



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 060579

Introduced June 15, 2006

Councilmember Nutter

**Referred to the
Committee on Public Property and Public Works**

AN ORDINANCE

Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to enter into an agreement with the Twenty-First Ward Athletic Association under which the City will lease to the Association certain parcels of land located in the 21st Ward of the City of Philadelphia and grant to the Association a related access easement, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Commissioner of Public Property, on behalf of the City of Philadelphia, is hereby authorized to enter into an agreement with Twenty-First Ward Athletic Association to lease to the Association the tracts of land described in Exhibit "A" and to grant to the Association an access easement described in Exhibit "B" for a term of twenty five (25) years with the City's right to terminate the agreement upon six (6) months notice to the tenant.

SECTION 2. The City Solicitor is hereby authorized to review and to approve all instruments and documents necessary to effectuate this Ordinance, which instruments and documents shall contain such terms and conditions as the City Solicitor shall deem necessary and proper to protect the interests of the City of Philadelphia and carry out the purpose of this Ordinance.

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EXHIBIT "A"

DESCRIPTION OF PARCEL "A"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon, SITUATE in the 21st Ward of the City of Philadelphia and described according to a Survey and Plan of Property (P 1-F2-#274) made by Joel S. Cirello, Surveyor and Regulator of the Ninth Survey District, dated August 28, 1998:

BEGINNING at a point of intersection of the southwesterly legally open line of Harner Street (on City Plan 60' wide, legally open 35' wide) and the northwesterly legally open line of Port Royal Avenue (on City Plan 80' wide, legally open 33' wide); THENCE extending along the said northwesterly line of Port Royal Avenue partly crossing the unopened portion of said Harner Road S.50°25'17"W. the distance of 389.929' to a point on the northeasterly side of a certain variable width easement that extends northwestwardly to a dead end; THENCE extending along the northeasterly side of the said variable width easement and crossing the unopened portion of said Port Royal Avenue N.39°46'50"W. the distance of 47.000' to a point on the confirmed northwesterly line of said Port Royal Avenue; THENCE extending along the northeasterly side of the said variable width easement N.39°46'50"W. the distance of 4 19.984' to a point; THENCE extending N.50°07' I 8"E. the distance of 98.439' to a point; THENCE extending N.88°55'48"E. the distance of 13.800' to a point; THENCE extending

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N.51°22'12"E. the distance of 263.572' to a point on the said southwesterly confirmed line of Harner Street; THENCE extending and crossing the unopened portion of said Harner Street N.51°22'12"E. the distance of 25.000' to a point on the said southwesterly legally open line of Harner Street; THENCE extending along the said southwesterly legally open line of Harner Street and partly recrossing the unopened portion of Port Royal Avenue S.38°37'48"E. the distance of 453.794' to a point on the said northwesterly legally open line of Port Royal Avenue the first mentioned point and place of beginning.

CONTAINING in Area Parcel "A" 152,127 sq. ft. or 3.49235 acres

Unopened Portion of Port Royal Avenue

and unopened Portion of Harner Street 28,617 sq. ft. or 0.65695 acres

Total Area of Parcel 180,744 sq. ft. or 4.14930 acres

DESCRIPTION OF PARCEL "B"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon, SITUATE in the 21st Ward of the City of Philadelphia and described according to a Survey and Plan of Property (P 1-F2-#274) made by Joel S. Cirello, Surveyor and Regulator of the Ninth Survey District, dated August 28, 1998:

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BEGINNING at a point on the northwesterly legally open line of Port Royal Avenue (on City Plan 80' wide, legally open 33' wide) at the distance of 404.253' southeastwardly from the southwesterly legally open line of Harner Street (on City Plan 60' wide, legally open 35' wide); THENCE extending along the said northwesterly legally open line of Port Royal Avenue S.50°25'17"W. the distance of 166.395' to an angle point; THENCE extending still along the said northwesterly legally open line of Port Royal Avenue S.49°38'19"W. the distance of 87.217' to a point; THENCE extending and crossing the unopened portion of said Port Royal Avenue N.40°07'09"W. the distance of 47.000' to a point on the confirmed line of said Port Royal Avenue; THENCE extending N.40°07'09"W. the distance of 367.692' to a point; THENCE extending N:49°37'44"E. the distance of 9.833' to a point; THENCE extending N.39°51'41"W. the distance of 43.871' to a point; THENCE extending N.50°08'19"E. the distance of 235.080' to a point; THENCE extending N.03°16'23"E. the distance of 11.229' to a point; THENCE extending N.50°07'18"E. the distance of 3.542' to a point on the southwesterly side of a certain variable width easement that extends southeastwardly to Port Royal Avenue; THENCE extending along the southwesterly side of the said variable width easement S.39°46'50"E. the distance of 419.903' to a point on the said northwesterly confirmed line of Port Royal Avenue; THENCE extending along the said southwesterly side of the variable width easement and recrossing the unopened portion of Port Royal Avenue S.39°46'50"E. the distance of 47.000' to a point on the southwesterly legally open line of Port Royal Avenue, the first mentioned point and place of beginning.

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CONTAINING in Area Parcel "B"	104,544 sq. ft. or 2.40000 acres
Area of Unopened Portion of Port Royal Avenue	11,926 sq. ft. or 0.27379 acres
Total Area of Parcel	116,470 sq. ft. or 2.67379 acres

DESCRIPTION OF PARCEL "C"

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon, SITUATE in the 21st Ward of the City of Philadelphia and described according to a Survey and Plan of Property (PI-F2-#275) made by Joel S. Cirello, Surveyor and Regulator of the Ninth Survey District, dated August 28, 1998:

BEGINNING at a point on the southwesterly legally open line of Harner Street (on City Plan 60' wide, legally open 35' wide) at the distance of 1046.953' northwestward from the northwesterly legally open line of Port Royal Avenue (on City Plan 80' wide, legally open 33' wide); THENCE extending and crossing the unopened portion of said Harner Street S.51°22' 12"W. the distance of 25.000' to a point on the southwesterly confirmed line of said Harner Street; THENCE extending S.51°22' 12"W. the distance of 407.424' to a point; THENCE extending N.57° 17' 19"W. the distance of 52.146' to a point; THENCE extending S.51°28'45"W. the distance of 300.021' to a point; THENCE

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extending N.38°37'48"W. the distance of 329.689' to a point on the southeasterly side of Cathedral Road (on City Plan 64' wide, legally open); THENCE extending along the said southeasterly side of Cathedral Road N.52°07'09"E. the distance of 749.192' to a point; THENCE extending on a property line within the bed of former Harner Street (stricken from City Plan) S.38°37'48"E. the distance of 95.833' to a point on a Cul-De-Sac, on the northwesterly side of Harner Street (on City Plan 50' wide, legally open); THENCE extending southwardly along the cul-de-sac of said Harner Street on the arc of a circle curving to the left, having a radius of 50.000' the arc distance of 52.360' to a point of tangency on the southwesterly side of Harner Street (variable width, legally open); THENCE extending along the said southwesterly side of Harner Street S.38°37'48"E. the distance of 49.312' to a point; THENCE extending and crossing the unopened portion of Harner Street (on City Plan 60' wide, legally open 35' wide) N.52°07'51"E. the distance of 25.002' to a point on the said southwesterly legally open line of Harner Street; THENCE extending along the said southwesterly legally open line of Harner Street S.38°37'48"E. the distance of 181.093' to the first mentioned point and place of beginning.

CONTAINING in Area Parcel "C"	258,892 sq. ft or 5.94337 acres
Area of Unopened Portion of Harner Street	4532 sq. ft. or 0.10402 acres
Total Area of Parcel	263,424 sq. ft. or 6.04739 acres

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EXHIBIT "B"

DESCRIPTION OF A VARIABLE WIDTH EASEMENT

ALL THAT CERTAIN Variable Width Easement being reserved for the purpose of Ingress and Egress, SITUATE in the 21st Ward of the City of Philadelphia, extending northwestwardly from the northwesterly side of Port Royal Avenue to the southeasterly property line of the Water Department and described according to a Survey and Plan of Property (P1 -F2-#274) made by Joel S. Cirello, Surveyor and Regulator of the Ninth Survey District, dated August 28, 1998;

BEGINNING at a point on the northwesterly legally open line of Port Royal Avenue (on City Plan 80' wide, legally open 33' wide) at the distance of 389.929' southwestwardly from the southwestly legally open line of Harner Street (on City Plan 60' wide, legally open 35' wide); THENCE extending along the said northwesterly legally open line of Port Royal Avenue S.50°25'17"W. the distance of 14.324' to a point; THENCE extending and crossing the unopened portion of said Port Royal Avenue N.39°46'50"W. the distance of 47.000' to a point on the confirmed northwesterly line of Port Royal Avenue; THENCE extending N.39°46'50"W. the distance of 419.903' to a point; THENCE extending N.50°07'18"E. the distance of 15.969' to a point; THENCE extending S.39°34'43"E. the distance of 419.984' to a point on the said northwesterly confirmed line of Port Royal Avenue; THENCE extending and recrossing the unopened portion of said Port Royal Avenue S.39°34'43"E. the distance of 47.000' to a point on the said northwesterly legally open line of Port Royal Avenue, the first mentioned point and place of beginning.

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