
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2126 Session of
2009

INTRODUCED BY O'NEILL, ADOLPH, BEAR, BEYER, CALTAGIRONE, CLYMER,
DIGIROLAMO, EVERETT, FABRIZIO, FARRY, FLECK, GEIST, GEORGE,
GINGRICH, GODSHALL, GROVE, GRUCELA, HARHART, HARPER, KILLION,
KORTZ, KOTIK, KULA, MAHONEY, MAJOR, MANDERINO, MARKOSEK,
McILVAINE SMITH, MILLARD, MURT, PASHINSKI, PHILLIPS, PYLE,
REICHLEY, ROSS, SANTARSIERO, SIPTROTH, SOLOBAY, SONNEY,
STEVENSON, TRUE, WATSON AND YOUNGBLOOD, DECEMBER 4, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, DECEMBER 4, 2009

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 and the Pennsylvania Historical and
11 Museum Commission, is hereby authorized and directed on behalf
12 of the Commonwealth to convey to the Bowman's Hill Wildflower
13 Preserve Association, Inc., for \$1 the tract of land described
14 in subsection (b). In exchange for the \$1 consideration, the
15 Bowman's Hill Wildflower Preserve Association will continue to
16 maintain, improve, preserve, and beautify the wildflower

1 preserve and provide overflow parking capacity for Pennsylvania
2 Historical and Museum Commission's Thompson Neely complex in a
3 mutually agreeable location to be detailed in the Agreement of
4 Sale.

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

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

10 All that certain tract or parcel of land known as Parcels A, B
11 and C - Bowman's Hill Wildflower Preserve situated in Solebury
12 Township, Bucks County, Pennsylvania, as shown on a Boundary
13 Survey Plan prepared by Barry Isett & Associates, Inc. of
14 Norristown, Pennsylvania, Job number 146204.001, dated August
15 10, 2009, said tract being more fully bounded and described as
16 follows:

17 Beginning at a point at the intersection of the Centerline of
18 Aquetong Road with the centerline of River Road;

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

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

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

28 3.) South 36 degrees 23 minutes 30 seconds East 127.47 feet to
29 a point of curve;

30 4.) Along a curve to the left having a radius of 1,375.00 feet,

1 an arc distance of 181.75 feet, a delta of 07 degrees 34 minutes
2 25 seconds and a chord of South 40 degrees 10 minutes 43 seconds
3 East 181.62 feet to a tangent point;

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

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

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

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

16 9.) South 72 degrees 51 minutes 46 seconds West 17.98 feet to a
17 Point in line of Parcel B; thence

18 10.) South 50 degrees 21 minutes 11 seconds East 52.09 feet to
19 a point, a corner of lands now or formerly of the Commonwealth
20 of Pennsylvania; thence along lands of the Commonwealth of
21 Pennsylvania and along lands of Block 7 Lot 001 the three
22 following courses and distances

23 11.) South 76 degrees 25 minutes 35 seconds West 477.97 feet to
24 a rebar found

25 12.) North 48 degrees 14 minutes 20 seconds East 33.28 feet to
26 a point; thence

27 13.) 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 14.) 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 15.) 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 16.) 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 17.) South 69 degrees 31 minutes 39 seconds East 182.10 feet to
15 a point of curve;
16 18.) 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 tangent point;
20 19.) South 80 degrees 42 minutes 54 seconds East 256.00 feet to
21 a point of curve;
22 20.) 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 21.) South 82 degrees 29 minutes 40 seconds East 129.70 feet to
27 the first mentioned point and place of beginning, including all
28 of Parcel A (inclusive of lots 64, 64.1, and 65), Parcel B and
29 Parcel C (known as the Mill property) containing: 137.56 acres
30 of land.

1 (c) Visitor's center.--Bowman's Hill Wildflower Preserve
2 Association, Inc. or its successor, being knowledgeable and
3 sensitive of the local view shed, shall consult with
4 Pennsylvania Historical and Museum Commission or its successor
5 on the location and design of a new visitor's center to minimize
6 the impact on the view shed from the Thompson Neely House.

7 (d) Water and sewer service.--

8 (1) Except as provided under paragraph (2), the
9 Pennsylvania Historical and Museum Commission shall provide
10 water and sewer capacity to serve the Bowman's Hill
11 Wildflower Preserve's needs as of the effective date of this
12 act.

13 (2) When repairs to the existing Pennsylvania Historical
14 and Museum Commission sewage treatment plant are complete and
15 the plant is able to provide necessary sewer services to the
16 Bowman's Hill Wildflower Preserve, the Pennsylvania
17 Historical and Museum Commission shall provide sewer services
18 to the Bowman's Hill Wildflower Preserve, subject to the
19 following conditions:

20 (i) The Bowman's Hill Wildflower Preserve shall make
21 payment to the Pennsylvania Historical and Museum
22 Commission for sewer services on a usage basis at
23 prevailing local rates.

24 (ii) If the Bowman's Hill Wildflower Preserve
25 requires more sewer service capacity than it required on
26 the effective date of this act, the Pennsylvania
27 Historical and Museum Commission shall provide the
28 necessary additional capacity until such time as the
29 sewage treatment plant has reached its capacity.

30 (iii) When the Pennsylvania Historical and Museum

1 Commission's sewage treatment plant has reached its
2 capacity, the Commission shall be under no obligation to
3 provide additional sewer services beyond the plant's
4 capacity.

5 (e) Right of reverter.--The deed of conveyance shall contain
6 a clause that the property conveyed "shall not be used in a
7 manner inconsistent with its use as a 'wildflower preserve' by
8 the Bowman's Hill Wildflower Preserve Association, Inc., and, if
9 at any time the Bowman's Hill Wildflower Preserve Association,
10 Inc. or its successor in function sells or transfers the
11 property or permits the property to be used for any purpose
12 other than those specified in this section, the title to the
13 property shall immediately revert to and revest in the
14 Commonwealth."

15 (f) Easements.--The conveyance shall be made under and
16 subject to all easements, servitudes and rights of others,
17 including, but not confined to, streets, roadways and rights of
18 any telephone, telegraph, water, electric, sewer, gas or
19 pipeline companies, as well as under and subject to any
20 interest, estates or tenancies vested in third persons, whether
21 or not appearing of record, for any portion of the land or
22 improvements erected thereon.

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

26 (h) Covenants.--Any conveyance authorized under subsection
27 (b) shall be made under and subject to the condition, which
28 shall be contained in the deed of conveyance, that no portion of
29 the property conveyed shall be used as a licensed facility, as
30 defined in 4 Pa.C.S. § 1103 (relating to definitions), or any

1 other similar type of facility authorized under the laws of this
2 Commonwealth. The condition shall be a covenant running with the
3 land and shall be binding upon the grantee, its successors and
4 assigns. Should the grantee, its successors or assigns, permit
5 any portion of the property authorized to be conveyed in this
6 section to be used in violation of this section, the title shall
7 immediately revert to and re-vest in the grantor.

8 (i) Cost and fees.--Costs and fees incidental to the
9 conveyance shall be borne by the grantee.

10 Section 2. Effective date.

11 This act shall take effect immediately.