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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2812 Session of  
2020

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INTRODUCED BY DALEY, YOUNGBLOOD, T. DAVIS, HANBIDGE, LEE, HOWARD  
AND LONGIETTI, AUGUST 21, 2020

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, AUGUST 21, 2020

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AN ACT

1 Authorizing the Department of General Services, with the  
2 approval of the Governor and the Pennsylvania Historical and  
3 Museum Commission, to grant and convey to the Highlands  
4 Historical Society, certain lands situate in Whitemarsh  
5 Township, Montgomery County.

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

8 Section 1. Conveyance in Whitemarsh Township, Montgomery  
9 County.

10 (a) Authorization.--The Department of General Services, with  
11 the approval of the Governor and the Pennsylvania Historical and  
12 Museum Commission, is hereby authorized on behalf of the  
13 Commonwealth of Pennsylvania to grant and convey the following  
14 tract of land together with any improvements thereon, known as  
15 the historic Highlands Mansion and grounds, situate in  
16 Whitemarsh Township, Montgomery County to the Highlands  
17 Historical Society for \$1, under terms and conditions to be  
18 established in an agreement of sale.

19 (b) Property description.--The property to be conveyed under

1 subsection (a) consists of approximately 40.69 acres and  
2 improvements located thereon, more particularly bounded and  
3 described as follows:

4 ALL THAT CERTAIN tract or piece of land, situate in the  
5 Township of Whitemarsh, County of Montgomery, Commonwealth of  
6 Pennsylvania, as shown on an Minor Subdivision/Lot Line  
7 Adjustment Plan, prepared for Jose and Lisa Ramos prepared by  
8 Nave, Newell, Inc., dated October 10, 2017, and last revised  
9 October 24, 2018, recorded at the Office of the Recorder of  
10 Deeds of Montgomery County at Plan Book 0049 Page 00332, being  
11 Lot 1 on above stated plan, bounded and described as follows:

12 BEGINNING AT A POINT within the intersecting legal right-of-  
13 way lines of Skippack Pike (S.R. 0073) (50 feet wide legal  
14 right-of-way and 100 feet wide ultimate right-of-way) and Sheaff  
15 Lane (33 feet wide legal right-of-way and 60 feet wide ultimate  
16 right-of-way) said point being the south- easterly corner of  
17 this parcel and from said beginning point runs;

18 (1) Thence through and near the centerline of the legal  
19 right-of-way of Skippack Pike (S.R. 0073) (50 feet wide legal  
20 right-of-way and 100 feet wide ultimate right-of-way), North  
21  $48^{\circ}25'30''$  West a distance of 1,456.62 feet to a point;

22 (2) Thence leaving said right-of-way through a found  
23 monument on the ultimate right-of-way and along lands now or  
24 formerly of Dennis Alter, North  $52^{\circ}48'48''$  East a distance of  
25 1,001.46 feet to a found monument;

26 (3) Thence along lands now or formerly of Dennis Alter,  
27 North  $59^{\circ}16'39''$  East a distance of 538.59 feet to a set  
28 monument;

29 (4) Thence along Lot 2, South  $30^{\circ}00'52''$  East a distance  
30 of 205.17 feet to a set monument;

1 (5) Thence along the same, South 52°40'37" West a  
2 distance of 10.40 feet to a set monument;

3 (6) Thence along the same, South 29°56'26" East a  
4 distance of 229.31 feet to a set monument;

5 (7) Thence along the same, North 56°58'27" East a  
6 distance of 87.78 feet to a set monument;

7 (8) Thence along the same and lands now or formerly of  
8 Andrew K. and Margarita Rooke crossing over a found monument  
9 168.94 feet from the start of this course, South 25°54'00"  
10 East a distance of 455.92 feet to a found monument;

11 (9) Thence along lands now or formerly of Morton H.  
12 Fetterolf III and Melissa D. Fetterolf, South 44°02'30" West  
13 a distance of 15.30 feet to a found monument;

14 (10) Thence along the same, South 29°50'30" East a  
15 distance of 257.21 feet crossing over a found monument on the  
16 legal right-of-way of Sheaff Lane (33 feet wide legal right-  
17 of-way and 60 feet wide ultimate right-of-way) to a point;

18 (11) Thence through and near the centerline of legal  
19 right-of-way of Sheaff Lane (33 feet wide legal right-of-way  
20 and 60 feet wide ultimate right-of-way), South 41°34'40" West  
21 a distance of 1,160.36 feet to a point; said point being said  
22 place of BEGINNING.

23 CONTAINING in area 1,772,496 square feet (40.6909 acres) more  
24 or less.

25 BEING part of the same premises Emily W. Roosevelt, widow,  
26 conveyed to the Commonwealth of Pennsylvania by deed dated  
27 December 6, 1965, and recorded December 17, 1965, in Montgomery  
28 County Deed Book 3354, Page 45.

29 (c) Existing encumbrances.--The conveyance shall be made  
30 under and subject to all lawful and enforceable easements,

1 servitudes and rights of others, including, but not confined to,  
2 streets, roadways and rights of any telephone, telegraph, water,  
3 electric, gas or pipeline companies, as well as under and  
4 subject to any lawful and enforceable estates or tenancies  
5 vested in third persons appearing of record, for any portion of  
6 the land or improvements erected thereon.

7 (d) Conditions.--Any conveyance authorized under this act  
8 shall be made under and subject to the condition, which shall be  
9 contained in the deed of conveyance, that no portion of the  
10 property conveyed shall be used as a licensed facility, as  
11 defined in 4 Pa.C.S. § 1103 (relating to definitions), or any  
12 other similar type of facility authorized under State law. The  
13 condition shall be a covenant running with the land and shall be  
14 binding upon the grantee and its successors. Should the grantee,  
15 or its successors, permit any portion of the property authorized  
16 to be conveyed in this act to be used in violation of this  
17 subsection, the title shall immediately revert to and revest in  
18 the grantor.

19 (e) Condition to conveyance.--The conveyance shall be  
20 subject to the condition that a portion of the property to be  
21 conveyed, containing approximately 29 acres, substantially as  
22 shown and described by a plan and legal description prepared by  
23 James Robert Aiken, II, PLS, Nave Newell, the description being  
24 dated March 25, 2019, shall be encumbered by a conservation  
25 easement to be granted by the Highlands Historical Society to  
26 the Township of Whitemarsh, and that any funds received by the  
27 Highlands Historical Society as consideration for the grant of  
28 such easement shall be dedicated by the Highlands Historical  
29 Society to the preservation of the approximately 12-acre portion  
30 of the property as described in subsection (f).

1 (f) Historic preservation covenants.--A portion of the  
2 property to be conveyed, containing approximately 12 acres,  
3 which includes the Highlands Mansion, substantially as shown and  
4 described by a plan and legal description prepared by James  
5 Robert Aiken, II, PLS, Nave Newell, the description being dated  
6 March 25, 2019, shall be conveyed subject to historic  
7 preservation covenants, which covenants shall be determined by  
8 the Pennsylvania Historic and Museum Commission and may include  
9 a reversionary interest. The historic preservation covenants and  
10 reversionary interest shall not apply to the portion of the  
11 property described in subsection (e).

12 (g) Deed.--The conveyance shall be by special warranty deed  
13 that shall be executed by the Secretary of General Services in  
14 the name of the Commonwealth of Pennsylvania.

15 (h) Costs and fees.--Costs and fees incidental to this  
16 conveyance shall be borne by the grantee. The conveyance under  
17 this act shall be exempt from State and local realty transfer  
18 taxes.

19 (i) Alternative disposition.--If the conveyance is not  
20 effectuated within two years after the effective date of this  
21 act, the authority under this act shall expire.

22 Section 2. Effective date.

23 This act shall be effective immediately.