

THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2390 Session of  
2008

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INTRODUCED BY CURRY, MARCH 24, 2008

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, MARCH 24, 2008

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AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor, to amend the use restriction and  
3 reversionary covenant placed on the property conveyed to  
4 Temple University of the Pennsylvania System of Higher  
5 Education, situate in Cheltenham Township, Montgomery County.

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

8 Section 1. The Department of General Services, with the  
9 approval of the Governor, is hereby authorized on behalf of the  
10 Commonwealth of Pennsylvania, to remove the use restriction and  
11 reversionary covenant placed on the property conveyed to Temple  
12 University of the Pennsylvania System of Higher Education, as  
13 authorized by the act of April 9, 1929 (P.L.177, No.175), known  
14 as The Administrative Code of 1929, and described as:

15 ALL THAT CERTAIN piece or parcel of ground with the buildings  
16 and improvements erected thereon, situate in Cheltenham  
17 Township, Montgomery County, Pennsylvania, and described  
18 according to a Plan of Temple University Tyler Art School made  
19 by George B. Mebus, Inc., Engineers, dated October 8, 1969, as

1 follows to wit:

2 BEGINNING at a point on the former center line of Penrose  
3 Avenue (55 feet wide as widened 5.00 feet on the Northwesterly  
4 side from its former width of 50 feet) said point being at a  
5 distance of 592.96 feet measured North 41 degrees 21 minutes  
6 East from a point of intersection which the said former center  
7 line of Penrose Avenue makes with the center line of Beech  
8 Avenue (50 feet wide);

9 thence from the place of beginning and along the said former  
10 center line of Penrose Avenue North 41 degrees 21 minutes East  
11 256.00 feet to a point;

12 thence along the Northeasterly line of land now or late of  
13 Temple University and partly crossing the bed of Penrose Avenue  
14 South 48 degrees 44 minutes 39 seconds East 240.21 feet to a  
15 point;

16 thence through land now or late of Temple University, of  
17 which this is a part, the eight (8) following courses and  
18 distances:

19 1. South 41 degrees 21 minutes West 82.00 feet to a point;  
20 thence

21 2. North 48 degrees 39 minutes West 16.00 feet to a point;  
22 thence

23 3. South 41 degrees 21 minutes West 44.90 feet to a point;  
24 thence

25 4. South 48 degrees 39 minutes East 53.50 feet to a point;  
26 thence

27 5. North 41 degrees 21 minutes East 25.00 feet to a point;  
28 thence

29 6. South 48 degrees 39 minutes East 33.93 feet to a point;  
30 thence

1        7. North 41 degrees 21 minutes East 49.74 feet to a point;  
2    thence

3        8. South 42 degrees 28 minutes 50 seconds East 221.48 feet  
4    to a point on the center line of a Lane (15 feet wide);

5        thence along the center line of the Lane the four (4)  
6    following courses and distances:

7        1. South 52 degrees 00 minutes West 2.41 feet to a point;  
8    thence

9        2. South 67 degrees 39 minutes West 90.55 feet to a point;  
10   thence

11       3. South 53 degrees 51 minutes 24 seconds West 55.20 feet to  
12   a point; thence

13       4. South 44 degrees 54 minutes West 73.35 feet to a point;  
14   thence through land now or late of Temple University the nine  
15   (9) following courses and distances:

16       1. North 48 degrees 44 minutes 39 seconds West 188.77 feet  
17   to a point; thence

18       2. North 41 degrees 21 minutes East 25.00 feet to a point;  
19   thence

20       3. North 48 degrees 44 minutes 39 seconds West 14.00 feet to  
21   a point; thence

22       4. North 41 degrees 21 minutes East 32.00 feet to a point;  
23   thence

24       5. North 48 degrees 44 minutes 39 seconds West 41.00 feet to  
25   a point; thence

26       6. North 41 degrees 21 minutes East 25.00 to a point; thence

27       7. North 48 degrees 44 minutes 39 seconds West 55.00 feet to  
28   a point; thence

29       8. South 41 degrees 21 minutes West 51.00 feet to a point;  
30   thence

1       9. North 48 degrees 44 minutes 39 seconds West and partly  
2 recrossing Penrose Avenue 176.00 feet to a point on the  
3 aforementioned former center line of Penrose Avenue, the place  
4 of beginning.

5       Section 2. The deed of conveyance to Temple University shall  
6 contain a clause that the property conveyed shall be used for  
7 education purposes by the Grantee, and if at any time the  
8 Grantee or its successor in function permits the property to be  
9 used for any purpose other than those specified in this section,  
10 the title to the property shall immediately revert to and revest  
11 in the Commonwealth of Pennsylvania. The use restriction and  
12 reversionary covenant contained in this clause shall become void  
13 if, at any time, the Grantee or its successor in function  
14 conveys the property to a person that is not exempt from  
15 taxation under section 2(a) of Article VIII of the Constitution  
16 of Pennsylvania for a use that is in accordance with a mixed use  
17 under the Comprehensive Plan of Cheltenham Township.

18       Section 3. The corrective deed shall be executed by the  
19 Secretary of General Services in the name of the Commonwealth of  
20 Pennsylvania.

21       Section 4. Costs and fees incidental to removing the use  
22 restriction and reversionary covenant shall be borne by the  
23 Grantee.

24       Section 5. This act shall take effect immediately.