

# City of Philadelphia



(Bill No. 170856)

## AN ORDINANCE

Authorizing the Commissioner of the Department of Public Property to acquire a trestle over Germantown Avenue just below Cresheim Valley Drive and to enter into an agreement to license from PECO Energy Company a certain strip of land running parallel to a portion of Cresheim Creek, all under certain terms and conditions.

### *THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. The Commissioner of the Department of Public Property, on behalf of the City, is hereby authorized to acquire a trestle (also known as the Abandoned Pennsylvania Railroad Fort Washington Branch Bridge at S.R. 4007 Germantown Avenue) (the "Trestle"), through a donation from PECO Energy Company, generally in the area identified as the "Trestle Location" in Exhibit B to this Ordinance, and authorizing the Commissioner of Public Property to execute all other documents necessary or appropriate for the purpose of acquiring the Trestle.

SECTION 2. The Commissioner of the Department of Public Property is hereby authorized to enter into a License Agreement between PECO Energy Company as Licensor and the City of Philadelphia as Licensee for a strip of land running parallel along the Cresheim Creek from Wissahickon Valley Park to the intersection of Stenton Avenue and Cresheim Valley Drive (as generally shown in Exhibit B), based substantially on the terms set forth in Exhibit A hereto.

SECTION 3. The City Solicitor is authorized by this ordinance to include in the License Agreement such terms and provisions as the City Solicitor deems necessary or appropriate to protect the interests of the City.

## Exhibit "A"

Terms of proposed License Agreement between the PECO Energy Company and the City of Philadelphia for certain land known as the PECO Right-of-Way along the Cresheim Creek.

### 1. Exhibit "A" Definitions:

"PECO" means the PECO Energy Company.

"City" means the City of Philadelphia.

"Premises" means the land as generally shown as the Premises in the Map of the Cresheim Trail, attached as Exhibit B.

**2. Basic Structure of License Transaction:** City will license all or a portion of the Premises from PECO (the "Licensed Area").

### 3. License Terms:

- i) **Licensed Area:** The land as generally shown as the Premises in the Map attached as Exhibit B.
- ii) **Occupancy:** The Licensed Area will be maintained and controlled by the City.
- iii) **License Fee:** The City shall pay an annual fee of \$250.00.
- iv) **Duration:** The term of the license is 25 years. The City has the right to terminate the Licensee Agreement after four years.
- v) **Commencement Date:** Upon execution.
- vii) **Maintenance:** The City shall maintain the Premises and all improvements as required by the license, and may make improvements to the Premises that are authorized by the license.

# Cresheim Trail

PECO Right-of-way Along Cresheim Creek



PHILADELPHIA  
PARKS & RECREATION



Trestle  
Location

-  The Premises
-  Philadelphia City Limits



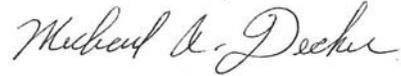
Date: 10/21/2015

# City of Philadelphia

BILL NO. 170856 continued

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 14, 2017. The Bill was Signed by the Mayor on December 20, 2017.



Michael A. Decker  
Chief Clerk of the City Council