

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

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**SENATE BILL****No. 1510** Session of  
2012

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INTRODUCED BY EARLL, MAY 2, 2012

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REFERRED TO STATE GOVERNMENT, MAY 2, 2012

## AN ACT

Authorizing the Department of General Services, with the approval of the Pennsylvania Historical and Museum Commission and the Governor, to grant and convey to the Erie Art Museum, certain lands situate in the City of Erie, Erie County.

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

Section 1. Conveyance in City of Erie, Erie County, known as Cashiers House.

(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 Erie Art Museum two tracts of land, including any improvements located thereon, the property being known locally as the Cashiers House, as described in subsection (b) for \$1.

(b) Property description.--The property to be conveyed pursuant to subsection (a) consists of approximately 0.15 acres, including any improvements located thereon, more particularly described as follows:

Parcel 1

ALL THAT CERTAIN parcel of land situate in the First Ward of the City of Erie, Erie County, bounded and described as follows:

COMMENCING at a distance of 152 ½ feet from the Southeast corner of Fourth and State Streets; thence along the East side of State Street, South 27 degrees East, 30 feet to a point; thence North 63 degrees East, 125 feet, more or less, to a brick wall, being the West face of wall of a building and the East Face of a building known as Woodruff Building herein conveyed; thence North 27 degrees West, 30 feet to a point in the South line of the property herein described; thence South 63 degrees West 125 feet, more or less, to the East line of State Street, the place of beginning.

BEING a part of In Lots Nos. 2585, 2586, 2587 and 2588.

Parcel 2

ALL THAT CERTAIN parcel of land situate in the First Ward of the City of Erie, Erie County, being part of In Lots Nos. 2587 and 2588, bounded and described as follows:

BEGINNING at a point 82 ½ feet South of the South line of Fourth Street in a line parallel with the East line of State Street, and situate 125 feet Eastwardly from the East line of said State Street; thence Eastwardly parallel with Fourth Street, 30 feet to the West line of an alley 10 feet wide; thence Southwardly along the West line of said alley and parallel with State Street 100 feet; thence Westwardly parallel with Fourth Street 30 feet; thence Northwardly parallel with State Street 100 feet to the place of BEGINNING.

BOTH PARCELS BEING the same lands conveyed to the General State Authority (predecessor to the Department of General Services) by deed from the First National Bank of Erie, Receiver of the Erie Drug Company, dated July 17, 1963, and recorded in

the Erie County Recorder of Deeds Office in Deed Book 879, Page 265.

(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) Deed restrictions.--Any conveyance authorized under this act 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 act to be used in violation of this subsection, the title shall immediately revert to and revest in the grantor.

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

"Under and Subject to the condition that the buildings and land conveyed herein shall be reasonably accessible to the general public and maintained and preserved according to the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, as revised in 1995. Should the grantee, its successors or assigns fail to

provide reasonable access to the general public, or fail to maintain and preserve the property as set forth herein, the title to the property will immediately revert to and revest in the grantor.

Furthermore, the grantee shall ensure that any design for new construction, rehabilitation, alteration or demolition work on the property is compatible with its original architectural design and landscape/site plan in terms of scale, massing, fenestration, materials and color, and is consistent with the recommended approaches in the Secretary of the Interior's *Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, as revised in 1995.

No new construction, demolition, alteration, remodeling or landscaping/site work shall be undertaken or permitted to be undertaken on the property without the prior, written approval of the Pennsylvania Historical and Museum Commission, or its successor, and signed by a duly authorized representative thereof.

These covenants are binding on the grantee, its successors or assigns in perpetuity."

(f) Execution of deed.--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 of authority.--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 2. Effective date.

This act shall take effect immediately.