

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1518 Session of
2023

INTRODUCED BY KENYATTA, BELLMON, MADDEN, SANCHEZ, KINSEY AND
KRAJEWSKI, JUNE 26, 2023

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JUNE 26, 2023

AN ACT

1 Authorizing the Pennsylvania Historical and Museum Commission,
2 with the approval of the Governor, to grant and convey
3 certain lands and improvements situate in the 47th Ward of
4 the City of Philadelphia, Philadelphia County, to New Freedom
5 Theatre, Inc.

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

8 Section 1. Conveyance in City of Philadelphia, Philadelphia
9 County.

10 (a) Authorization.--The Pennsylvania Historical and Museum
11 Commission, with the approval of the Governor, is authorized on
12 behalf of the Commonwealth of Pennsylvania to grant and convey
13 the following tract of land together with any improvements
14 thereon, situate in the 47th Ward of the City of Philadelphia,
15 Philadelphia County, to New Freedom Theatre, Inc., for \$1, under
16 terms and conditions to be established in an agreement of sale.

17 (b) Property description.--The property to be conveyed under
18 subsection (a) consists of the following:

19 ALL that certain unit in the property known, named and

1 identified in the Declaration referred to below as "Freedom
2 Theatre Condominium," located in the 29th Ward of the City and
3 County of Philadelphia, Commonwealth of Pennsylvania, which has
4 heretofore been submitted to the provisions of the Pennsylvania
5 Uniform Condominium Act, 68 Pa.C.S. Section 3101, et seq., by
6 the recording in the Philadelphia Department of Records of a
7 Declaration dated July 10, 1992, recorded on July 13, 1992 in
8 Deed Book VCS 111, Page 353, being and designated in such
9 Declaration as Unit 1, as more fully described in said
10 Declaration, together with a proportionate undivided interest in
11 the Common Elements (as defined in the Declaration) of 30%.

12 BEING the same premises conveyed by New Freedom Theatre, Inc.
13 to the Pennsylvania Historical and Museum Commission by deed
14 dated July 10, 1992, and recorded at the Department of Records
15 of the City and County of Philadelphia at Deed Book VCS 123 Page
16 132, Document Number 45614463.

17 ALSO BEING Philadelphia County OPA Account Number 772726001.

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

26 (d) Restriction.--The conveyance authorized under this
27 section shall be made under and subject to the condition, which
28 shall be contained in the deed of conveyance, that no portion of
29 the property conveyed shall be used as a licensed facility, as
30 defined in 4 Pa.C.S. § 1103 (relating to definitions), or any

1 other similar type of facility authorized under State law. The
2 condition shall be a covenant running with the land and shall be
3 binding upon the grantee, its successors and assigns. Should the
4 grantee, its successors or assigns permit any portion of the
5 property authorized to be conveyed in this section to be used in
6 violation of this subsection, the title shall immediately revert
7 to and revest in the grantor.

8 (e) Deed of conveyance.--The conveyance shall be made by
9 special warranty deed to be executed by the Executive Director
10 of the Pennsylvania Historical and Museum Commission in the name
11 of the Commonwealth of Pennsylvania.

12 (f) Proceeds.--The proceeds from the conveyance under this
13 section shall be deposited into the General Fund.

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

21 Section 2. Effective date.

22 This act shall take effect immediately.