
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1166 Session of
2007

INTRODUCED BY McILHINNEY, TOMLINSON, RAFFERTY, WAUGH AND
GREENLEAF, NOVEMBER 19, 2007

REFERRED TO STATE GOVERNMENT, NOVEMBER 19, 2007

AN ACT

1 Authorizing the Department of General Services, with the
2 approval of the Governor, to grant and convey to the Bowman's
3 Hill Wildflower Preserve Association, Inc., certain lands
4 situate in Solebury Township, Bucks County.

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

7 Section 1. Conveyance in the Township of Solebury, Bucks
8 County.

9 (a) Authorization.--The Department of General Services, with
10 the approval of the Governor, is hereby authorized and directed
11 on behalf of the Commonwealth to convey to the Bowman's Hill
12 Wildflower Preserve Association, Inc., for \$1 the tract of land
13 described in subsection (b). In exchange for the \$1
14 consideration, the Bowman's Hill Wildflower Preserve Association
15 will continue to maintain, improve, preserve, and beautify the
16 wildflower preserve and provide overflow parking capacity for
17 Pennsylvania Historical and Museum Commission's Thompson Neely
18 complex and the Mill in a mutually agreeable location to be

1 detailed in the Agreement of Sale. In addition, the exchange
2 will include an easement granted by Bowman's Hill Wildflower
3 Preserve Association, Inc., which will grant the Pennsylvania
4 Historical and Museum Commission access to Pidcock, the mill
5 pond, dam and millrace. The easement description will be
6 detailed in the Agreement of Sale.

7 (b) Description.--The property to be conveyed under
8 subsection (a) is described as follows:

9 All that certain piece or parcel of land situate, lying and
10 being in Solebury Township, Bucks County, Pennsylvania, bounded
11 and described as follows:

12 All that certain tract or parcel of land known as Parcel A -
13 Bowman's Hill Wildflower Preserve situated in Solebury Township,
14 Bucks County, Pennsylvania, as shown on a Boundary Survey Plan
15 prepared by Barry Isett & Associates, Inc. of Norristown,
16 Pennsylvania, Job number 146204.ONZ, dated October 13, 2004,
17 last revised February 24, 2005, said tract being more fully
18 bounded and described as follows:

19 Beginning at a point at the intersection of the Centerline of
20 Aquetong Road with the centerline of River Road;

21 Thence from said point of beginning and extending along the
22 centerline of River Road, the eight following courses and
23 distances,

24 1.) South 14 degrees 41 minutes 11 seconds East 303.63 feet to
25 a point of curve;

26 2.) Along a curve to left having a radius of 575.00 feet, an
27 arc distance of 217.83 feet, a delta of 21 degrees 42 minutes 19
28 seconds, and a chord of South 25 degrees 32 minutes 21 seconds
29 East 216.53 feet to a tangent point;

30 3.) South 36 degrees 23 minutes 30 seconds East 127.47 feet to

1 a point of curve;

2 4.) Along a curve to the left having a radius of 1,375.00 feet,
3 an arc distance of 181.75 feet, a delta of 07 degrees 34 minutes
4 25 seconds and a chord of South 40 degrees 10 minutes 43 seconds
5 East 181.62 feet to a tangent point;

6 5.) South 43 degrees 57 minutes 55 seconds East 197.11 feet to
7 a point;

8 6.) South 42 degrees 55 minutes 40 seconds East 590.31 feet to
9 a point of curve;

10 7.) Along a curve to the left having a radius of 3,000.00 feet,
11 an arc distance of 305.85 feet, a delta of 05 degrees 50 minutes
12 29 seconds and a chord of South 45 degrees 50 minutes 54 seconds
13 East 305.72 feet to a tangent point;

14 8.) South 48 degrees 46 minutes 08 seconds East 402.76 feet to
15 a point; thence partly crossing River Road and along the
16 approximate line between Solebury Township and Upper Makefield
17 Township,

18 9.) South 72 degrees 51 minutes 46 seconds West 17.98 feet to a
19 point in line of Parcel B; thence along Parcel B, the two
20 following courses and distances:

21 10.) North 50 degrees 21 minutes 11 seconds West 176.25 feet to
22 a point;

23 11.) South 48 degrees 14 minutes 20 seconds West 353.89 feet to
24 a corner of lands now or formerly of the Commonwealth of
25 Pennsylvania; thence along lands The Commonwealth of
26 Pennsylvania and also partly along lands of Block 7, Lot 001.

27 12.) South 72 degrees 51 minutes 46 seconds West 3,359.81 feet
28 to a concrete monument, a corner of lands of Block 36, Lot 63.
29 passing through a concrete monument situated 311.65 feet
30 therefrom; thence partly along lands of Block 36, Lot 63,

1 passing through a rebar w/cap 643.23 feet thereof,
2 13.) North 15 degrees 45 minutes 29 seconds West 1,442.96 feet
3 to a point, a corner of lands of Block 36, Lot 67-6; thence
4 along Block 36, Lots 67-6, 67-5, and 67-4, passing through two
5 concrete monuments 83.53 feet and 1,047.78 feet thereof,
6 14.) North 64 degrees 21 minutes 28 seconds East 1,978.87 feet
7 to a point; thence continuing partly along Block 36, Lot 67-4,
8 along lands of Block 36, Lot 67-2 and partly crossing Aquetong
9 Road;
10 15.) North 03 degrees 37 minutes 00 seconds West 854.10 feet to
11 a point in the centerline of Aquetong Road; thence along the
12 centerline of Aquetong Road, the five following courses and
13 distances:
14 16.) South 69 degrees 31 minutes 39 seconds East 182.10 feet to
15 a point of curve;
16 17.) Along a curve to the left having a radius of 1,250.00
17 feet, an arc distance of 244.08 feet, a delta of 11 degrees 11
18 minutes 15 seconds and a chord of South 75 degrees 07 minutes 17
19 seconds East 243.69 feet to a point of compound curve;
20 18.) South 80 degrees 42 minutes 54 seconds East 256.00 feet to
21 a point of curve;
22 19.) Along a curve to the left, having a radius of 12,528.10
23 feet, an arc distance of 78.51 feet, a delta of 01 degree 46
24 minutes 45 seconds and a chord of South 81 degrees 36 minutes 17
25 seconds East 78.50 feet to a tangent point;
26 20.) South 82 degrees 29 minutes 40 seconds East 129.70 feet to
27 the first mentioned point and place of beginning.

28 Excepting Thereout and Therefrom a parcel of land known as
29 Parcel C - Bowman's Hill Wildflower Preserve situated in
30 Solebury Township, Bucks County, Pennsylvania, as shown on a

1 Boundary Survey Plan prepared by Barry Isett & Associates, Inc.
2 of Norristown, Pennsylvania, Job number 146204.ONZ, dated
3 October 13, 2004, last revised January 27, 2005, said tract
4 being more fully bounded and described as follows:

5 Beginning at a rebar within lands of Parcel A, said rebar being
6 situated the three following courses and distances from the
7 intersection of the centerline of Aquetong Road with the
8 centerline of River Road, along the Centerline of River Road;

9 a.) South 14 degrees 41 minutes 11 seconds East 274.42 feet to
10 a point and a common corner of Tax Block 36, Lots 64 and 65;

11 thence along the line of said tax parcels and through Parcel A,

12 b.) South 66 degrees 04 minutes 04 seconds East 23.83 feet to a
13 concrete monument;

14 c.) South 20 degrees 02 minutes 47 seconds East 763.61 feet to
15 a rebar;

16 Thence from said point of beginning and extending through Parcel
17 A, the four following courses and distances:

18 1.) North 47 degrees 55 minutes 55 seconds East 205.92 feet to
19 a rebar;

20 2.) South 45 degrees 55 minutes 05 seconds East 290.11 feet to
21 a point on the westerly side of the existing cartway and on a
22 bridge of River Road;

23 3.) South 39 degrees 25 minutes 36 seconds West 283.48 feet to
24 a rebar;

25 4.) South 32 degrees 39 minutes 02 seconds West 335.91 feet to
26 a rebar, the first mentioned point and place of beginning.

27 Containing: 75,104 square feet or 1.72 acres of land.

28 Parcel A containing: 134.84 acres of land.

29 (c) Visitor's center.--Bowman's Hill Wildflower Preserve
30 Association, Inc. or its successor, being knowledgeable and

1 sensitive of the local view shed, shall consult with
2 Pennsylvania Historical and Museum Commission or its successor
3 on the location and design of a new visitor's center to minimize
4 the impact on the view shed from the Thompson Neely House.

5 (d) Water and sewer service.--Pennsylvania Historical and
6 Museum Commission will continue to provide the current capacity
7 and service for water and sewer, until such time that the
8 Bowman's Hill Wildflower Preserve Association constructs and
9 operates their own independent system. The Commonwealth is under
10 no obligation to increase water and sewer service beyond what is
11 currently provided, as detailed in the 1997 Management
12 Agreement.

13 (e) Right of reverter.--The deed of conveyance shall contain
14 a clause that the property conveyed "shall not be used in a
15 manner inconsistent with its use as a 'wildflower preserve' by
16 the Bowman's Hill Wildflower Preserve Association, Inc., and, if
17 at any time the Bowman's Hill Wildflower Preserve Association,
18 Inc. or its successor in function sells or transfers the
19 property or permits the property to be used for any purpose
20 other than those specified in this section, the title to the
21 property shall immediately revert to and re-vest in the
22 Commonwealth."

23 (f) Easements.--The conveyance shall be made under and
24 subject to all easements, servitudes and rights of others,
25 including, but not confined to, streets, roadways and rights of
26 any telephone, telegraph, water, electric, sewer, gas or
27 pipeline companies, as well as under and subject to any
28 interest, estates or tenancies vested in third persons, whether
29 or not appearing of record, for any portion of the land or
30 improvements erected thereon.

1 (g) Approval.--The deed of conveyance shall be approved as
2 provided by law and shall be executed by the Secretary of
3 General Services in the name of the Commonwealth.

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

16 (i) Cost and fees.--Costs and fees incidental to the
17 conveyance shall be borne by the Grantee.

18 Section 2. Effective date.

19 This act shall take effect immediately.