

December 2017

HARRISBURG COMMERCIAL

# real estate REPORT

## Peace 2.0 - Preserve the Harmony Between Owners Sharing a Party Wall

By Barbara Anne Spignardo



In a recent transaction for a lender financing the acquisition and operation of a commercial real estate property, an unusual exception to title appeared, which is called a Party Wall Agreement. A review of the title insurance and property survey indicated that the acquisition property shares a wall with the immediately adjacent property.

Party walls often are seen and taken for granted. Picture row houses and commercial structures sharing walls. Which owner or owners can claim those

walls? Although party walls may be quite common, Party Wall Agreements are unusual.

Often owners do not consider the party wall until a problem occurs. When an issue with a shared wall arises, the result suddenly becomes complicated, without an agreement outlining the responsibilities and obligations of the two owners.

***"Often owners do not consider the party wall until a problem occurs. When an issue with a shared wall arises, the result suddenly becomes complicated, without an agreement outlining the responsibilities and obligations of the two owners."***

### Clarifying Responsibilities

A Party Wall Agreement provides clarification about the ownership and maintenance obligations for the shared wall. The focus is to prevent and avoid disputes before a problem with a party wall, which affects the adjacent owners.

*Reprinted with permissions from Commercial Investment Real Estate, the magazine of the CCIM Institute, Sept. 1, 2017, Vol. XXXVI, No. 5. Learn more at [www.ccim.com/cire-magazine](http://www.ccim.com/cire-magazine).*

(Continued on page 3)

## In This Issue

- 1, 3-4.....Featured Article
- 2-7.....Featured Listings
- 5.....Seeking Articles
- 8.....Recent Transactions

**Bill Gladstone, CCIM, SIOR**  
(717) 761-5070 ext. 120  
[wgladstone@naicir.com](mailto:wgladstone@naicir.com)  
[www.billgladstone.com](http://www.billgladstone.com)  
[www.naicir.com](http://www.naicir.com)



**Bill Gladstone Group of NAI CIR**  
Turning keys in commercial real estate for 30 years.



# NAICIR

A publication of the Bill Gladstone Group of NAI CIR



## New Listing



1,478 SF

### NEW Office Lease - 3029 N. Front Street, Harrisburg

- Second floor office space for lease in this beautiful, three-story office building with lovely character and amazing river views
- The property has been well-maintained over the years and was fully renovated in 2008
- It is obvious that great attention to detail was made to turn this space into efficient professional office space

## Featured Land



2.02 Acres

### Lease - Bent Creek Boulevard, Lot 2, Mechanicsburg

- Highly visible corner at the entrance of one of the West Shore's most prominent business parks
- Being at a corner with a traffic light and within close proximity to the Wal-Mart and Giant shopping centers, this tract offers a great location for a variety of retail/commercial uses
- Average daily traffic on Route 114 is 19,242

## Commercial Listings



2,854 SF

### Sale - 5 N. Market Street, Duncannon - Price reduced!

- Prime retail/commercial space in the Borough of Duncannon
- Former bank boasts a notable exterior facade and a clean, functional interior



62,621 SF

### Sale - 2801 North Third Street, Harrisburg

- Stunning landmark in the City of Harrisburg available for sale
- The Zembo Shrine Center was beautifully constructed with the Moorish Revival style architecture and has been well-maintained throughout its years
- Over 300 lined parking spaces available



960 SF

### Sale/Lease - 7981 Paxton Street, Harrisburg

- Single-story commercial office with a detached 2-bay garage located on heavily traveled Route 322
- Property is ideal for a car sales and service center and could also be used for a general office or retail use
- Many updates have been made over the years including new windows, A/C unit and modifications to make the office handicap accessible
- This property is also available for sale



11,550 SF

### Sale/Lease - 6490 Carlisle Pike, Mechanicsburg

- Former Yale Electric building available for sale or lease on heavily traveled Carlisle Pike now **price reduced!**
- Great location with many retailers and restaurants nearby
- Features a large showroom/office area and warehouse space

Information concerning these offerings comes from sources deemed reliable, but no warranty is made as to the accuracy thereof, and they are submitted subject to errors, omissions, change of price or other conditions, prior sale or lease, or withdrawal without notice. All sizes approximate. NAI CIR, 1015 Mumma Road, Wormleysburg, PA 17043 PA License #RB024320A





In addition to shared walls, party walls also include those attached and adjacent to the property, walls belonging to a single building structure, dividing walls between adjoining units, and those standing on the land of two or more owners. Traditional party wall principle dictates that each owner possesses as much of a party wall as is located on their land. Essentially, each owner acquires title to one-half of the wall, and each owner also secures an easement for the support of the party wall.

A Party Wall Agreement between adjacent owners is a useful, effective tool in understanding the agreements and restrictions relating to the common wall. These agreements define which party bears the obligation for the cost of maintaining the common

***"A Party Wall Agreement between adjacent owners is a useful, effective tool in understanding the agreements and restrictions relating to the common wall. These agreements define which party bears the obligation for the cost of maintaining the common wall, as well as the repercussions if the wall is not maintained."***

wall, as well as the repercussions if the wall is not maintained. Typically, a Party Wall Agreement requires the owners to maintain their portion of the wall consistently and harmoniously.

Such agreements delineate the process for making changes to the party wall, requiring agreement and consent from the adjacent owner. For example, a Party Wall Agreement will not inhibit an owner from nailing a picture to his internal portion of the shared wall or the other owner hanging a painting on the opposite side of the wall. However, a Party Wall Agreement will address structural changes and alterations to the party wall, which require the consent from the adjacent owner.

Once owners legally consent to the terms, Party Wall Agreements should be recorded in the applicable land records. By including the Party Wall Agreement in the applicable land records, potential purchasers know about it and understand their rights and obligations.

(Continued on page 4)

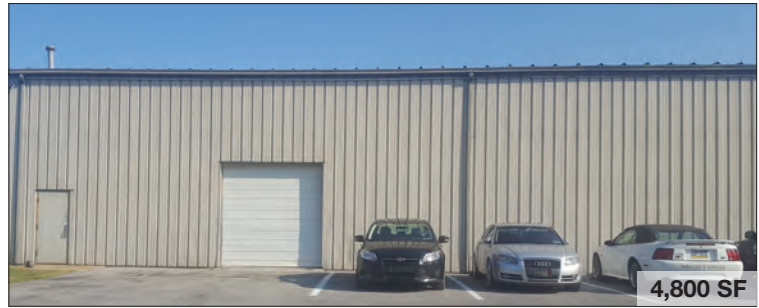
## Industrial Listings



16,400 SF

### **Sale/Lease - 20 Woodcraft Drive, Mount Holly Springs**

- Industrial building located just off of Route 34 with easy access to Route 15, I-81 and the PA Turnpike
- The property has varying ceiling heights and offers several drive-in doors and a dock door
- Building sits on 1.28+/- acres and is zoned Industrial



4,800 SF

### **Lease - 26 Northeast Drive, Hershey**

- Large, open flex space conveniently located near many Hershey attractions and major thoroughfares
- Tall ceilings and open floorplan allow for many types of uses
- Over 100 parking spaces total; 35+/- in common with all tenants in this building



70,710 SF

### **Lease - 151 Allendale Road, Mechanicsburg**

- Functional warehouse space with 1,000 SF being office
- Easily accessible from US Route 15, PA Route 581 and I-81
- Includes six docks: 8' x 8'

## Investment Listing



28,000 SF

### **Sale - Confidential, Harrisburg**

- Well-maintained, 3-story masonry building overlooking the Susquehanna River
- Five (5) year lease renewal starts January 1, 2019
- No deferred maintenance and on-site parking available
- Signed Confidentiality Agreement needed for additional information

## Establishing Ground Rules

This was the scenario for the recent transaction described above. Through a title search and receipt of a commitment for title insurance and the underlying exception documents, the buyers and consulting attorney could review and understand the Party Wall Agreement prior to closing. This group then could determine the best way to address the Party Wall Agreement, so the lender was comfortable with the borrower and acquiring owner taking on those rights and obligations.

Consenting to a Party Wall Agreement prior to possible disputes benefits the owners. In this recent transaction, the attorneys requested an estoppel certificate by the adjacent owner that confirmed no known defaults under the Party Wall Agreement or possible claims relating to it at the time of closing.

Those involved in the deal understood the rights, the obligations, and the validity of the Party Wall Agreement. ■

### About the Author:

Barbara Anne "B.A." Spignardo is a member of Shapiro, Lifschitz & Schram, P.C.'s Real Estate and Business groups. Contact her at [spignardo@slslaw.com](mailto:spignardo@slslaw.com).



### Sale - 1 Rutherford Road, Harrisburg - Price reduced!

- Corner property at the signalized intersection of Rutherford Road and Locust Lane
- Great visibility and parking
- Single-story, brick office building can easily be utilized by a single user or multiple tenants



### Lease - 535 E. Chocolate Avenue, Hershey

- Class A, build-to-suit office in desirable Hershey location
- Excellent opportunity for user/tenant to help design and customize their new facility to meet their unique space needs
- Over 50 parking spaces available and more available in shared parking area

## Investment Listing



Portfolio of 4 properties; 3 existing buildings and 3 acre vacant parcel

### Sale - 5620-5630 Derry Street, 5650-5670 Lancaster Street, Harrisburg

- Now offering a 10% CAP rate
- Stable income from strong credit tenant and tremendous upside from the vacant 3 acres that can accept additional office/commercial buildings
- High visibility and excellent parking

## Office Listings



### Lease - 156 Cumberland Parkway, Mechanicsburg

- Locate your business in this first class, high-profile building
- The location offers easy access to Route 15 and the PA Turnpike (I-76), plus great local amenities
- It is hereby disclosed that a partner in the ownership of this property is a licensed real estate salesperson in the Commonwealth of Pennsylvania
- **Price reduced!**



### Lease - 142 Reno Avenue, New Cumberland

- Good space for a light manufacturing or small warehousing operation
- Located in the heart of New Cumberland with good access to I-83, and the PA Turnpike (I-76)
- There is both a shared dock door and a ramped drive-in door available with the space



## Seeking New Articles



The Bill Gladstone Group of NAI CIR is looking to fill editorial content in our quarterly magazine and monthly newsletter publications for 2018.

### What Are We Looking For?

Industry related articles that our readership of over 4,500 business decision makers and industry leaders would benefit from reading in print and online through social media. Articles are typically 1,200 – 1,500 words and include an author bio, headshot, and mentioning of your company.

**Topics Can Include:** Finance, development, law, architecture, technology, engineering, environmental, wellness, current trends, security, business operations, and much more.

### Need Assistance With A Topic?

We can suggest one that would be a good fit for your expertise.

**Contact:** Leah Wentz (717) 761-5070 ext. 116 or [lwentz@naicir.com](mailto:lwentz@naicir.com).

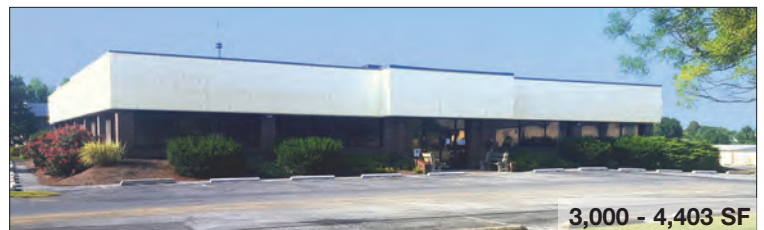
Please forward this information to any colleagues you feel could be a good fit for our publications as well. We look forward to hearing from you and wish you continued success through the end of this year and in 2018!

## Office Listings



### Sublease - 208 N. Third Street, Suite 400, Harrisburg

- New sublease opportunity in completely renovated and updated suite on the 4th floor
- Historic building faces the Capitol Complex with great window lines
- Downtown amenities are just a few steps from the doors and parking is a block in every direction
- **Price reduced!**



### Lease - 24 Northeast Drive, Hershey

- Functional, single-story office building in prominent Hershey location
- Perimeter window line can be expanded to suite tenant's specs
- 35+/- Parking spaces in common with all tenants in building, and over 100 parking spaces available



### Sale/Lease - 2400 Park Drive, Harrisburg - Price reduced!

- Office space for sale in prestigious east shore business location, Commerce Park
- Easy access to all major highways from I-81, convenient to major retail, shopping, and dining
- Property is also available for lease up to 10,668 SF or tenant can masterlease the entire 12,918 SF



## Connect

With @GladstoneGroup Today!



[www.billgladstone.com](http://www.billgladstone.com)



## Office Listings



1,200 SF

### Lease - 3507 Market Street, Camp Hill

- Located within the heart of the West Shore, this aesthetically pleasing building now has one suite available for lease
- 45 Surface parking spaces available
- The property is centralized on Camp Hill's main artery and is close to many restaurants and businesses



2,700 - 5,400 SF

### Lease - 4386 Sturbridge Drive, Harrisburg - Price reduced!

- Class A office space for medical or professional use
- Space in shell condition, ready to accept a build-out designed to suit tenant
- Located along Route 39 with access to amenities such as lodging, eateries, gas, banking and all major transportation corridors



566 - 3,113 SF

### Lease - 415 Market Street, Harrisburg

- Attractive office spaces at the Harrisburg Transportation Center
- In walking distance to all the downtown restaurants, amenities, and Riverfront Park
- Located in Technology Corridor Enterprise Zone



3,600 SF

### Lease - 4231 Trindle Road, Camp Hill

- Two-story property with tremendous exposure at a signalized intersection
- Former bank with an open floorplan on the first floor, and offices with windows on the second floor
- The layout can be altered to allow for a variety of uses



5,445 SF

### Lease - 400 Bent Creek Boulevard, Suite 150, Mechanicsburg

- Professional office space located within the Pennsylvania School Boards Association building
- The building and suite have been well-maintained and updated since being constructed in 2005
- Over 200 lined parking spaces available



1,880 - 5,113 SF

### Sale - 5006 - 5010 E. Trindle Road, Mechanicsburg

- Six condominium units available for sale (1,880 - 5,113 SF)
- Excellent location in newly developed area in Hampden Township
- Can be sold individually for owner/user or together as an investment
- The properties could also be available for lease



1,443 - 20,112 SF

### Lease - 30 N. Third Street, Harrisburg

- 40,587 SF available (1,443 - 20,112 SF contiguous) in Class A office building
- Skywalk to Strawberry Square, Walnut Street garage, Harrisburg Hilton, Whitaker Center, etc.
- This building is Energy Star Certified and utilizes the latest energy management systems for optimal energy efficiency



## Office Listings



955 - 3,060 SF

### Sale/Lease - 130 State Street, Harrisburg

- Office space available along the State Street corridor leading to the steps of the Capitol Complex
- Ideal for lobbyist, attorney or other professional who visit the City frequently and could benefit from having a local office
- Functional, turn-key condition, and offered at a competitive price
- An adjacent parking lot for 6-8 vehicles (double parked) included as part of this sale on a long-term lease (call us for details)



2,000 SF

### Lease - 1335 N. Front Street, Harrisburg - New Lower Price!

- Functional first floor office space includes four offices, a work room, reception area, kitchen, and two restrooms
- Parking available in a lot on the next block for first floor tenant
- Grand windows overlook beautiful Susquehanna River in Downtown Harrisburg
- Conveniently located minutes from I-81 and I-83

## Land Listings

Location	Acres	Zoning	Type
370 W. Main Street, Leola, Lancaster County	1.3 - 2.8	General Commercial	Sale/Lease
300 S. Sporting Hill Road, Mechanicsburg, Cumberland County	1.19	Apartment Office Limited (AOL)	Sale
Allentown Boulevard and N. Hershey Road, Harrisburg, Dauphin County	1.35 (1 lot)	Business Enterprise District	Sale
Bent Creek Boulevard, Lot 2, Mechanicsburg, Cumberland County	2.02	Community Commercial	Lease
7700 Derry Street, Harrisburg, Dauphin County	2.12 (lot 4)	Commercial District General	Sale
I-81 and W. Trindle Road, Carlisle, Cumberland County	2.18 (2 parcels)	Commercial Highway	Sale
East Cumberland Street (Route 422), Lebanon, Lebanon County	2.2	Commercial	Sale
8001 Grayson Road, Harrisburg, Dauphin County	2.25	Commercial	Sale/Lease
7700 Derry Street, Harrisburg, Dauphin County	2.3 (lot 8)	Commercial District General	Lease
2600 Delta Road, Brogue, York County	2.5	General Commercial	Sale/Lease
Route 114 & Gettysburg Pike (NEC), Mechanicsburg, Cumberland County	2.996	Highway Commercial District	Sale
W. Trindle Road, Mechanicsburg, Cumberland County	4.13	Highway Commercial	Sale
700 S. Baltimore Street, Dillsburg, York County	5.23 - 57.5	Agricultural - Conservation (AC)	Sale
Route 114 & Gettysburg Pike (NWC), Mechanicsburg, Cumberland County	7.12	Highway Commercial District	Sale
Lancer Street Extended, Harrisburg, Dauphin County	7.52	Medium Density Residential (R-2)	Sale
Route 441 and Orchard Drive, Harrisburg, Dauphin County	8.34	Single Family Residential District	Sale
<b>Price Reduced</b> - 730 Limekiln Road, New Cumberland, York County	8.64	Commercial Business	Sale
Eisenhower Blvd & Highspire Road, Harrisburg, Dauphin County	10	Commercial District General	Sale
Route 75 & William Penn Highway, Mifflintown, Juniata County	11	Industrial Commercial	Sale/Lease
Carlisle Pike (Route 11) Waterford Square, Mechanicsburg, Cumberland County	16.16 (13 lots)	Community Commercial (C2)	Sale
<b>Price Reduced</b> - Allentown Boulevard, Harrisburg, Dauphin County	17+	Commercial Highway (CH)	Sale
3050 Heidlersburg Road, York Springs, York County	18.16	Highway Commercial	Sale/Lease

[www.billgladstone.com](http://www.billgladstone.com)



PRESORTED STANDARD  
U.S. POSTAGE PAID  
Harrisburg, PA  
Permit No. 783

BILL GLADSTONE, CCIM, SIOR

NAI CIR  
PO Box 8910  
Camp Hill, PA 17001-8910  
717 761 5070

[www.naicir.com](http://www.naicir.com)

[www.billgladstone.com](http://www.billgladstone.com)



## Check Out Our Recent Deals

Visit [www.billgladstone.com](http://www.billgladstone.com) to view listings not included in this issue.



### **SOLD - 7841 Paxton Street, Harrisburg**

**Starlight Auto, LLC** purchased 1,143 SF of office space located at 7841 Paxton Street in Harrisburg. The Bill Gladstone Group of NAI CIR handled the transaction.



### **SOLD - 56 Erford Road, Camp Hill**

**Family Promise of Harrisburg Capital Region** purchased 2,370 SF for their new office space located at 56 Erford Road in Camp Hill. The Bill Gladstone Group of NAI CIR represented the Seller and Shannon Foster of Century 21 Realty Services represented the Buyer.



### **SOLD - 3609 Derry Street, Harrisburg**

**Freedom Valley Worship Center, Assembly of God** purchased 22,150 SF of office space located at 3609 Derry Street in Dauphin County. The Bill Gladstone Group of NAI CIR represented the Seller and Jim Helsel of Helsel, Inc. represented the Buyers.