
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 897 Session of
2015

INTRODUCED BY RAFFERTY, LEACH AND WAGNER, JUNE 22, 2015

REFERRED TO TRANSPORTATION, JUNE 22, 2015

AN ACT

1 Authorizing the Department of Transportation, with the approval
2 of the Governor, to grant and convey to Center Square
3 Commons, L.P., certain lands situate in the Township of
4 Whitpain, Montgomery County.

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

7 Section 1. Conveyance in Township of Whitpain, Montgomery
8 County.

9 (a) Authorization.--The Department of Transportation, with
10 the approval of the Governor, is hereby authorized on behalf of
11 the Commonwealth of Pennsylvania to enter into a land transfer
12 with Center Square Commons, L.P. on certain land situated in the
13 Township of Whitpain, Montgomery County, as described in
14 subsection (b) for fair market value based on an appraisal and
15 under terms and conditions to be established in an Agreement of
16 Sale.

17 (b) Property description.--The property to be conveyed to
18 Center Square Commons, L.P. contains a calculated area of 52,496
19 square feet or 1.205 acres of land, more or less that is subject

1 to easements and restrictions of record, if any, and begins at a
2 point in the southeasterly Right of Way line of DeKalb Pike
3 (a.k.a. S.R. 202), (R.O.W. varies) where the same is intersected
4 by the line dividing Unit 34 and Unit 4 (n/f Village of Center
5 Square, LLC) Block 4 and running; thence: 1) S 53° 31' 54" E,
6 along the said dividing line a distance of 369.45 feet to a
7 point, 2) S 38° 19' 40" W, along the same a distance of 235.03
8 feet to a point, 3) N 53° 37' 37" W, along the line dividing Unit
9 34, Block 5 and Unit 4 (n/f Leoni Family-New Hanover Square
10 Limited Partnership) then Unit 1, (n/f Leoni Family-New Hanover
11 Square Limited Partnership) Block 4, a distance of 197.01 feet
12 to a point, 4) N 35° 42' 44" E, along the line dividing Units 34
13 and 1, (n/f Robbin L. Cramer DMD and Robert Cramer) then Unit 2
14 (n/f Richard E. and Margie B. Strawhacker), a distance of 138.48
15 feet to a point, 5) N 37° 56' 20" E, along the line dividing
16 Units 34 and 3 (n/f Center Square 938 DeKalb, LP) Block 5, a
17 distance of 65.68 feet, 6) N 53° 13' 06" W, along the line
18 dividing Units 34 and 3, Block 5, a distance of 167.67 feet to a
19 point, and 7) Along the southeasterly Right of Way line of
20 DeKalb Pike along a curve to the right, having a radius of
21 1,900.00 feet, (central angle 0° 54' 53"), an arc length of 30.33
22 feet, a chord bearing N 42° 07' 26" E, a distance of 30.33 feet
23 to the point and place of beginning.

24 (c) Conditions.--The conveyance shall be made under and
25 subject to all lawful and enforceable easements, servitudes and
26 rights of others, including, but not confined to, streets and
27 roadways, and rights of any telephone, telegraph, water,
28 electric, gas or pipeline companies, as well as under and
29 subject to any lawful and enforceable estates or tenancies
30 vested in third persons appearing of record, for any portion of

1 the land or improvements erected thereon.

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

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

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

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

21 Section 2. Effective date.

22 This act shall take effect immediately.