

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1190 Session of 2020

INTRODUCED BY HUTCHINSON, JUNE 5, 2020

SENATOR DiSANTO, STATE GOVERNMENT, AS AMENDED, SEPTEMBER 8, 2020

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Department of Human Services and the
3 Governor, to grant and convey to Bollinger Enterprises, Inc.,
4 certain lands situate in Conewango Township, Warren County.

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

7 Section 1. Conveyance in Conewango Township, Warren County.

8 (a) Authorization.--The Department of General Services, with
9 the approval of the Department of Human Services and the
10 Governor, is authorized on behalf of the Commonwealth of
11 Pennsylvania to grant and convey, at a purchase price of \$1 <--
12 UNDER TERMS, CONDITIONS AND FOR CONSIDERATION SPECIFIED IN THE <--
13 AGREEMENT OF SALE, DATED AUGUST 7, 2020, the following tract of
14 land together with any buildings, structures or improvements
15 thereon, situate in Conewango Township, Warren County.

16 (b) Property description.--The property to be conveyed
17 pursuant to this section consists of one tract known as "Lot 2"
18 of approximately 3.16 acres of land and improvements located
19 thereon, to be subdivided from the residual lands of Warren

1 State Hospital known as Parcel I.D. WN-5-461, located in the
2 Township of Conewango, Warren County, being preliminarily
3 bounded and described as follows:

4 ALL THAT CERTAIN Piece or Parcel of Land situate in the
5 Township of Conewango, County of Warren and Commonwealth of
6 Pennsylvania, described as follows:

7 BEGINNING at a pipe, said pipe being situate at the
8 intersection of the northerly right of way for North State
9 Street, and the northerly right of way for Maple Leaf Place;

10 THENCE N 37°33'49" W along the northerly right of way for
11 North State Street, the lands of Michael and Meghann Chapman,
12 Gary and Dixie Burmagin and William Haskins and Nicole Genis a
13 distance of 252.12' to a point, said point being the southerly
14 most corner of Lot 2 and the easterly most corner of William
15 Haskins and Nicole Genis, being the Point of Beginning;

16 THENCE N 53°00'00" W along the westerly line of Lot 2 and the
17 easterly line of William and Nicole Genis, a distance of 172.49'
18 to a point;

19 THENCE continuing N 53°00'00" W along the westerly line of
20 Lot 2 and the easterly line of Darren Laih, a distance of 90.79'
21 to a rebar, said rebar being the westerly most corner of Lot 2;

22 THENCE N 37°00'00" E severing the lands of the Grantors, a
23 distance of 510.00' to a rebar, said rebar being the northerly
24 most corner of Lot 2;

25 THENCE S 53°00'00" E continuing to sever the lands of the
26 Grantor, passing a rebar at 275.22' a total distance of 275.72'
27 to a point, said point being situate on the northerly right of
28 way of North State Street, being the easterly most corner of Lot
29 2;

30 THENCE S 38°23'50" W along the northerly right of way of

1 North State Street, a distance of 510.15' to a point, said point
2 being the southerly most corner of Lot 2, a common corner with
3 William Haskins and Nicole Genis which is the point of
4 beginning, having an area of 137445.40 square feet, or 3.16
5 acres.

6 Being Lot 2 on a preliminary version of a plan entitled
7 "Minor Subdivision of Land for the Warren State Hospital,"
8 prepared by Hampson Surveying, dated November 18, 2019.

9 The actual description for the property to be conveyed shall
10 be determined based upon a final nonappealable subdivision plan
11 that has been approved in accordance with applicable law.

12 (c) Subdivision plan.--No conveyance shall be made under
13 this section until Bollinger Enterprises, Inc., has provided the
14 Department of General Services with a final, nonappealable
15 subdivision plan approved in accordance with applicable law.

16 (d) Condition.--Any conveyance authorized under this section
17 shall be made under and subject to the condition, which shall be
18 contained in the deed of conveyance, that no portion of the
19 property conveyed shall be used as a licensed facility, as
20 defined in 4 Pa.C.S. § 1103 (relating to definitions), or any
21 other similar type of facility authorized under State law. The
22 condition shall be a covenant running with the land and shall be
23 binding upon the grantee, its successors and assigns. Should the
24 grantee, its successors or assigns, permit any portion of the
25 property authorized to be conveyed in this section to be used in
26 violation of this subsection, the title shall immediately revert
27 to and revest in the grantor.

28 (e) Restriction.--The conveyance shall be made under and
29 subject to all lawful and enforceable easements, servitudes and
30 rights of others, including, but not confined to, streets,

1 roadways and rights of any telephone, telegraph, water,
2 electric, gas or pipeline companies, as well as under and
3 subject to any lawful and enforceable estates or tenancies
4 vested in third persons appearing of record, for any portion of
5 the land or improvements erected thereon.

6 (f) Deed of conveyance.--The deed of conveyance shall be by
7 Special Warranty Deed and shall be executed by the Secretary of
8 General Services in the name of the Commonwealth of
9 Pennsylvania.

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

12 (h) Alternate disposition.--In the event that this
13 conveyance is not executed ~~within five years after the effective~~ <--
14 ~~date of this section~~ IN ACCORDANCE WITH THE AGREEMENT OF SALE IN <--
15 SECTION 1, the property may be disposed of in accordance with
16 section 2405-A of the act of April 9, 1929 (P.L.177, No.175),
17 known as The Administrative Code of 1929.

18 Section 2. Effective date.

19 This act shall take effect immediately.