writing, the Commission of all such work on said property in advance.
 - (d) The Commission will be given 45 days from receipt of the notice (sent via certified mail) to review and approve in writing the appropriateness of said work. If no response is provided within 45 days, consent shall be implied.
- (3) Requirements and Standards for Archaeological Investigation.
- (a) For work that involves ground disturbance, the Commission may require archaeological investigation, for which FLHS shall have financial responsibility.
 - (b) In the event that archaeological materials are discovered during ground-disturbing activities, work shall temporarily cease, and the Commission shall be consulted for instructions prior to proceeding with the work.
 - (c) Any archaeological work shall be conducted in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48FR 447344-37) and any such standards and guidelines as the Commission may specify.
- (4) Access.
- FLHS shall allow the Commission, at all reasonable times and upon reasonable advance notice to FLHS, access to inspect said property to ensure compliance with this preservation covenant.
- (5) Right of Reverter.
- (a) The deed of conveyance shall contain a clause that the title to the property shall immediately revert to and revest in the Commonwealth should FLHS sell or transfer the property or permit the property to be used for any purpose other than as a museum, or related business and/or curatorial offices, for any length of time.
 - (b) FLHS may petition the Commission for a waiver of this provision if a proposed usage would meet the spirit of this agreement.
 - (c) The Commission must specifically approve any waiver of this provision.
- (6) Binding in Perpetuity.
- (a) This covenant is binding on FLHS and its successors in perpetuity.
 - (b) This covenant shall be binding servitude upon the property and shall be deemed to run with the land.
 - (c) Execution of this covenant shall constitute evidence that FLHS agrees to be bound by the foregoing conditions and restrictions and to perform the obligations herein set forth.
- (f) Deed of conveyance.—The deed of conveyance shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

(h) Expiration.—In the event that the conveyance is not effectuated within one year of the effective date of this section, the authority contained in this section shall expire.

Section 9. Conveyance of Fort LeBoeuf Museum in Borough of Waterford, Erie County.

(a) Authorization.—The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Fort LeBoeuf Historical Society certain lands and any improvements thereon described in subsection (b), the property being known locally as the Fort LeBoeuf Museum, situate in the Borough of Waterford, Erie County, for \$1.

(b) Description of property.—The property to be conveyed pursuant to this section consists of approximately 1.17 acres, including any improvements located thereon, more particularly described as follows:

ALL THAT CERTAIN piece or parcel of land situate in the Borough of Waterford, Erie County, Pennsylvania, being a rectangle 155 feet by 330 feet, on the east side of High Street (Route #19), bounded by First Alley, Cherry Street (unopened) and Water Street (unopened).

BEING the same piece or parcel of land acquired by the Commonwealth of Pennsylvania, pursuant to Declaration of Taking, filed in the Office of the Prothonotary of the Court of Common Pleas of Erie County on September 30, 1968, at No. 2782 A Term 1968, with a notice of the Declaration of Taking recorded at the Office of the Recorder of Deeds of Erie County at Book 990, Page 84.

BEING Parcel ID #46-9-58-4.

(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) Gaming restriction.—Any conveyance authorized under this section 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 and its successors. Should the grantee, or its successors, permit any portion of the property authorized to be conveyed in this section to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

(e) Restrictive covenant.—The following restrictive covenants shall be included in the deed of conveyance:

Declaration of Covenants
Fort LeBoeuf Museum
Borough of Waterford, Erie County, Pennsylvania

- (1) Covenants.
 - (a) The deed of transfer of this property, which property shall hereinafter be described in this agreement as "Fort LeBoeuf Museum," shall contain the following language: "Fort LeBoeuf Historical Society and its successors, (hereafter referred to as "FLHS") covenants and agrees to assume responsibility for the maintenance, preservation, and administration of the property in a manner that is satisfactory to the Pennsylvania Historical and Museum Commission ("Commission") for a demonstrable public benefit in perpetuity, under and subject to the condition that the buildings and lands conveyed herein shall be accessible to the public."
 - (b) The provisions of these covenants, hereinafter expressed as covenants running with the land, are herein set forth so as to ensure the maintenance and preservation of the qualities, natural resources and historical characteristics of Fort LeBoeuf Museum.
- (2) Standards for Historic Preservation.
 - (a) Fort LeBoeuf Museum shall be maintained and preserved in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
 - (b) No construction, alteration, rehabilitation, remodeling, demolition, site development, ground disturbance or other action shall be undertaken or permitted to said property without the prior written permission from the Commission.
 - (c) Prior to the commencement of work, FLHS agrees to notify, in writing, the Commission of all such work on said property in advance.
 - (d) The Commission will be given 45 days from receipt of the notice (sent via certified mail) to review and approve in writing the appropriateness of said work. If no response is provided within 45 days, consent shall be implied.
- (3) Requirements and Standards for Archaeological Investigation.
 - (a) For work that involves ground disturbance, the Commission may require archaeological investigation, for which FLHS shall have financial responsibility.
 - (b) In the event that archaeological materials are discovered during ground-disturbing activities, work shall temporarily cease, and the Commission shall be consulted for instructions prior to proceeding with the work.
 - (c) Any archaeological work shall be conducted in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48FR 447344-37) and any such standards and guidelines as the Commission may specify.
- (4) Access.

FLHS shall allow the Commission, at all reasonable times and upon reasonable advance notice to FLHS, access to inspect said property to ensure compliance with this preservation covenant.

(5) Right of Reverter.

(a) The deed of conveyance shall contain a clause that the title to the property shall immediately revert to and revest in the Commonwealth should FLHS sell or transfer the property or permit the property to be used for any purpose other than as a museum, or related business and/or curatorial offices, for any length of time.

(b) FLHS may petition the Commission for a waiver of this provision if a proposed usage would meet the spirit of this agreement.

(c) The Commission must specifically approve any waiver of this provision.

(6) Binding in Perpetuity.

(a) This covenant is binding on FLHS and its successors in perpetuity.

(b) This covenant shall be binding servitude upon the property and shall be deemed to run with the land.

(c) Execution of this covenant shall constitute evidence that FLHS agrees to be bound by the foregoing conditions and restrictions and to perform the obligations herein set forth.

(f) Deed of conveyance.—The deed of conveyance shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

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

(h) Expiration.—In the event that the conveyance is not effectuated within one year of the effective date of this section, the authority contained in this section shall expire.

Section 10. Conveyance of Judson House in Borough of Waterford, Erie County.

(a) Authorization.—The Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to grant and convey to the Fort LeBoeuf Historical Society certain lands and any improvements thereon described in subsection (b), the property being known locally as the Judson House, situate in the Borough of Waterford, Erie County, for \$1.

(b) Description of property.—The property to be conveyed pursuant to this section consists of approximately 0.5871 acres, including any improvements located thereon, more particularly described as follows:

Tract 1

ALL THAT CERTAIN piece or parcel of land situate in the Borough of Waterford, County of Erie and Commonwealth of Pennsylvania, being Lots Nos. Seven (7) and Eight (8) of Garrison Lots in said Borough.

The said lots are situate at the southeast intersection of High Street and First Street, in said Borough, and front for a distance of 105 feet on the south side of First Street and extends southerly therefrom a distance of 155 feet on the east side of High Street.

Excepting and reserving however, from the above described land all that easterly portion consisting of a 60 foot frontage on First Street and extending to a depth of 155 feet therefrom in a southerly direction.

BEING the same piece or parcel of land conveyed to the Commonwealth of Pennsylvania, from Frank R. Johnston, et al, by deed dated July 8, 1949, and recorded in Erie County Deed Book 542, Page 549.

Tract 2

ALL THAT CERTAIN piece or parcel of land situate in the Borough of Waterford, County of Erie and Commonwealth of Pennsylvania, being the east sixty (60) feet fronting on the southerly side of First Street to an alley, and extending southwardly at a uniform depth of one hundred fifty-five (155) feet, of lots Nos. 7 and 8 of the Garrison Lots in the Borough of Waterford, more fully bounded and described as follows, to wit:

BEGINNING at a point in the south line of First Street, one hundred five (105) feet eastwardly from the point of intersection of the south line of First Street with the east line of High Street; thence southwardly parallel with the east line of High Street, one hundred and fifty-five (155) feet, more or less, to the north line of an alley; thence eastwardly along the north line of said alley, and parallel with the south line of First Street, sixty (60) feet to a point; thence northwardly parallel with the east line of High Street, one hundred and fifty-five (155) feet, more or less, to the south line of First Street; and thence westwardly along the south line of First Street, sixty (60) feet to the place of BEGINNING.

BEING the same piece or parcel of land conveyed to the Commonwealth of Pennsylvania, from Miriam Kuhns, unmarried, and Cynthia Ensworth, widow, by deed dated March 21, 1950, and recorded in Erie County Deed Book 560, Page 348.

BEING Parcel ID #46-9-58-1.

(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) Gaming restriction.—Any conveyance authorized under this section 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 and its successors. Should the grantee, or its successors, permit any portion of the property authorized to be conveyed in this section

to be used in violation of this subsection, the title shall immediately revert to and revert in the grantor.

(e) Restrictive covenant.—The following restrictive covenants shall be included in the deed of conveyance:

Declaration of Covenants
Judson House
Borough of Waterford, Erie County, Pennsylvania

- (1) Covenants.
 - (a) The deed of transfer of this property, which property shall hereinafter be described in this agreement as "Judson House," shall contain the following language: "Fort LeBoeuf Historical Society and its successors, (hereafter referred to as "FLHS") covenants and agrees to assume responsibility for the maintenance, preservation, and administration of the property in a manner that is satisfactory to the Pennsylvania Historical and Museum Commission ("Commission") for a demonstrable public benefit in perpetuity, under and subject to the condition that the buildings and lands conveyed herein shall be accessible to the public."
 - (b) The provisions of these covenants, hereinafter expressed as covenants running with the land, are herein set forth so as to ensure the maintenance and preservation of the qualities, natural resources and historical characteristics of Judson House.
- (2) Standards for Historic Preservation.
 - (a) Judson House shall be maintained and preserved in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
 - (b) No construction, alteration, rehabilitation, remodeling, demolition, site development, ground disturbance or other action shall be undertaken or permitted to said property without the prior written permission from the Commission.
 - (c) Prior to the commencement of work, FLHS agrees to notify, in writing, the Commission of all such work on said property in advance.
 - (d) The Commission will be given 45 days from receipt of the notice (sent via certified mail) to review and approve in writing the appropriateness of said work. If no response is provided within 45 days, consent shall be implied.
- (3) Requirements and Standards for Archaeological Investigation.
 - (a) For work that involves ground disturbance, the Commission may require archaeological investigation, for which FLHS shall have financial responsibility.
 - (b) In the event that archaeological materials are discovered during ground-disturbing activities, work shall temporarily cease, and the Commission shall be consulted for instructions prior to proceeding with the work.

- (c) Any archaeological work shall be conducted in accordance with the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation (48FR 447344-37) and any such standards and guidelines as the Commission may specify.
- (4) Access.
FLHS shall allow the Commission, at all reasonable times and upon reasonable advance notice to FLHS, access to inspect said property to ensure compliance with this preservation covenant.
- (5) Right of Reverter.
 - (a) The deed of conveyance shall contain a clause that the title to the property shall immediately revert to and revest in the Commonwealth should FLHS sell or transfer the property or permit the property to be used for any purpose other than as a museum, or related business and/or curatorial offices, for any length of time.
 - (b) FLHS may petition the Commission for a waiver of this provision if a proposed usage would meet the spirit of this agreement.
 - (c) The Commission must specifically approve any waiver of this provision.
- (6) Binding in Perpetuity.
 - (a) This covenant is binding on FLHS and its successors in perpetuity.
 - (b) This covenant shall be binding servitude upon the property and shall be deemed to run with the land.
 - (c) Execution of this covenant shall constitute evidence that FLHS agrees to be bound by the foregoing conditions and restrictions and to perform the obligations herein set forth.
 - (f) Deed of conveyance.—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) Costs and fees.—Costs and fees incidental to this conveyance shall be borne by the grantee.
 - (h) Expiration.—In the event that the conveyance is not effectuated within one year of the effective date of this section, the authority contained in this section shall expire.

Section 11. Conveyance in Borough of Millersville, Lancaster County.

(a) Authorization.—The Department of General Services, with the approval of Millersville University of Pennsylvania of the State System of Higher Education and the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to Penn Manor School District certain land and improvements thereon situate in the Borough of Millersville, Lancaster County, and is further authorized and directed on behalf of the Commonwealth of Pennsylvania to accept in exchange certain land and improvements thereon to be conveyed by the Penn Manor School District to the Commonwealth of Pennsylvania, acting by and through the Department of General Services, and to add the same to the existing lands of the Commonwealth of Pennsylvania at Millersville University of Pennsylvania.

(b) Property to be conveyed to Penn Manor School District.—The property to be conveyed to Penn Manor School District pursuant to subsection (a) consists of approximately 0.890 acres of land and improvements thereon bounded and more particularly described as follows:

All that certain tract of land situate southwest of Circle Drive in the Borough of Millersville, Lancaster County, Pennsylvania shown as "Area B" on the Layout Plan Subdivision/Lot Add-On Plan for Millersville University prepared by RETTEW Associates, Inc. drawing number 015372001, dated February 2012, and being more fully bounded and described below:

BEGINNING AT A POINT the easternmost corner of the herein described tract, said point being the southeast corner of lands, now or formerly, of Penn Manor School District; thence extending in and through lands, now or formerly, of The General State Authority the following three (3) courses and distances: 1) South $57^{\circ} 23' 34''$ West, a distance of 105.181' to an iron pin to be set; 2) South $66^{\circ} 32' 49''$ West, a distance of 395.148' to an iron pin to be set; and 3) North $63^{\circ} 31' 42''$ West, a distance of 180.821' to an iron pin to be set along lands, now or formerly, of Penn Manor School District; thence along the same North $77^{\circ} 43' 38''$ East, a distance of 627.305' to the POINT AND place of beginning.

CONTAINING 0.8907 acres of land, more or less.

(c) Property to be conveyed to the Commonwealth.—The land to be accepted in the name of the Commonwealth of Pennsylvania, acting by and through the Department of General Services, pursuant to subsection (a) consists of approximately 2.328 acres of land and improvements thereon and is bounded and more particularly described as follows:

ALL THAT CERTAIN tract of land situate southwest of Circle Drive in the Borough of Millersville, Lancaster County, Pennsylvania shown as "Area A" on the Layout Plan Subdivision/Lot Add On Plan for Millersville University prepared by RETTEW Associates, Inc. drawing number 015372001, dated February 2012, and being more fully bounded and described below:

BEGINNING AT A POINT, the northeast corner of the herein described tract, said point being a corner of lands, now or formerly, of Penn Manor School District; thence along lands, now or formerly, of Ted E. and Diane T. Silar, South $24^{\circ} 12' 04''$ East, a distance of 400.74' to an iron pin to be set, a corner of Area A; thence along the same South $77^{\circ} 04' 29''$ West, a distance of 265.01' to an iron pin to be set along lands, now or formerly, of The General State Authority; thence along the same North $23^{\circ} 37' 37''$ West, a distance of 384.77' to a point, a corner of lands, now or formerly, of Penn Manor School District; thence along the same North $73^{\circ} 45' 55''$ East, a distance of 258.53' to a point, a corner of lands, now or formerly, of Ted E. and Diane T. Silar; the POINT AND PLACE OF BEGINNING.

CONTAINING 2.328 acres of land.

(d) Easements.—The conveyances 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) Deeds.—

(1) The deed of conveyance for the property to be conveyed to Penn Manor School District by the Department of General Services pursuant to subsection (a) shall be a special warranty deed and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(2) The deed of conveyance for the property to be conveyed to the Commonwealth of Pennsylvania, acting by and through the Department of General Services, by Penn Manor School District pursuant to subsection (a) shall be a special warranty deed and shall be executed by the appropriate officers of the school district.

(f) Authority granted to Secretary of General Services.—The Secretary of General Services is hereby authorized to grant or reserve any easements on Commonwealth-owned real property at Millersville University of Pennsylvania as may be necessary to effectuate the purposes of this section or to otherwise protect the interests of the Commonwealth.

(g) Costs.—The costs and fees incidental to the conveyances hereby authorized shall be borne equally by the Penn Manor School District and Millersville University of Pennsylvania of the State System of Higher Education.

Section 12. Release of restrictive use and reversionary covenants in City of Scranton, Lackawanna County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth to remove and release the restrictive use and reversionary covenants imposed on certain real property conveyed to Scranton Primary Health Care Center, Inc., by the Department of General Services pursuant to the authority contained in the act of February 14, 1980 (P.L.9, No.6), entitled "An act authorizing and directing the Department of General Services, with the approval of the Governor, to convey to the Scranton Primary Health Care Center, Inc., a certain parcel of land together with a building erected thereon, situate in the City of Scranton, County of Lackawanna, Pennsylvania," on such terms, conditions and for consideration to be established in a legally binding agreement acceptable to the Secretary of General Services.

(b) Property description.—The restrictions to be released pursuant to subsection (a) are on a tract of land totaling approximately 0.50 acres more particularly described as follows:

All that certain lot, piece or parcel of land, situate in the City of Scranton, Lackawanna County, described as follows:

Lots Number Twenty-three (23) and Twenty-four (24) in Square or Block Number Two Hundred Twenty-six (226) and situate upon a street called and known as Wyoming Avenue upon the plot of Scranton, intended to be duly registered and recorded, said lots being together eighty (80) feet in front and one hundred sixty-seven (167) feet in depth; and rectangular with an alley in the rear sixteen (16) feet wide for public use.

Containing approximately 0.50-acres of land.

Being the same property conveyed to Scranton Primary Health Care Center, Inc., by the Commonwealth of Pennsylvania, acting by and through the Department of General Services, by its deed, dated August 1, 1980, and recorded in the Recorder of Deeds of Lackawanna County at Deed Book 228, Page 570 through Page 573.

(c) Form of release.—Any legal instruments necessary to remove and release the restrictive use and reversionary covenants shall be executed by the Secretary of General Services in the name of the Commonwealth.

(d) Costs.—Any costs and fees incidental to the removal of the restrictive use and reversionary covenants shall be borne by the grantee.

(e) Proceeds.—Proceeds received by the Department of General Services for the release of the restrictive use and reversionary covenants shall be deposited into the General Fund.

Section 13. Partial removal and release of restrictive use covenants in Benner Township, Centre County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized on behalf of the Commonwealth of Pennsylvania to partially remove and release the restrictive covenants as to sole use for passive recreational open space, but not as to that portion of the restrictive covenants relating to the benefit of the public at large, and to remove and release the restrictive covenant as to the conveyance and recordation of a perpetual conservation easement, under terms, conditions and for consideration acceptable to the Department of General Services, imposed on certain real property in Benner Township, Centre County, conveyed to Benner Township by the Department of General Services pursuant to the authority contained in section 2(d) of the act of July 9, 2010 (P.L.401, No.55), entitled "An act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to The Pennsylvania State University, certain lands situate in Benner Township, Centre County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Benner Township, certain lands situate in Benner Township, Centre County; authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania Fish and Boat Commission, certain lands situate in Benner Township, Centre County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Pennsylvania Game Commission, certain lands situate in Benner Township, Centre County," upon the terms and conditions and for consideration acceptable to the Department of General Services.

(b) Property description.—The restrictions to be partially removed and released pursuant to subsection (a) are on two tracts of land totaling approximately 5.0000 acres and 13.6033 acres, respectively, of land, gross area, more particularly described as follows:

PARCEL BENNER A

ALL THAT CERTAIN PARCEL or tract of land in Benner Township, Centre County, Pennsylvania identified as "PARCEL BENNER A" on plans

prepared by Sweetland Engineering and Associates, Inc., more fully bounded and described as follows:

Beginning at a point in the centerline of Rock Road, Benner Township Road T-376, at the common southwestern corner of "Parcel PGC A" and the northwestern corner of the herein described parcel, said point having coordinates referenced to the Pennsylvania State Plane Coordinate System North Zone, North American Datum of 1983 of Northing 249820.5919 and Easting 1947763.3680;

Thence along "Parcel Benner A" the following three (3) courses:

1. N 24-17-11 E a distance of 16.50 feet to a point; Thence
2. N 17-58-42 E a distance of 342.76 feet to a point; Thence
3. S 68-49-38 E a distance of 572.82 feet to a point;

Thence along "Parcel DGS\DOC A" S 17-44-53 W a distance of 420.75 feet to a point;

Thence along the centerline of Rock Road the following two (2) courses:

1. N 57-27-33 W a distance of 206.98 feet to a point; Thence
2. N 65-42-49 W a distance of 377.40 feet to the point of beginning.

Containing 217,799 square feet or 5.0000 acres of land, gross area, be the same more or less.

PARCEL BENNER D

Beginning at a point in the northern right-of-way line of SR0150, the Benner Pike, a variable width right-of-way at the intersection with the northeastern line of Prison Road "D", said point having coordinates referenced to the Pennsylvania State Plane Coordinate System North Zone, North American Datum of 1983 of Northing 255155.4238 and Easting 1960011.9833;

Thence along Prison Road "D" the following four (4) courses:

1. N 74-54-54 W a distance of 97.10 feet to a point; Thence
2. along a curve to the left having a radius of 555.00, central angle of 32° 40' 16", chord bearing and distance of S 88-44-58 W a distance of 312.20 feet, an arc distance of 316.47 feet to a point; Thence
3. S 72-24-50 W a distance of 316.85 feet to a point; Thence
4. S 78-33-51 W a distance of 236.71 feet to a point;

Thence along the southern right-of-way line of SR6026, Section C03 the following four (4) courses:

1. N 41-04-29 E a distance of 77.10 feet to a point; Thence
2. N 36-07-17 E a distance of 700.65 feet to a point; Thence
3. along a curve to the right having a radius of 2759.79, central angle of 14° 31' 53", chord bearing and distance of N 43-23-13 E a distance of 698.06 feet, an arc distance of 699.94 feet to a point; Thence
4. along a curve to the right having a radius of 255.00, central angle of 41° 33' 59", chord bearing and distance of N 71-26-09 E a distance of 180.96 feet, an arc distance of 184.99 feet to a point;

Thence along the northern right-of-way line of SR0150, the Benner Pike, the following five (5) courses:

1. S 25-13-03 E a distance of 123.39 feet to a point; Thence
2. S 15-05-06 W a distance of 294.87 feet to a point; Thence
3. S 12-13-21 W a distance of 200.25 feet to a point; Thence

4. S 15-05-06 W a distance of 453.78 feet to a point; Thence

5. S 15-52-44 E a distance of 35.97 feet to the point of beginning.

Containing 592,560 square feet or 13.6033 acres of land, gross area, be the same more or less.

(c) Form of partial removal and release.—Any legal instruments necessary to partially remove and release the restrictive use covenants shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania, provided that the portion of the restrictive use covenants relating to the benefit of the public at large may not be removed and released in such instruments.

(d) Costs.—Any costs and fees incidental to the partial removal and release of the restrictive use covenants shall be borne by the grantee.

(e) Proceeds.—Any proceeds received by the Department of General Services for the partial removal and release of the restrictive use covenants shall be deposited into the General Fund.

Section 14. Land within the Delaware River bed.

(a) Authorization.—The Commonwealth owns the lands within the bed of the Delaware River, a portion of which is located in the 5th Ward of the City of Philadelphia. Such lands located in the 5th Ward are commonly known as Premises A (an area immediately north of Pier No. 27 North), Pier No. 27 North, Pier No. 27.5 North, Pier No. 31 North, Pier No. 32 North, Pier No. 33 North, Pier No. 34 North and Pier No. 35 North, and referred to collectively as the "Properties," all of which are more fully described in subsection (b).

(b) Property description.—The land to be leased is more particularly described as follows:

PREMISES "A"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon. SITUATE in the 5th Ward of the City of Philadelphia and described according to a Site Plan (FF-1080 / 2012-309) made by Herman P. Ledger, P.L.S., Surveyor and Regulator of the Fifth Survey District, dated January 29, 2013:

BEGINNING at the point on the easterly side of Christopher Columbus Boulevard (On City Plan, 150' wide, Legally Open). Said point being located the following two courses and distances southwardly from the intersection of the easterly side of Delaware Avenue (On City Plan, 150' wide, Legally Open) with the southeasterly side of Penn Street (On City Plan, 60' wide, Legally Open);

1.) S.18°17'00"W along the said Delaware Avenue, and then continuing along the said easterly side of Christopher Columbus Boulevard the distance of 862.843' to a point of intersection of the said easterly side of Delaware Avenue with the southeasterly side of Penn Street (On City Plan, 60' wide, Legally Open);

2.) S.15°16'00"W along the said Christopher Columbus Boulevard, the distance of 216.875 to an angle point;

THENCE extending S.74°44'00"E. and partly crossing the Bulkhead Line Established 1/5/1894, Approved by the Secretary Of War 9/10/1940 the

distance of 553.380' to a point on the Pierhead Line Established 1/20/1891, and Approved by the Secretary Of War 9/10/1940;
THENCE extending S.29°05'21"W along the said Pierhead Line the distance of 159.031' to a point;

THENCE extending N.73°55'50"W. and partly crossing the said Bulkhead Line the distance of 515.436' to a point on the said easterly side of Christopher Columbus Boulevard (On City Plan, 150' wide, Legally Open);
THENCE extending N.15°16'00"E. along the said easterly side of Christopher Columbus Boulevard the distance of 147.204' to a point, being the first mentioned point and place of beginning;

Being Known As: Premises "A" on the above mentioned plan.

AREA OF PARCEL: 80,661 Square Feet 1.85173 Acres.

PREMISES "B"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon. SITUATE in the 5th Ward of the City of Philadelphia and described according to a Site Plan (FF-1080 / 2012-309) made by Herman P. Ledger, P.L.S., Surveyor and Regulator of the Fifth Survey District, dated January 29, 2013:

BEGINNING at the point on the easterly side of Christopher Columbus Boulevard (On City Plan, 150' wide, Legally Open) at a distance of 800.531' southwardly from the intersection of the easterly side of Delaware Avenue (On City Plan, 150' wide, Legally Open) with the southeasterly side of Penn Street (On City Plan, 60' wide, Legally Open);

THENCE extending S.71°40'00"E. and partly crossing the Bulkhead Line Established 1/5/1894, Approved by the Secretary Of War 9/10/1940 the distance of 611.597' to a point on the Pierhead Line Established 1/20/1891, and Approved by the Secretary Of War 9/10/1940;

THENCE extending S.29°05'21"W along the said Pierhead Line the distance of 253.729' to a point;

THENCE extending N.74°44'00"W. and partly crossing the said Bulkhead Line the distance of 553.380' to a point on the said easterly side of Christopher Columbus Boulevard;

THENCE extending N.15°16'00"E. along the said easterly side of Christopher Columbus Boulevard the distance of 216.875' to an angle point;

THENCE extending N.18°17'00"E. along the said easterly side of Christopher Columbus Boulevard the distance of 62.312' to a point, being the first mentioned point and place of beginning;

Being Known As: Pier #27 on the above mentioned plan.

AREA OF PARCEL: 153,806 Square Feet 3.53092 Acres.

PREMISES "C"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon. SITUATE in the 5th Ward of the City of Philadelphia and described according to a Site Plan (FF-1080 / 2012-309) made by Herman P. Ledger, P.L.S., Surveyor and Regulator of the Fifth Survey District, dated January 29, 2013:

BEGINNING at the point on the easterly side of Christopher Columbus Boulevard (On City Plan, 150' wide, Legally Open) at a distance of 676.448' southwardly from the intersection of the easterly side of Delaware Avenue (On City Plan, 150' wide, Legally Open) with the southeasterly side of Penn Street (On City Plan, 60' wide, Legally Open);

THENCE extending S.71°40'00"E. and partly crossing the Bulkhead Line Established 1/5/1894, Approved by the Secretary Of War 9/10/1940 the distance of 635.267' to a point on the Pierhead Line Established 1/20/1891, and Approved by the Secretary Of War 9/10/1940;

THENCE extending S.29°05'21"W along the said Pierhead Line the distance of 126.302' to a point;

THENCE extending N.71°40'00"W. and partly crossing the said Bulkhead Line the distance of 611.597' to a point on the said easterly side of Christopher Columbus Boulevard;

THENCE extending N.18°17'00"E. along the said easterly side of Christopher Columbus Boulevard the distance of 124.083' to a point, being the first mentioned point and place of beginning;

Being Known As: Pier #27 1/2 on the above mentioned plan.

AREA OF PARCEL: 77,357 Square Feet 1.77589 Acres.

PREMISES "D"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon. SITUATE in the 5th Ward of the City of Philadelphia and described according to a Site Plan (FF-1080 / 2012-309) made by Herman P. Ledger, P.L.S., Surveyor and Regulator of the Fifth Survey District, dated January 29, 2013:

BEGINNING at the point on the easterly side of Delaware Avenue (On City Plan, 150' wide, Legally Open) at a distance of 513.552' southwardly from the intersection of the said easterly side of Delaware Avenue with the southeasterly side of Penn Street (On City Plan, 60' wide, Legally Open);

THENCE extending S.71°40'00"E. and partly crossing the Bulkhead Line Established 1/5/1894, Approved by the Secretary Of War 9/10/1940 the distance of 666.362' to a point on the Pierhead Line Established 1/20/1891, and Approved by the Secretary Of War 9/10/1940;

THENCE extending S.29°05'21"W along the said Pierhead Line the distance of 165.809' to a point;

THENCE extending N.71°40'00"W. and partly crossing the said Bulkhead Line the distance of 635.267' to a point on the easterly side of Christopher Columbus Boulevard (On City Plan, 150' wide, Legally Open);

THENCE extending N.18°17'00"E. partly along the said easterly side of Christopher Columbus Boulevard and, also partly along the said easterly side of Delaware Avenue the distance of 162.896' to a point, being the first mentioned point and place of beginning;

Being Known As: Pier #31 on the above mentioned plan.

AREA OF PARCEL: 106,015 Square Feet 2.43378 Acres.

PREMISES "E"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon. SITUATE in the 5th Ward of the City of Philadelphia and described according to a Site Plan (FF-1080 / 2012-309) made by Herman P. Ledger, P.L.S., Surveyor and Regulator of the Fifth Survey District, dated January 29, 2013:

BEGINNING at the point on the easterly side of Delaware Avenue (On City Plan, 150' wide, Legally Open) at a distance of 448.614' southwardly from the intersection of the said easterly side of Delaware Avenue with the southeasterly side of Penn Street (On City Plan, 60' wide, Legally Open);

THENCE extending S.71°40'00"E. and partly crossing the Bulkhead Line Established 1/5/1894, Approved by the Secretary Of War 9/10/1940 the distance of 678.754' to a point on the Pierhead Line Established 1/20/1891, and Approved by the Secretary Of War 9/10/1940;

THENCE extending S.29°05'21"W along the said Pierhead Line the distance of 66.099' to a point;

THENCE extending N.71°40'00"W. and partly crossing the said Bulkhead Line the distance of 666.362' to a point on the said easterly side of Delaware Avenue;

THENCE extending N.18°17'00"E. along the said easterly side of Delaware Avenue the distance of 64.938' to a point, being the first mentioned point and place of beginning;

Being Known As: Pier #32 on the above mentioned plan.

AREA OF PARCEL: 43,674 Square Feet 1.00263 Acres.

PREMISES "F"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon. SITUATE in the 5th Ward of the City of Philadelphia and described according to a Site Plan (FF-1080 / 2012-309) made by Herman P. Ledger, P.L.S., Surveyor and Regulator of the Fifth Survey District, dated January 29, 2013:

BEGINNING at the point on the easterly side of Delaware Avenue (On City Plan, 150' wide, Legally Open) at a distance of 328.281' southwardly from the intersection of the said easterly side of Delaware Avenue with the southeasterly side of Penn Street (On City Plan, 60' wide, Legally Open);

THENCE extending S.71°40'00"E. and partly crossing the Bulkhead Line Established 1/5/1894, Approved by the Secretary Of War 9/10/1940 the distance of 701.718' to a point on the Pierhead Line Established 1/20/1891, and Approved by the Secretary Of War 9/10/1940;

THENCE extending S.29°05'21"W along the said Pierhead Line the distance of 122.485' to a point;

THENCE extending N.71°40'00"W. and partly crossing the said Bulkhead Line the distance of 678.754' to a point on the said easterly side of Delaware Avenue;

THENCE extending N.18°17'00"E. along the said easterly side of Delaware Avenue the distance of 120.333' to a point, being the first mentioned point and place of beginning;

Being Known As: Pier #33 on the above mentioned plan.
AREA OF PARCEL: 83,058 Square Feet 1.90675 Acres.

PREMISES "G"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon. SITUATE in the 5th Ward of the City of Philadelphia and described according to a Site Plan (FF-1080 / 2012-309) made by Herman P. Ledger, P.L.S., Surveyor and Regulator of the Fifth Survey District, dated January 29, 2013:

BEGINNING at the point on the easterly side of Delaware Avenue (On City Plan, 150' wide, Legally Open) at a distance of 241.239' southwardly from the intersection of the said easterly side of Delaware Avenue with the southeasterly side of Penn Street (On City Plan, 60' wide, Legally Open);

THENCE extending S.71°40'00"E. and partly crossing the Bulkhead Line Established 1/5/1894, Approved by the Secretary Of War 9/10/1940 the distance of 718.328' to a point on the Pierhead Line Established 1/20/1891, and Approved by the Secretary Of War 9/10/1940;

THENCE extending S.29°05'21"W along the said Pierhead Line the distance of 88.599' to a point;

THENCE extending N.71°40'00"W. and partly crossing the said Bulkhead Line the distance of 701.718' to a point on the said easterly side of Delaware Avenue;

THENCE extending N.18°17'00"E. along the said easterly side of Delaware Avenue the distance of 87.042' to a point, being the first mentioned point and place of beginning;

Being Known As: Pier #34 on the above mentioned plan.

AREA OF PARCEL: 61,801 Square Feet 1.41877 Acres.

PREMISES "H"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon. SITUATE in the 5th Ward of the City of Philadelphia and described according to a Site Plan (FF-1080 / 2012-309) made by Herman P. Ledger, P.L.S., Surveyor and Regulator of the Fifth Survey District, dated January 29, 2013:

BEGINNING at the point on the easterly side of Delaware Avenue (On City Plan, 150' wide, Legally Open) at a distance of 118.562' southwardly from the intersection of the said easterly side of Delaware Avenue with the southeasterly side of Penn Street (On City Plan, 60' wide, Legally Open);

THENCE extending S.71°40'00"E. and partly crossing the Bulkhead Line Established 1/5/1894, Approved by the Secretary Of War 9/10/1940 the distance of 741.739' to a point on the Pierhead Line Established 1/20/1891, and Approved by the Secretary Of War 9/10/1940;

THENCE extending S.29°05'21"W along the said Pierhead Line the distance of 124.871' to a point;

THENCE extending N.71°40'00"W. and partly crossing the said Bulkhead Line the distance of 718.328' to a point on the said easterly side of Delaware Avenue;

THENCE extending N.18°17'00"E. along the said easterly side of Delaware Avenue the distance of 122.677' to a point, being the first mentioned point and place of beginning;

Being Known As: Pier #35 on the above mentioned plan.

AREA OF PARCEL: 89,588 Square Feet 2.05597 Acres.

(c) Lease agreement.—The Department of General Services, with the approval of the Attorney General and the concurrence of the Department of Environmental Protection, acting on behalf of the Commonwealth, is hereby authorized to enter into a lease of the Properties to the City of Philadelphia (the "Lease") for a term of 99 years, with an option in favor of the City of Philadelphia to extend such term for all or any portion of the Properties for up to 99 years. The Lease shall provide rent payable to the Commonwealth upon the execution of the Lease, in an amount to be determined by the Secretary of General Services, and shall include such other terms and conditions as the Department of General Services shall establish, with the concurrence of the Department of Environmental Protection. The Lease shall grant the City of Philadelphia the right to sublease, and to permit the further subsubleasing, subsubsubleasing and so on, of all or any portion of the Properties for Maritime Purposes and/or for residential, office, commercial, condominium, hotel, marina or other public uses. As used in this section, the term "Maritime Purposes" means activities directly related to the handling of cargo or passengers for import or export through the Port of Philadelphia.

(d) Nondisturbance agreement.—The Department of General Services, with the concurrence of the Department of Environmental Protection, acting on behalf of the Commonwealth, is hereby authorized to enter into one or more nondisturbance agreements with any sublessee of all or any portion of the Properties pursuant to which the Commonwealth will agree that, if the Commonwealth succeeds to the interest of the sublessor under such sublessee's sublease, the Commonwealth will not terminate such sublease unless the sublessee is in default.

(e) Improvements.—The Department of General Services, with the approval of the Attorney General, is hereby authorized to permit, on behalf of the Commonwealth, any declaration or other documents necessary to submit the Properties or any portion thereof and any improvements thereon to the provisions of 68 Pa.C.S. Pt. II Subpt. B (relating to condominiums) as a leasehold condominium. Development of the parcels authorized to be leased in this section shall be consistent with public and Maritime Purposes.

(f) Free public access.—

(1) The City of Philadelphia, all sublessees and their respective successors and assigns shall provide and maintain at least the following free public access to the riverfront for recreation activities:

(i) Public walkways on the riverfront, including water edge promenades along the entire water edge of the Properties and adjacent to the water and providing free public access to the water and allowing for passive and active recreational activities year round.

(ii) A free public park area along the public walkway near the water.

(iii) Public parking. A minimum of ten free public parking spaces available at all times located proximate to the public walkway near the water edge and signage indicating the free public parking.

(iv) Public access to the Delaware River which is consistent with the Waterfront Setback requirements set forth in Section 14-216(6)(g) of the Philadelphia Code (enacted into law by an Ordinance enacting Bill No. 050465, passed by the City Council on June 16, 2005, and signed by the Mayor on July 8, 2005).

(2) Should the lessee, any sublessee or any of their respective successors or assigns wish to modify the public access and parking required by this section, the lessee, sublessee or the respective successor or assign must obtain the prior written approval of the Department of Environmental Protection and the Department of General Services, which approval shall not be unreasonably withheld. The public access and parking shall be completed and open to the public no later than the date the first tenant or resident occupies either the leasehold or the land adjacent to the leasehold.

(g) Land use restriction.—All leases authorized or referred to under this section shall be made under and subject to the condition, which shall be contained in the lease documents, that no portion of the parcels 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 the laws of this Commonwealth. This condition shall be a covenant running with the land and shall be binding upon the lessee and sublessees and their respective successors and assigns. Should any portion of any parcel authorized to be leased under this section be used in violation of this subsection, the lease shall terminate immediately.

(h) Other required measures.—Nothing in this section shall affect or otherwise limit the requirements of the provisions of the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act, which may require further measures to provide for public access and use of the land and adjacent water.

(i) Conditions binding.—The conditions imposed under this section shall be covenants that run with the land and shall be binding upon the lessee, any sublessee and their respective successors and assigns. Should the lessee, any sublessee or any of their respective successors or assigns permit the parcels authorized to be leased under this section, or any portion thereof, to be used in a manner inconsistent with the conditions contained in this section, all rights and interests in the lease authorized by this section shall terminate immediately.

(j) Costs and fees.—Costs and fees incidental to the lease authorized by this section shall be borne by the lessee.

(k) Expiration.—In the event that the lease authorized by this section does not occur within three years following the effective date of this section, the authority contained in this section shall be void.

Section 15. Effective date.

This act shall take effect as follows:

- (1) Sections 8, 9 and 10 shall take effect in 60 days.
- (2) The remainder of this act shall take effect immediately.

APPROVED—The 2nd day of July, A.D. 2014

TOM CORBETT