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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2513 Session of  
2022

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INTRODUCED BY KINKEAD, APRIL 13, 2022

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 13, 2022

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AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Department of Corrections and the Governor,  
3 to grant and convey to John Bradley Wimer certain lands,  
4 buildings and improvements situate in the City of Pittsburgh,  
5 Allegheny County.

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

8 Section 1. Conveyance in City of Pittsburgh, Allegheny County.

9 (a) Authorization.--The Department of General Services, with  
10 the approval of the Department of Corrections and the Governor,  
11 is hereby authorized on behalf of the Commonwealth of  
12 Pennsylvania to grant and convey the following tracts of land,  
13 together with any buildings, structures or improvements thereon,  
14 situate in the City of Pittsburgh, Allegheny County, to John  
15 Bradley Wimer for \$140,000, under terms and conditions to be  
16 established in an agreement of sale.

17 (b) Property description.--The property to be conveyed  
18 pursuant to subsection (a) consists of two tracts totaling  
19 approximately 0.16 acre of land, including all buildings,  
20 structures and improvements located thereon, more particularly

1 described as follows:

2 ALL THOSE CERTAIN LOTS OR PIECES OF GROUND situate in the  
3 27<sup>th</sup> Ward of the City of Pittsburgh (formerly 11<sup>th</sup> Ward of the  
4 City of Allegheny), County of Allegheny, and Commonwealth of  
5 Pennsylvania, being part of Lot No. 20 in Michael Geyer Heirs  
6 Plan No. 2, as the same is recorded in the Recorder's Office of  
7 Allegheny County in Plan Book Volume 19, page 177, being bounded  
8 and described as follows, to wit:

9 BEGINNING at a point on the Westerly side of Shadeland  
10 (formerly Geyer) Avenue at the dividing line between Lots Nos.  
11 21 and 20 in said plan; thence along said Westerly side of  
12 Shadeland Avenue, South 8 degrees 15 minutes East, a distance of  
13 49.0 feet to a point; thence South 81 degrees 45 minutes West,  
14 and parallel with the dividing line between said Lots Nos. 21  
15 and 20, a distance of 125 feet to a point; thence North 6  
16 degrees 15 minutes West and parallel with said Shadeland Avenue,  
17 a distance of 49.0 feet to the dividing line between Lots Nos.  
18 21 and 20 in said Plan; and thence North 81 degrees 45 minutes  
19 East, along the dividing line between Lots Nos. 21 and 20, a  
20 distance of 125 feet to the place of beginning.

21 BEGINNING at a point at the intersection of Lots Nos. 2, 3, 20  
22 and 21 in said Plan said point being distant 142.5 feet  
23 Eastwardly measured along the dividing line between Lots Nos. 2  
24 and 3 in said plan from the Easterly side of McClure Avenue;  
25 thence along the dividing line between Lots Nos. 20 and 21 in  
26 said plan; Eastwardly, 17.5 feet to line of land of Lenore  
27 Schwerd Getty; thence along said land, Southwardly, 49.0 feet  
28 to line of land of Irene Schwerd Fisher; thence along said  
29 land, parallel with the dividing line between Lots Nos. 20 and  
30 21 in said Plan, Westwardly 17.5 feet to the dividing line

1 between Lots Nos. 3 and 20 in said Plan; thence along said  
2 dividing line, Northwardly, 49.0 feet to the place of beginning.

3 THE above two described parcels together make a lot 49 feet,  
4 more or less, fronting on the Westerly side of Shadeland Avenue  
5 and extending back therefrom a uniform width of 49 feet to a  
6 uniform depth of 142.5 feet, and having erected thereon a two  
7 and one-half story brick building on the Easterly portion and a  
8 stucco garage on the Westerly portion thereof, said lot in its  
9 entirety being designated as Block No. 75-D, Lot No. 136 in the  
10 Allegheny County Deed Registry records.

11 Under and subject to a driveway agreement of an entire width  
12 totaling 7 ½ feet with its center line being the boundary line  
13 of the South side of the lot herein conveyed and the North side  
14 or boundary of land now or formerly owned by I.S. Fisher, as  
15 provided in the said agreement between Irene Schwerd Fisher,  
16 widow, and Lenora Schwerd Getty, also known as Lenore Schwerd  
17 Getty, widow, dated March 15, 1947, and recorded in Allegheny  
18 County Deed Book Volume 2949, at Page 69.

19 Being the same premises conveyed by James J. Carson, a single  
20 man, and Margaret Hall-Owens Carson, widow, to the Commonwealth  
21 of Pennsylvania by deed dated June 2, 1952 and recorded at the  
22 Office of the Recorder of Deeds of Allegheny County at Deed Book  
23 Volume 3172, Page 709.

24 BEING Tax Parcel No. 75-D-136.

25 (c) Existing encumbrances.--The conveyance shall be made  
26 under and subject to all lawful and enforceable easements,  
27 servitudes and rights of others, including, but not confined to,  
28 streets, roadways and rights of any telephone, telegraph, water,  
29 electric, gas or pipeline companies, as well as under and  
30 subject to any lawful and enforceable estates or tenancies

1 vested in third persons appearing of record, for any portion of  
2 the land or improvements erected thereon.

3 (d) Gaming restriction.--Any conveyance authorized under  
4 this section shall be made under and subject to the condition,  
5 which shall be contained in the deed of conveyance, that no  
6 portion of the property conveyed shall be used as a licensed  
7 facility, as defined in 4 Pa.C.S. § 1103 (relating to  
8 definitions), or any other similar type of facility authorized  
9 under State law. The condition shall be a covenant running with  
10 the land and shall be binding upon the grantee and its  
11 successors and assigns. Should the grantee, its successors or  
12 assigns, permit any portion of the property authorized to be  
13 conveyed in this section to be used in violation of this  
14 subsection, the title shall immediately revert to and revest in  
15 the grantor.

16 (e) Deed.--The conveyance shall be by special warranty deed  
17 to be executed by the Secretary of General Services in the name  
18 of the Commonwealth of Pennsylvania.

19 (f) Covenants, conditions and restrictions.--The Secretary  
20 of General Services may impose any covenants, conditions or  
21 restrictions on the property described in subsection (b) at  
22 settlement as determined to be in the best interests of the  
23 Commonwealth.

24 (g) Alternate disposition.--In the event that the conveyance  
25 authorized herein is not completed within one year after the  
26 effective date of this section, the authority to convey the  
27 property to John Bradley Wimer as set forth in subsection (a)  
28 shall expire, and the property may be disposed of in accordance  
29 with section 2405-A of the act of April 9, 1929 (P.L.177,  
30 No.175), known as The Administrative Code of 1929.

1       (h) Proceeds.--The proceeds from the sale shall be deposited  
2 into the General Fund.  
3 Section 2. Effective date.  
4       This act shall take effect immediately.