
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1252 Session of
2014

INTRODUCED BY FERLO, FEBRUARY 28, 2014

REFERRED TO STATE GOVERNMENT, FEBRUARY 28, 2014

AN ACT

1 Authorizing the Department of Transportation, with the approval
2 of the Governor, to grant and convey to East Liberty
3 Development Corporation certain lands and improvements
4 situate in the City of Pittsburgh, Allegheny County.

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

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

8 (a) Authorization.--The Department of Transportation, with
9 the approval of the Governor, is hereby authorized on behalf of
10 the Commonwealth of Pennsylvania to grant and convey to East
11 Liberty Development Corporation certain lands and improvements
12 situate in the City of Pittsburgh, Allegheny County, as
13 described in subsection (b), for fair market value based on an
14 appraisal and under terms and conditions to be established in an
15 Agreement of Sale.

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

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

6 Beginning at a point on the westerly right of way line of
7 Penn Circle East, where the same is intersected by the northerly
8 line of Penn Avenue, a 100 foot public right of way, said point
9 also being the southeast corner of lands now or formerly of
10 Stanley S. Chen, thence along the westerly right of way line of
11 Penn Circle East North 26 degrees 11 minutes 00 seconds East for
12 a distance of 144.96 feet to a point on the southerly line of
13 Kirkwood Street, a 40 foot public right of way; thence by a line
14 through Penn Circle East for the following seven courses and
15 distances: First- South 63 degrees 40 minutes 40 seconds East
16 for a distance of 15.75 feet; Second - South 26 degrees 11
17 minutes 00 seconds West for a distance of 22.00 feet; Third -
18 North 63 degrees 49 minutes 00 seconds West for a distance of
19 1.00 feet; Fourth - South 26 degrees 42 minutes 40 Seconds West
20 for a distance of 97.41 feet; Fifth - South 30 degrees 39
21 minutes 30 seconds West for a distance of 20.06 feet; Sixth - by
22 the arc of a circle curving to the right with a radius of 6.00
23 feet for an arc distance of 8.97 feet; Seventh - North 63
24 degrees 40 minutes 40 seconds West for a distance of 6.29 feet
25 to a point, said point being the intersection of the westerly
26 right of way line of Penn Circle East and the northerly line of
27 Penn Avenue, the place of beginning.

28 (c) Easements.--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 and

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

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

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

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

25 Section 2. Effective date.

26 This act shall take effect immediately.