

City of Philadelphia



(Bill No. 040508)

AN ORDINANCE

Authorizing the President of the Fairmount Park Commission, the Executive Director of Fairmount Park, and the Public Property Commissioner, on behalf of the City of Philadelphia, to enter into a Lease and related agreements and an easement agreement relating to utility conduits, with PTM II Limited Partnership (“PTM II”), a Pennsylvania limited partnership, under which the City would lease Memorial Hall and adjoining land (together, the “Premises”) to PTM II, which would sublease the Premises to PTM III Limited Partnership (“PTM III”), a Pennsylvania limited partnership, which would sub-lease the Premises to Please Touch Museum (“Please Touch”), a Pennsylvania not-for-profit corporation, under which Please Touch, through PTM II and PTM III, would restore, improve and adapt Memorial Hall for use as a children’s museum and operate the Please Touch Museum at Memorial Hall, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The President of the Fairmount Park Commission, the Executive Director of Fairmount Park, and the Public Property Commissioner, are authorized by this Ordinance to enter into a lease (“Lease”), and such other agreements as are attached as exhibits to the Lease, with PTM II Limited Partnership (“PTM II”), a Pennsylvania limited partnership, under which the City would lease Memorial Hall and adjoining land (together, the “Premises”) to PTM II, which would sublease the Premises to PTM III Limited Partnership (“PTM III”), a Pennsylvania limited partnership, which would, in turn, sub-lease the Premises to Please Touch Museum (“Please Touch”), a Pennsylvania not-for-profit corporation, under which Please Touch, through PTM II and PTM III, would restore, improve and adapt Memorial Hall for use as a children’s museum, and under which Please Touch would operate the Please Touch Museum at Memorial Hall.

SECTION 2. The Lease, and all the exhibits to the Lease, must be substantially in the form set forth in Exhibit A to this Ordinance. The City Solicitor is hereby authorized to include in the Lease and the exhibits to the Lease such other terms and provisions as the City Solicitor shall deem necessary and appropriate to protect the interests of the City.

SECTION 3. The President of the Fairmount Park Commission, the Executive Director of Fairmount Park, and the Public Property Commissioner, are further authorized by this Ordinance to enter into an easement agreement or such other agreements (“Utility Agreement”) with PTM II that grants to PTM II an easement or other rights in, on, over, and through City of Philadelphia land to install, re-install,

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maintain, repair, and replace utility lines and conduits serving the Please Touch Museum at Memorial Hall. The City Solicitor is hereby authorized to include in the Utility Agreement such terms and provisions as the City Solicitor shall deem necessary and appropriate to protect the interests of the City.

SECTION 4. The Chief Clerk of City Council shall keep on file and make available to the public for inspection during regular office hours the exhibit referred to in this Ordinance.

SECTION 5. The provisions of all other ordinances that are inconsistent with this Ordinance or with the uses of Memorial Hall contemplated by the Lease are repealed by this Ordinance.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 3, 2004. The Bill was Signed by the Mayor on June 21, 2004.



Patricia Rafferty
Chief Clerk of the City Council