



**IN THE COURT OF COMMON PLEAS OF PHILADELPHIA  
ORPHANS' COURT DIVISION**

**O.C. No. 0922 ST of 2021  
Control No. 213837**

**In re: Atwater Kent Museum, Testamentary Trust**

**DECREE**

**AND NOW**, this 3<sup>rd</sup> day of May, 2022, upon consideration of the Petition of the City of Philadelphia to Deviate from the Administrative Provisions of the Atwater Kent Museum Collection Trust and to Substitute Drexel University as the New Trustee of the Collection, the responses to the Petition, and the hearings held on February 28, 2022 and April 27, 2022, this court hereby **ORDERS** and **DECREEES** the following relief:

1. The City of Philadelphia's Petition to Deviate from the Administrative Provisions of the Atwater Kent Museum Collection Trust and to Substitute Drexel University as the New Trustee of the Collection, is hereby granted.
2. The Collection Transfer Plan set forth in Exhibit 1 to the City's Petition is hereby approved.
3. The City of Philadelphia, by its Trustees of the Atwater Kent Museum (also known as the Philadelphia History Museum at the Atwater Kent) is authorized to deviate from the administrative provisions of the trust created by the terms of the 1938 Ordinance and the 1938 Deed, each as amended, as follows:
  - a. The City may enter into a written agreement with Drexel University consistent with the form set forth in the revised proposed Atwater Kent Collection Transfer Agreement<sup>1</sup>, filed

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<sup>1</sup> Substantial changes to the Atwater Kent Collection Transfer Agreement are impermissible. This Court will permit grammatical, typographical, and/or punctual changes.

with the Court on April 28, 2022, and in accordance with and consistent with the Collection Transfer Plan and the City's Petition.

- b. The City may implement the Collection Transfer Plan, including transferring title to the Atwater Kent Museum Collection to Drexel University as successor trustee of the Collection.
4. The Board of Trustees of the Atwater Kent Museum is relieved and discharged as trustee of the Collection and Drexel University is appointed successor trustee of the Collection, effective upon execution of the Atwater Kent Collection Transfer Agreement between the City and Drexel University and the City's transfer of title to the Collection of Drexel University as successor trustee of the Collection.

It is **FURTHER ORDERED** and **DECREED** that within seven (7) days of the signing and execution of the final Transfer Agreement, the parties shall file the final copy with the Court.

It is **FURTHER ORDERED** and **DECREED** that the transfer shall be subject to Court oversight and review to ensure proper compliance with this Court's Decree.

It is **FURTHER ORDERED** and **DECREED** that the parties shall appear before the Court, on or before December 15 of each year, for a hearing on the status of the transfer.

It is **FURTHER ORDERED** and **DECREED** that this Court may generally request the status of the deviations to ensure compliance with the Transfer Agreement and the Court's Decree contained therein.

It is **FURTHER ORDERED** and **DECREED** that this Court retains its authority to conduct subsequent hearings as the need arises.

BY THE COURT:

  
WOODS-SKIPPER, A.J.

Lawrence K. Copeland, Esquire  
Lydia Furst, Esquire  
David Dembe, Esquire  
Ann Loftus, Esquire  
Timothy Raynor, Esquire  
Michael Exler, Esquire