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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 1328 Session of  
2022

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INTRODUCED BY BROWNE, SEPTEMBER 13, 2022

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REFERRED TO STATE GOVERNMENT, SEPTEMBER 13, 2022

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AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to grant and convey to City Center  
3 Investment Corp., certain lands situate in the City of  
4 Allentown and the City of Bethlehem, Lehigh County; and  
5 making a related repeal.

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

8 Section 1. Conveyance in the City of Allentown and the City of  
9 Bethlehem, Lehigh County.

10 (a) Authorization.--The Department of General Services, with  
11 the approval of the Governor, is hereby authorized and directed  
12 on behalf of the Commonwealth of Pennsylvania to grant and  
13 convey, for \$5,500,000, the following tracts of land together  
14 with any buildings, structures or improvements thereon, situate  
15 in the City of Allentown and the City of Bethlehem, Lehigh  
16 County, to City Center Investment Corp.

17 (b) Property description.--The property to be conveyed  
18 pursuant to subsection (a) consists of approximately 195.167  
19 acres of land and improvements located thereon, bounded and more  
20 particularly described as follows:

1 LOT #1

2 ALL THAT CERTAIN LOT OR PIECE OF GROUND situate in the City  
3 of Allentown and City of Bethlehem, Lehigh County, bounded and  
4 described as follows, to wit:

5 BEGINNING at a concrete monument found on the South side of  
6 Hanover Avenue said point being at the Northeast Corner of the  
7 lands of N/F 1514 Inc., thence FROM THE PLACE OF BEGINNING along  
8 the South line of Hanover Avenue the following courses and  
9 distances:

10 (1) S 55°31'17" E for a distance of 511.16' to a point,  
11 thence

12 (2) Along a curve to the Right having a Delta Angle of  
13 5°45'00", a radius of 957.11' for an arc length of 96.05' to a  
14 point, thence

15 (3) N 61°16'18" E for a distance of 5.96' to a point, thence

16 (4) Along a curve to the Left having a Delta Angle of  
17 5°47'00", a radius of 1034.11' for an arc length of 104.38' to a  
18 point, thence

19 (5) N 55°29'17" E for a distance of 45.13' to the Northwest  
20 corner of Hanover Avenue and North Quebec Street; thence along

21 the West line North Quebec Street S 7°57'43" E for a distance of  
22 553.45' to a point at the Southwest corner of North Quebec

23 Street and East Allen Street; thence along the South line of

24 East Allen Street N 81°23'17" E for a distance of 678.83' to an  
25 iron pin set at the Northwest corner of Lot #2;

26 Thence along Lot #2 the following course and distances:

27 (1) S 27°11'30" E for a distance of 1032.47' to an iron pin  
28 set; thence

29 (2) S 55°10'20" W for a distance of 243.03' to an iron pin  
30 set; thence

1 (3) S 34°49'40" E for a distance of 160.00' to an iron pin  
2 set; thence

3 (4) N 54°56'04" E for a distance of 603.06' to an iron pin  
4 set; thence

5 (5) N 43°48'06" E for a distance of 727.05' to an iron pin  
6 set; thence

7 (6) N 72°56'55" E for a distance of 285.07' to an iron pin  
8 set; thence

9 (7) N 76°19'04" E for a distance of 378.08' to an iron pin  
10 set on the City of Allentown and the City of Bethlehem line;  
11 thence

12 (8) Along the City of Allentown and the City of Bethlehem  
13 line N 6°55'39" W for a distance of 413.29' to an iron pin set;  
14 thence along the lands of N/F Bruce Loch and James Burkos, N/F  
15 A-town Development Company, and N/F Raymond Perez, N 82°59'59" E  
16 for a distance of 396.87' to a point; thence along the lands of  
17 N/F Raymond Perez, the South line of Grandview Boulevard, and  
18 N/F Geraldine P. Holzinger N 81°45'17" E for a distance of  
19 396.71' to a concrete monument found; thence along the lands of  
20 PA Lines LCC S 8°31'43" E for a distance of 469.16' to a point  
21 on the North line of Central Boulevard;

22 Thence along the North line of Central Boulevard the  
23 following courses and distances:

24 (1) Along a curve to the Right having a Delta Angle of  
25 30°53'14", a radius of 798.97' for an arc length of 430.71' to a  
26 point, thence

27 (2) S 75°44'07" W for a distance of 205.24' to a point,  
28 thence

29 (3) S 66°28'27" W for a distance of 232.14' to a point,  
30 Thence along the North line of River Drive the following

1 courses and distances:

2 (1) S 69°08'28" W for a distance of 282.83' to a point;

3 thence

4 (2) S 54°30'17" W for a distance of 507.39' to a point;

5 thence

6 (3) S 50°28'17" W for a distance of 411.58' to a point;

7 thence

8 (4) S 56°43'17" W for a distance of 384.03' to a point;

9 thence

10 (5) Along a curve to the Left having a Delta Angle of  
11 39°02'00", a radius of 256.69' for an arc length of 174.87' to a  
12 point, thence

13 (6) S 17°41'17" W for a distance of 83.85' to a point;

14 thence

15 (7) Along a curve to the Right having a Delta Angle of  
16 8°00'03", a radius of 346.78' for an arc length of 48.47' to a  
17 point,

18 Thence along the lands of N/F Norfolk Southern the following  
19 courses and distances:

20 (1) S 39°24'36" W for a distance of 139.28' to a concrete  
21 monument found; thence

22 (2) S 49°14'43" E for a distance of 6.14' to a point on the  
23 North line of River Drive;

24 Thence along the North line of River Drive the following  
25 courses and distances:

26 (1) S 44°33'17" W for a distance of 159.40' to a point;  
27 thence

28 (2) Along a curve to the Left having a Delta Angle of  
29 14°07'00", a radius of 541.84' for an arc length of 133.50' to a  
30 point, thence

1 (3) S 30°26'17" W for a distance of 799.21' to a point;

2 thence

3 (4) Along a curve to the Right having a Delta Angle of  
4 18°38'50", a radius of 891.50' for an arc length of 290.14' to a

5 point, thence

6 (5) S 49°05'07" W for a distance of 392.66' to a point;

7 thence

8 (6) Along a curve to the Right having a Delta Angle of  
9 8°09'10", a radius of 536.50' for an arc length of 76.34' to a

10 point, thence

11 (7) S 57°14'17" W for a distance of 332.83' to a point;

12 thence

13 (8) Along a curve to the Right having a Delta Angle of  
14 10°36'40", a radius of 663.50' for an arc length of 122.88' to a

15 point, thence

16 (9) S 46°37'37" W for a distance of 729.66' to a point;

17 thence

18 (10) Along a curve to the Right having a Delta Angle of  
19 8°41'30", a radius of 536.50' for an arc length of 81.39' to a

20 point, thence

21 (11) S 55°19'07" W for a distance of 126.31' to a point at

22 the Southeast limit of unopened South Maxwell Street; thence

23 along East line of unopened South Maxwell Street N 7°40'54" W

24 for a distance of 1981.82' to a concrete monument found;

25 Thence along the lands of N/F the Community Services for

26 Children the following courses and distances:

27 (1) N 77°27'55" E for a distance of 343.59' to a point;

28 thence

29 (2) N 82°36'13" E for a distance of 264.92' to a point;

30 thence

1 (3) N 7°34'12" W for a distance of 48.78' to a point; thence  
2 (4) N 10°07'23" E for a distance of 18.41' to a point;  
3 thence  
4 (5) N 33°51'14" E for a distance of 77.17' to a point;  
5 thence  
6 (6) N 6°18'35" W for a distance of 41.34' to a point; thence  
7 (7) S 83°24'45" W for a distance of 56.39' to a point;  
8 thence  
9 (8) N 6°18'23" W for a distance of 35.42' to a point; thence  
10 (9) N 83°44'46" E for a distance of 56.41' to an iron pipe  
11 found; thence  
12 (10) N 6°16'03" W for a distance of 223.32' to a point;  
13 thence  
14 (11) S 83°06'05" W for a distance of 6.70' to a point;  
15 thence  
16 (12) N 7°22'55" W for a distance of 78.48' to an iron pipe  
17 found; thence  
18 (13) S 76°24'27" W for a distance of 46.07' to a point;  
19 thence  
20 (14) N 13°36'19" W for a distance of 35.10' to an iron pipe  
21 found; thence  
22 (15) N 76°12'08" E for a distance of 49.86' to an iron pipe  
23 found; thence  
24 (16) N 7°25'05" W for a distance of 258.86' to an iron pipe  
25 found; thence  
26 (17) S 83°23'26" W for a distance of 257.59' to a point;  
27 Thence along the lands of N/F Baldeu Raj SharmaTrust, the  
28 East limit of East Pine Street and N/F Richard C. Birch Sr. N  
29 1°54'54" W for a distance of 250.32' to a concrete monument  
30 found on the South line of East Gordon Street; thence along the

1 South line of East Gordon street N 82°02'47" E for a distance of  
2 319.05' to an iron pipe found at the Southeast corner of East  
3 Gordon North Oswego Streets; thence along the East line of North  
4 Oswego Street N 6°39'00" W for a distance of 8.01' to a point;  
5 thence along the lands of Kelly Brookhart and Mark MacNemara N  
6 81°51'17" E for a distance of 229.30' to a concrete monument  
7 found; thence along the lands of N/F Tina Rivera, N/F Karl &  
8 Ruth Schuster, N/F Dee Ann Diaz, N/F Timothy Koppenhaver, N/F  
9 David & Ruth Koppenhaver, N/F Eugene & Constance Fritz, N/F  
10 Miriam Estrella, N/F David & Helen Galbraith, N/F Gary & Kay  
11 Matsco, N/F Charles & Jacqueline Scherer, N/F Sharon Peters, N/F  
12 Jeremy Ingle, and the East Limit of East Clair Street N 8°17'43"  
13 W for a distance of 733.25' to a point, thence along the East  
14 line of 1514 Inc. N 34°22'50" W for a distance of 152.66' to the  
15 place of BEGINNING.

16 CONTAINING 165.846-Acres.

17 BEING shown as Lot #1 on the Final Minor Subdivision Plan of  
18 the Allentown State Hospital prepared by the City of Allentown  
19 Department of Public Works, Drawing #06-005, dated July 20,  
20 2007, last revised March 25, 2009.

21 LOT #2

22 ALL THAT CERTAIN LOT OR PIECE OF GROUND situate in the City  
23 of Allentown, Lehigh County, bounded and described as follows,  
24 to wit:

25 BEGINNING at an iron pin set on the south line of East Allen  
26 Street, said point being located North 81° 23' 17" East for a  
27 distance of 678.83 feet from the Southwest corner of North  
28 Quebec Street and the said point of BEGINNING being the  
29 Northwest corner of this described parcel; thence from the place  
30 of BEGINNING along the South line of East Allen Street and the

1 South Line of Oil Process Systems North 81° 23' 17" East for a  
2 distance of 531.03 feet to a concrete monument found; thence  
3 along the lands of Bruce Loch and James Burkos the following  
4 nine (9) courses and distances;

5 (1) South 43° 13' 28" East - 11.42 feet to a concrete  
6 monument found; thence

7 (2) South 80° 16' 15" West - 54.97 feet to an iron pin  
8 found; thence

9 (3) South 7° 57' 07" West - 61.34 feet to a concrete  
10 monument found; thence

11 (4) South 61° 19' 56" East - 163.09 feet to a concrete  
12 monument found; thence

13 (5) North 68° 57' 39" East - 177.92 feet to a concrete  
14 monument found; thence

15 (6) North 58° 25' 17" East - 238.88 feet to a concrete  
16 monument found; thence

17 (7) North 23° 18' 43" West - 36.00 feet to a concrete  
18 monument found; thence

19 (8) North 82° 58' 20" East - 987.96 feet to a concrete  
20 monument found; thence

21 (9) North 82° 59' 59" East - 1.43 feet to a point; thence  
22 along Lot #1, the residue lands of the Commonwealth of

23 Pennsylvania the following eight (8) courses and distances;

24 (1) South 6° 55' 39" East - 413.29 feet to a iron pin set;  
25 thence

26 (2) South 76° 19' 04" West - 378.08 feet to a iron pin set;  
27 thence

28 (3) South 72° 56' 55" West - 285.07 feet to a iron pin set;  
29 thence

30 (4) South 43° 48' 06" West - 727.05 feet to a iron pin;

1 thence

2 (5) South 54° 56' 04" West - 603.06 feet to a iron pin;

3 thence

4 (6) North 34° 49' 40" West - 160.00 feet to a iron pin set;

5 thence

6 (7) North 55° 10' 20" East - 243.03 feet to a iron pin set;

7 thence

8 (8) North 27° 11' 30" West - 1032.47 feet to the place of

9 BEGINNING.

10 CONTAINING 29.321-Acres.

11 BEING shown as Lot #2 on the Final Minor Subdivision Plan of  
12 the Allentown State Hospital prepared by the City of Allentown  
13 Department of Public Works, Drawing #06-005, dated July 20,  
14 2007, last revised March 25, 2009.

15 (c) Requirement for conveyance.--The conveyance shall be  
16 made under and subject to all lawful and enforceable easements,  
17 servitudes and rights of others, including, but not confined to,  
18 streets, roadways and rights of any telephone, telegraph, water,  
19 electric, gas or pipeline companies, as well as under and  
20 subject to any lawful and enforceable estates or tenancies  
21 vested in third persons appearing of record, for any portion of  
22 the land or improvements erected thereon.

23 (d) Gaming restriction.--Any conveyance authorized under  
24 this section shall be made under and subject to the condition,  
25 which shall be contained in the deed of conveyance, that no  
26 portion of the property conveyed shall be used as a licensed  
27 facility, as defined in 4 Pa.C.S. § 1103 (relating to  
28 definitions), or any other similar type of facility authorized  
29 under State law. The condition shall be a covenant running with  
30 the land and shall be binding upon the grantee, its successors

1 and assigns. Should the grantee, its successors or assigns  
2 permit any portion of the property authorized to be conveyed in  
3 this section to be used in violation of this subsection, the  
4 title shall immediately revert to and revest in the grantor.

5 (e) Covenants, conditions and restrictions.--The Secretary  
6 of General Services may impose any covenants, conditions,  
7 restrictions and reservations on the sale of the property as is  
8 deemed in the best interests of the Commonwealth of  
9 Pennsylvania.

10 (f) Easements.--The Secretary of General Services may grant  
11 or retain any easements necessary to effectuate this section.

12 (g) Deed of conveyance.--The deed of conveyance shall be by  
13 special warranty deed and shall be executed by the Secretary of  
14 General Services in the name of the Commonwealth of  
15 Pennsylvania.

16 (h) Costs and fees.--All costs and fees incurred by the  
17 Department of General Services shall be borne by the grantee.

18 (i) Alternate disposition.--In the event that the conveyance  
19 authorized under subsection (a) is not completed within two  
20 years of the effective date of this subsection, the authority to  
21 convey the property under this section shall expire and the  
22 property may be disposed of in accordance with section 2405-A of  
23 the act of April 9, 1929 (P.L.177, No.175), known as The  
24 Administrative Code of 1929.

25 Section 2. Repeals.

26 Repeals are as follows:

27 (1) The General Assembly declares that the repeal under  
28 paragraph (2) is necessary to effectuate section 1.

29 (2) The act of July 2, 2019 (P.L.428, No.71), entitled  
30 "An act authorizing and directing the Department of General

1 Services, with the approval of the Governor, to grant and  
2 convey certain lands and improvements situate in the City of  
3 Allentown and the City of Bethlehem, Lehigh County, through a  
4 competitive solicitation process; and making a related  
5 repeal," is repealed.

6 Section 3. Effective date.

7 This act shall take effect immediately.