

**BEFORE THE
CHELtenham TOWNSHIP ZONING HEARING BOARD**

**IN RE: APPLICATION OF ARCADIA UNIVERSITY : APPEAL NO. 22-3699
TO THE CHELtenham TOWNSHIP ZONING
HEARING BOARD :**

DECISION

A. FINDINGS OF FACT

1. On March 7, 2022, Arcadia University (the "Applicant") filed an application (the "Application") to the Cheltenham Township Zoning Hearing Board (the "ZHB") seeking relief to convert the property located at 125 Royal Avenue, Wyncote, PA 19095, being Montgomery County Tax Parcel Nos. 31-00-23836-00-1 and 31-00-16072-00-7 (the "Property") from a public or private school use to a university use, including accessory educational facilities.

2. On April 19, 2022 and May 9, 2022, the ZHB held hearings on the Application.

3. The following exhibits were marked and introduced into the record by the Zoning Hearing Board:

- a. B-1 – Zoning Hearing Board Exhibits Listing
- b. B-2 – Legal Notice for all applications heard on April 19, 2022
- c. B-3 – the Application
- d. B-4 – Location map depicting the property
- e. B-5 – Land Record Parcel Information dated March 6, 2022
- f. B-6 – April 7, 2022 memorandum to the ZHB from the Cheltenham Township Planning Commission and the Cheltenham Township Building and Zoning Committee
- g. B-7 – Site Plan
- h. B-8 – Neighbor notification list and map
- i. B-9 – Proof of publication for April 9, 2022 hearing
- j. B-10 – Proof of posting of the Property consisting of 2 photographs
- k. B-11 – Posting certification

4. The Application requested the following relief:

a. A special exception pursuant to Section 295-2502.B.(2) of the Cheltenham Township Zoning Ordinance (the "Ordinance") to convert the Property and all accessory improvements thereon from an existing non-conforming "School - Public/Private" use (Use D-12) to a "College or University" use (Use D-2) and an "Educational Facilities" use (Use D-6); and

b. A special exception pursuant to Section 2502.B.(2) of the Ordinance to convert the Property and all accessory improvements thereon from an existing principal non-conforming "School – Public/Private" use (Use D-12) to an accessory "School – Public/Private" use (Use D-12) to allow for potential use of the Property, building, and athletic fields by non-Arcadia educational and/or community-based organizations for purposes consistent with Arcadia's educational mission; and

c. A variance from Section 2502.G. to allow replacement of existing non-conforming signs with signs of the same area as the existing signs and to add directional/accessibility signage pursuant to Section 2404.A.3. of the Ordinance; and

d. In the alternative, a variance from Section 295-500 of the Ordinance to allow a Use D-2 "College or University" use (Use D-2) with an accessory "Educational Facility" use (Use D-6) and an accessory "School – Public/Private" use (Use D-12).

5. The Property is zoned R-1 Residential District.

6. The legal owner of the Property is the Archdiocese of Philadelphia. See Exhibits B-3, A-3. The Applicant is the equitable owner of the Property pursuant to an agreement of sale dated January 24, 2022. See Exhibit A-3.

7. William F. Kerr, Jr., Esquire represented the Applicant at the hearings. Notes of Testimony ("N.T.") 4/19/22 at p. 11.

8. Party status was granted to the following persons:

- a. James W. Schott, II, 209 Royal Avenue, Wyncote, PA 19095
- b. Diane Schott, 209 Royal Avenue, Wyncote, PA 19095
- c. Earl Stamm, 209 Gribbel Road, Wyncote, PA 19095, individually and in his capacity as President of the Friends of Wyncote Glen Civic Association
- d. Eileen Libonati, 204 Gribbel Road, Wyncote, PA 19095
- e. Frank Libonati, 204 Gribbel Road, Wyncote, PA 19095

N.T. 4/19/22 at pp. 12-30.

9. Joan Singleton ("Singleton"), the Applicant's Vice-President of Administration and Finance and Chief Financial Officer, testified as a witness for the Applicant. N.T. 4/19/22 at p. 48, *et seq.*

10. The Applicant operates Arcadia University in Cheltenham Township. N.T. 4/19/22 at p. 31.

11. In 2021, the Archdiocese of Philadelphia decided to close Bishop McDevitt High School, which is located on the Property, and the Applicant exercised a right of first refusal to enter into an agreement of sale for the Property. N.T. 4/19/22 at pp. 31-32.

12. The following exhibits were marked and introduced into the record by the Applicant:

- a. A-1 - Application
- b. A-2 - Relief requested
- c. A-3 – Agreement of Sale (redacted)
- d. A-4 - Plan
- e. A-5 – Property photos
- f. A-6 – Board of Assessment property records
- g. A-7 – Eric Ostimchuk, P.E., PTOE curriculum vitae

- h. A-8 – Letter dated April 14, 2022 from Traffic Planning and Design
- i. A-9 – Facilities and Service Agreement
- j. A-10 – Letter from Friends of Bishop McDevitt
- k. A-11 – Letter dated April 15, 2022 from the Applicant to the Friends of Bishop McDevitt
- l. A-12 – Draft of agreed-upon conditions if relief is granted
- m. A-13 – Revised agreed-upon conditions if relief is granted
- n. A-14 – Power Point presentation

N.T. 4/19/22 at pp. 32-37, 47; 5/9/22 at pp. 15, 36.

13. The current use of the Property, which is a Use D-12, “School – Public/Private”, is an existing non-conforming use in the R-1 Residential District. N.T. 4/19/22 at p. 38.

14. The Applicant’s intention is to occupy the existing classrooms in the school building on the Property with classrooms. The offices would be occupied either as administrative offices, faculty offices, but would be typically used as offices. The gymnasium will be used as a gymnasium for university purposes, which could include athletics, events, and other types of typical gymnasium activities. The cafeteria would be used as food service for the students while they’re on the Property. N.T. 4/19/22 at pp. 44-45.

15. The Applicant has no plan to have any housing whatsoever on the Property and agreed not to use the Property for any residential purposes. N.T. 4/19/22 at p. 45.

16. There are approximately 1,800 students enrolled at Arcadia University, and approximately 500 student athletes. N.T. 4/19/22 at 52.

17. The Applicant proposes to use the existing athletic fields on the Property for intra-mural sports, recreational sports, and practice (training and drills) for the University’s soccer and track teams. N.T. 4/19/22 at p. 53.

18. The Applicant will not look to rent the athletic fields on the Property to summer camps. N.T. 4/19/22 at p. 53.

19. The Applicant will only rent the Property for events that support the University’s mission. N.T. 4/19/22 at p. 55.

20. The Applicant may seek to have outside educational organizations use the Property as part of the Applicant’s graduate programs in the physical sciences, and work together with other institutions to offer pro bono clinics in physical therapy and counseling, which would be open to the public along with an exercise clinic. N.T. 4/19/22 at p. 56.

21. The Applicant may seek to have its education students work with local area school students on STEM programs. N.T. 4/19/22 at pp. 56-57.

22. Eric Ostimchuk (“Ostimchuk”) was qualified as an expert in traffic engineering and testified as a witness for the Applicant. N.T. 4/19/22 at pp. 60, *et seq.*; See Exhibit A-7.

23. Ostimchuk prepared a traffic report for the proposed use of the Property by the Applicant. N.T. 4/19/22 at p. 62; See Exhibit A-8.

24. Ostimchuk anticipates that the peak hour traffic generated by the proposed use of the Property by the Applicant will be less than the peak hour traffic generated by Bishop McDevitt High School. N.T. 4/19/22 at p. 63.

25. The use of the Property as a high school generates more peak hour traffic than a university use because high school students come and go at generally the same times of the day, whereas university students come and go at various times during the day. N.T. 4/19/22 at p. 64.

26. Ostimchuk testified that the traffic impact of the university will be less than the impact of the high school use during peak hours. N.T. 4/19/22 at p. 65.

27. The hearing was continued to May 9, 2022. N.T. 4/19/22 at p. 79.

28. Harold Lichtman ("Lichtman") was qualified as an expert in architecture and planning and testified as a witness for the Applicant. N.T. 5/9/22 at pp. 13, *et seq.*

29. There is an existing parking lot on the Property with 270 parking spaces. N.T. 5/9/22 at p. 17. The proposed university use would require 223 parking spaces. N.T. 5/9/22 at p. 21.

30. The Applicant is not proposing any exterior or other site improvements to the Property. N.T. 5/9/22 at p. 20.

31. The primary use of the Property by the Applicant will be as a Use D-2 – College of University which use requires a minimum of 6 acres (the Property is 18+ acres in area), and which use requires that the university be licensed by the Commonwealth of Pennsylvania, which the Applicant is. N.T. 5/9/22 at p. 22.

32. The Applicant wishes to maintain the existing D-6 – Educational Facilities and D-12 – School – Public/Private uses to maintain normal university programs and activities on the Property and anticipates using the Property in the same way it uses its main university campus with full oversight by the University staff. N.T. 5/9/22 at p. 23.

33. McDevitt High School had a football team that used its athletic fields for practices that sometimes began at 6:00 AM and ended after 7:00 PM, whereas the Applicant does not have a football team. N.T. 5/9/22 at p. 24.

34. McDevitt High School hosted theater shows that involved practices as late as 10:00 PM and weekend shows, whereas the Applicant has its own theaters on its main campus and will not be using the Property for theater productions. N.T. 5/9/22 at p. 24.

35. McDevitt High School had basketball games at its gym, whereas the Applicant will have those games on its main campus. N.T. 5/9/22 at pp. 24-25.

36. McDevitt High School hosted dances at the Property that went into later evening hours, whereas the Applicant will not hold any dances on the Property. N.T. 5/9/22 at p. 25.

37. The Applicant's proposed uses of the Property will not adversely affect the public health, safety, or welfare due to changes in traffic conditions, drainage, air quality, noise levels, natural features of the land, neighborhood property values and neighborhood aesthetic characteristics. N.T. 5/9/22 at pp. 29-30.

38. The Applicant's proposed uses of the Property are in accordance with the Cheltenham Township Comprehensive Plan which identifies the Property as an institutional use. N.T. 5/9/22 at p. 30.

39. The parking currently provided on the Property exceeds the parking required for the proposed uses on the Property. N.T. 5/9/22 at p. 31.

40. The Applicant's proposed uses of the Property will not adversely affect the logical, efficient, and economical extension or provision of public services and facilities such as public water, sewers, refuse collection, police and fire protection, and public schools. N.T. 5/9/22 at pp. 31-32.

41. The Applicant's proposed uses of the Property will not otherwise adversely affect the public health, safety, morals, or welfare. N.T. 5/9/22 at p. 32.

42. Exhibit A-13 contains 20 paragraphs of conditions that were agreed to by the Applicant, Eileen Libonati, Frank Libonati, Earl Stamm in his individual capacity, and Earl Stamm as President and counsel of Friends of Wyncote Glen, Inc. N.T. 5/9/22 at p. 42.

43. There are full sidewalk and street crossing lanes that connect the Applicant's main campus with the Property to accommodate students who may walk between sites. N.T. 5/9/22 at p. 50.

44. With regard to signage, the Applicant proposes to replace the name "Bishop McDevitt High School" with "Arcadia University" where applicable and will not increase the existing square footage of the signage on the Property. The Applicant will otherwise comply with all applicable ordinance requirements governing signs on the Property. N.T. 5/9/22 at pp. 58-61.

45. Diane Schott, a party to the hearing, introduced the following Exhibits that were admitted into evidence by the ZHB:

a. Diane Schott-1 – Arcadia Response to Questions and Requests Regarding 125 Royal Avenue and Arcadia, dated May 9, 2022

b. Diane Schott-2 – Excerpt from ITE Trip Generation Manual, 11th Edition, Vol. 1 dated September, 2021

c. Diane Schott-3 – RCRA Corrective Action Resources Specific to EPA Region 3

N.T. 5/9/22 at pp. 84, 85, 92.

46. Diane Schott testified regarding her concerns with traffic that may be generated by the Applicant's proposed uses of the Property. N.T. 5/9/22 at pp. 79, et seq.

47. On May 9, 2022, the ZHB voted 3-0 to grant the requested relief subject to conditions set forth in the ZHB's Order below.

B. CONCLUSIONS OF LAW

1. The Applicant has legal standing as the equitable owner of the Property to file and prosecute the Application.

2. The hearing was duly advertised and posted in accordance with law.

3. Section 2502.B.2. of the Ordinance allows a nonconforming use to be changed to another nonconforming use of the same general character provided that the applicant obtains a special exception pursuant to Chapter XXVIII of the Ordinance.

4. The current use of the Property as a Use D-12 – School, Public/Private is a nonconforming use in the R-1 Zoning District having predated the zoning of the Property to R-1.

5. The Applicant has gone forward with evidence and has met its burden of proving that the proposed conversion of the use on the Property from D-12 – School, Public/Private to D-2 – College or University, D-6 – Educational Facilities, and an accessory D-12 – School, Public/Private is permitted by special exception.

6. The Applicant has gone forward with evidence and proven that it meets all the objective criteria of the Ordinance applicable to uses D-2, D-6, and D-12.

7. The Applicant has gone forward with evidence and proven that it meets all the general criteria of Section 2502.B.2. of the Ordinance regarding changing one nonconforming use to another nonconforming use.

8. The Protestants have not proven that the proposed use of the Property as uses D-2, D-6, and D-12 poses a greater threat to the health, safety, and general welfare of the residents than any other uses D-2, D-6, and D-12.

9. To the extent required, the Applicant has met its burden of proving entitlement to a variance from Section 2502.G. to allow replacement of existing non-conforming signs with signs of the same area as the existing signs and to add directional/accessibility signage pursuant to Section 2404.A.3. of the Ordinance.

10. The Applicant met its burden of proving that it is entitled to the relief requested.

11. The ZHB neither abused its discretion nor committed an error of law in issuing the below Order.

C. DISCUSSION

Upon review of the standards required to support the issuance of a special exception, the Applicant has met its burden of proving that the requested relief to change one non-conforming use to 3 separate non-conforming uses is permitted by special exception pursuant to Section 2502.B.2. of the

Ordinance. In addition, the Applicant met its burden of proving compliance with all applicable sections of the Ordinance that set forth criteria for the operation of a D-2, D-6, and D-12 use.

Specifically, Section 405.D.2. of the Ordinance requires that for a Use D-2 – College or University, a. that the minimum lot area shall be six (6) acres (the Property in this case is over 18 acres in area), and b. that outdoor recreation areas and fields shall be shielded with a high-density screen when any portion thereof is located within 100 feet of an off-site, residential land use. In addition, all exterior lighting shall be designed to prevent glare onto adjacent properties and illumination onto existing residentially used areas shall at no time exceed 0.5 footcandles at the property line. The Applicant presented credible testimony that the existing outdoor recreation areas on the Property will be shielded both from sight and from light glare upon the Applicant's commencement of use of the Property.

Further, Section 405.D.6. of the Ordinance defines Use D-6, Educational Facilities, as a use that is comprised of the classrooms, lecture halls, libraries, or similar locations where classes are taught or instruction is given as part of a school – public/private or college/university, and that the use is only permitted as an accessory use by special exception. The Applicant's testimony demonstrated that the proposed use of the Property as a Use D-6 – Educational Facility would be the same use to which the High School formerly located on the Property was used, namely, classrooms, a gymnasium, a cafeteria, and administrative offices.

Finally, Section 405.D-12 of the Ordinance defines Use D-12, School, Public/Private, requiring a minimum of 6 acres (met, as noted above), requiring that outdoor play area and fields shall be shielded with a high-density screen when any portion thereof is located within 100 feet of an off-site, residential land use (met as noted above), and that temporary classroom trailers are not permitted. There was no evidence that temporary classrooms are proposed by the Applicant. Again, the Applicant has submitted credible testimony to support the ZHB's determination that the objective criteria of this section have been met.

Further, the Applicant presented credible evidence that it meets the general requirements for the issuance of a special exception in Cheltenham Township. Section 2804.A. states that an applicant for a special exception shall have the burden of establishing, 1. that the application falls within the provision of the Zoning Ordinance which accords to the applicant the right to seek a special exception, 2. that the allowance of the special exception will not be contrary to public interest, and 3. that the application meets the express requirements in the zoning district in which it is proposed, and the express requirements for the particular use as indicated in Article IV, use regulations, of the Ordinance. As noted previously, the Applicant in this case has met subsections 1. and 3. of Section 2804.A., and the remaining question is whether the Applicant has met subsection 2. of Section 2804.A.

In order to make that determination, the ZHB refers to Section 2804.C. of the Ordinance which sets forth the factors that the ZHB must consider in determining whether an application is "contrary to the public interest." Those factors are as follows:

"The Board shall consider whether the application, if granted, will:

1. Adversely affect the public health, safety and welfare due to changes in traffic conditions, drainage, air quality, noise levels, natural features of the land, neighborhood property values and neighborhood aesthetic characteristics.

2. Be in accordance with the Cheltenham Comprehensive Plan.
3. Provide the required parking.
4. Adversely affect the logical, efficient and economical extension or provision of public services and facilities such as public water, sewers, refuse collection, police and fire protection and public schools.
5. Otherwise adversely affect the public health, safety, morals or welfare.”

The ZHB examined the testimony provided by the Applicant and determined that there is substantial credible evidence that the Applicant met each of these criteria, i.e., that the proposed uses of the Property will not be contrary to the public interest. Mr. Lichtman testified as to each of the specific criteria listed in Section 2804.C.1 through 5, and the ZHB is satisfied that the proposed uses will not have an adverse impact on the neighborhood or the public.

Objectors Mr. and Mrs. Schott made various unsubstantiated claims regarding traffic generation and the impact of having a college/university use on the Property rather than a high school use, but the ZHB was not convinced that the Schotts’ claims had merit, nor were they supported by substantial evidence.

Turning to the variance requested by the Applicant to substitute its signage for existing signs on the Property without increasing the sign area, an applicant for a variance bears the burden of meeting the requirements set forth in Section 910.2 of the Pennsylvania Municipalities Planning Code (hereinafter the “MPC”), where relevant, which are as follows:

- (1) That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of the zoning ordinance in the neighborhood or district in which the property is located;
- (2) That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
- (3) That such unnecessary hardship has not been created by the Applicant;
- (4) That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of the development of adjacent property, nor be detrimental to the public welfare; and
- (5) That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

The Applicant met its burden of proving entitlement to a variance to substitute its signage for existing signs on the Property without increasing the sign area. The signs are warranted as identification signs on the Property to identify that Arcadia University owns and operates the Property rather than Bishop McDevitt High School. The proposed signage is in the best interests of the health, safety, and general welfare of the public and presents no adverse impacts.

In conclusion, the ZHB neither abused its discretion nor committed an error of law in granting the relief requested by the Applicant.

D. ORDER

AND NOW, this 13th day of June, 2022, the Application of Arcadia University is granted as follows:

1. A special exception pursuant to Section 295-2502.B.(2) of the Cheltenham Township Zoning Ordinance (the "Ordinance") to convert the Property and all accessory improvements thereon from an existing non-conforming "School - Public/Private" use (Use D-12) to a "College or University" use (Use D-2) and an "Educational Facilities" use (Use D-6); and
2. A special exception pursuant to Section 2502.B.(2) of the Ordinance to convert the Property and all accessory improvements thereon from an existing principal non-conforming "School – Public/Private" use (Use D-12) to an accessory "School – Public/Private" use (Use D-12) to allow for potential use of the Property, building, and athletic fields by non-Arcadia educational and/or community-based organizations for purposes consistent with Arcadia's educational mission; and
3. A variance from Section 2502.G. to allow replacement of existing non-conforming signs with signs of the same area as the existing signs and to add directional/accessibility signage pursuant to Section 2404.A.3. of the Ordinance.

The grant of relief above is specifically conditioned on the Applicant's compliance with the following conditions:

1. For purposes of these conditions, the follow terms shall have the following definitions:
 - a. "Property" shall mean the real property located at 125 Royal Avenue, Wyncote, Cheltenham Township, Montgomery County, Commonwealth of Pennsylvania, a legal description of which is attached hereto.
 - b. "Athletic Field" shall mean any current or future athletic fields located on the Property.
 - c. "Owner" shall mean Arcadia University or any successor as legal owner of the Property.
 - d. "Parking Lots" shall mean any current or future parking lots located on the Property.

2. The Athletic Field may be used only by and for the Owner's educational related ceremonies and functions, including student sports practices, intramural sports practices and games, and student recruiting programs including recruiting camps.

3. No intercollegiate sports games or competitions may be held on the Athletic Field.

4. The Athletic Field shall be completely fenced in, and the fence shall be kept on good repair at all times.

5. The fence surrounding the Athletic Field shall be kept locked at all times when not in use.

6. The Athletic Field shall not be illuminated, whether by permanent light standards or portable lights.

7. The Athletic Field shall only have a natural or grass surface.

8. No permanent spectator seating or stands shall be permitted on the Athletic field.

9. No dormitories or overnight lodging shall be permitted on the Property.

10. The Owner's policies on alcohol, drugs, and smoking will apply to the Property. Additionally, there shall be no alcoholic beverages or other intoxicants allowed on the Athletic Field or Parking Lot.

11. The Athletic Field may be used only between the hours of 7:00 a.m. to 6:00 p.m. from November 1 to March 31, and from 7:00 a.m. to 9:00 p.m. from April 1 to October 31.

12. The Property shall be patrolled by Arcadia's Office of Public Safety or any successor, which can be contacted by any neighborhood resident at any time 24 hours, 7 days a week, at 215-572-2800.

13. The Athletic Field and Parking Lots shall not be rented to or used by any person or group that is not part of or related to Owner or its educational programs, mission, or functions, except rental and use by community-based not-for-profit organizations.

14. There shall be no amplified sound systems used in connection with the Athletic Field or Parking Lots.

15. Notwithstanding Paragraph 14, temporary/portable sound amplifying devices may be used, but only under following conditions:

- They may be used for ceremonies and functions sponsored by or affiliated with the Owner and its programs.
- They may be used to enhance the clarity of spoken voice and music to attendees of those ceremonies and functions.
- The music must be short in duration and limited to those ceremonies and functions.
- The speakers from any such amplification system must be directed away from surrounding residential neighborhoods.

- The volume of any sound coming from the amplification must be in compliance with all Ordinances of Cheltenham Township.

16. No musical instruments may be played outdoors on the Athletic Field or Parking Lots.

17. Notwithstanding Paragraph 16, musical instruments may be played outdoors on the Athletic Field or Parking Lots with temporary/portable amplification, but only if such music comes from string quartets, small ensembles, and the like; the sound therefrom is directed away from surrounding residential neighborhoods; and the sound therefrom is in compliance with all Ordinances of Cheltenham Township.

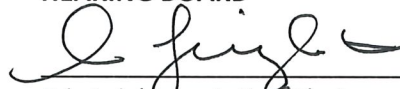
18. No signage on the Property will be animated, blink, scroll, move, or otherwise have changeable text.

19. No subdivision or land development, as those terms are defined by the Pennsylvania Municipalities Planning Code, as may be amended, shall occur on the Property.

20. The use of the Property by the Owner shall be in substantial compliance with the evidence and testimony presented by the Owner to the Zoning Hearing Board.

21. Prior to using the Property as authorized by this Order, the Owner shall obtain all permits and approvals required by Cheltenham Township for the approved uses.

**CHELtenham TOWNSHIP ZONING
HEARING BOARD**



Eric Leighton, Acting Chair



Hannah Mazzaccaro, Acting Vice-Chair



Joseph Vescovich, Alternate Member

This Decision was mailed to the Applicant
on June 14, 2022.

THIS DECISION AND ORDER OF THE CHELTENHAM TOWNSHIP ZONING HEARING BOARD IS FINAL, AND ANY APPEAL OF IT MUST BE FILED WITH THE COURT OF COMMON PLEAS OF MONTGOMERY COUNTY WITHIN THIRTY (30) DAYS FOLLOWING THE COPY MAILING DATE.

Legal Description

For APN/Parcel ID(s): 31-00-23836-00-1 (A) and 31-00-16072-00-7 (B)

ALL THAT CERTAIN tract or piece of land situate in the Township of Cheltenham, County of Montgomery and Commonwealth of Pennsylvania, and described according to a survey and plan thereof made by Joseph W. Hunter, Esq., Civil Engineer, dated October 1905, as follows, to wit:

BEGINNING at a point in the middle of a public road called Royal Avenue laid out and opened of the width of Fifty feet at the distance of Five hundred ninety-one and eighty-three one-hundredths feet Southeasterly from the middle of the Germantown and Willow Grove Turnpike; thence along the Southeasterly side of land occupied by the Glenside Trolley Road passing over a stone at the intersection of the Southeasterly side of said Glenside Trolley Road and the Northeasterly side of said Royal Avenue North Forty degrees, Eight minutes, Forty-five seconds East Five hundred twenty-seven and sixteen - one-hundredths feet to a stone; thence along land now or late of Charles Hawott South Fifty degrees, Ten minutes, Thirty-nine seconds East Six Hundred seventy-five and seven one-hundredths feet to a stones thence along land now or late of John Gribble South Thirty-two degrees, Four minutes, Forty-five seconds West Five hundred thirty-five and seventy-two one-hundredth feet passing over a stone at the intersection of the Northwesterly side of land now or late of John Gribble aforesaid, and the Northeasterly side of old Royal Avenue to a point in the middle of said Royal Avenue; thence along the middle line of said Royal Avenue North Forty-nine degrees, Fifty-one minutes, Forty-five seconds West Seven hundred fifty foot and two-tenths of a feet to the first mentioned point and place of beginning.

AND ALSO ALL THAT CERTAIN tract or piece of land, situate in the Township of Cheltenham, County of Montgomery and State of Pennsylvania.

BEGINNING at a point in line of land in occupancy of the Philadelphia Rapid Transit Company at a distance of Four hundred eighty-five and sixty-nine one-hundredths feet more or less Southwest from the center line of Waverly Road, (Thirty-three feet wide); thence by land now or late of Charles Howett Estate of which this was a port South fifty degrees, Eight minutes, East Six hundred sine feet and two one-hundredths of a feet to a corner and still partly by the said land and by land now or late of John Gribble, South Thirty-nine degrees, Fifty-two minutes West Six hundred ton feet to a stone in line of land now or late of John Gribble thence by the same and land now or late of, George H. Lorimer North Fifty degrees, Eight minutes west Seven hundred ten feet and two-one-tenths of a feet to a point in the aforementioned line of land occupied by the Philadelphia Rapid Transit Company; thence along same by curve to the right having a radius of seven hundred sixty-five feet, the arc distance of One hundred seventy-seven and ninety-six one hundredths feet to a point of tangent curve; thence by curve to the loft having a radius of seven hundred thirty-five feet the arc distance of one hundred ninety-two feet to a point of tangent; thence still by the same North Forty degrees, seven minutes East Two hundred Forty-four and Thirty-six one-hundredths feet to the place of beginning.

Being the same premises which Wyncote Development Company, a Pa Corp. by Deed dated 11-8-1954 and recorded 11-9-1954 in Montgomery County in Deed Book 2520 page 235 conveyed unto His Excellency, Most Reverend John F. O'Hara, C.S.C., Archbishop of Philadelphia, in fee.

And the said John F. O'Hara as aforesaid, was ultimately succeeded by John J. Krol, as Archbishop of Philadelphia.

And the said John J. Krol Archbishop as aforesaid, was ultimately succeeded by Anthony Bevilacqua, as Archbishop of Philadelphia.

And the said Anthony Bevilacqua Archbishop as aforesaid, was ultimately succeeded by Justin Regali, as Archbishop of Philadelphia.

And the said Justin Regali Archbishop as aforesaid, was ultimately succeeded by Charles Chaput, as Archbishop of Philadelphia.

And the said Charles Chaput Archbishop as aforesaid, was ultimately succeeded by Nelson Perez, as Archbishop of Philadelphia.