

# City of Philadelphia



(Bill No. 030075)

## AN ORDINANCE

Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to acquire by purchase, lease or condemnation a certain temporary easement through 3500 Scotts lane for sewer and drainage construction purposes, 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 purchase, lease or condemn a certain temporary easement through 3500 Scotts lane for sewer and drainage construction purposes as is more fully described in Exhibit "A" attached hereto.

SECTION 2. The Commissioner of Public Property is authorized to enter into an agreement upon terms and in form satisfactory to the City Solicitor for the lease or for the purchase of the temporary easement. The City Solicitor is authorized, if requested by the Commissioner of Public Property, to prepare and file with the appropriate court a Declaration of Taking to acquire by condemnation the temporary easement described by this Ordinance and in that regard to take any action necessary or desirable to effectuate the purpose of this Ordinance.

SECTION 3. 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 or appropriate to protect the interests of the City.

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## EXHIBIT "A"

### DESCRIPTION OF TEMPORARY EASEMENT FOR CONSTRUCTION PURPOSES

That certain temporary easement for construction purposes, situate in the thirty-eighth (38th) Ward of the City of Philadelphia, and described herein, according to a Plan of Proposed Construction Easement for Dobson's Run Sewer System at 3500 Scotts lane, dated September 30, 2002, prepared by the Philadelphia Water Department Survey Unit, 3585 Fox Street, Philadelphia, PA 19129, as follows:

BEGINNING AT A POINT of intersection formed by the southwesterly side of Henry avenue (100 feet wide) and the northerly line of the Richmond Branch of the former Philadelphia and Reading Railroad (now CSX Transportation); thence extending south 87 degrees 00 minutes 17 seconds west along the northerly right-of-way line of the Richmond Branch of the former Philadelphia and Reading Railroad (now CSX Transportation), a distance of 89 feet 3-3/4 inches to an angle point; thence south 88 degrees 00 minutes 17 seconds west along the northerly right-of-way line of the Richmond Branch of the former Philadelphia and Reading Railroad (now CSX Transportation), a distance of 99 feet 1-1/2 inches to an angle point; thence south 88 degrees 30 minutes 17 seconds west still along the northerly right-of-way line of the Richmond Branch of the former Philadelphia and Reading Railroad (now CSX Transportation), a distance of 426 feet 6-3/4 inches to a point; thence north 27 degrees 31 minutes 16 seconds east, a distance of 291 feet 6-3/4 inches crossing the bed of former Ontario street (Stricken from City Plan and reserved as a Drainage Right-of-way) to a point; thence north 63 degrees 04 minutes 05 seconds west crossing the bed of former Thirty-third street (Stricken from City Plan and reserved as a Drainage Right-of-way, 50 feet wide), a distance of 520 feet 2-8 inches to a point; thence north 67 degrees 56 minutes 26 seconds west, a distance of 512 feet 0-1/2 inches to a point; thence south 22 degrees 03 minutes 34 seconds west, a distance of 45 feet to a point; thence north 67 degrees 56 minutes 26 seconds west, a distance of 115 feet to a point on the center line of Scotts lane (As Open 40 feet Wide); thence north 13 degrees 31 minutes 31 seconds east, a distance of 50 feet 9 inches along the center line of Scotts lane to an angle point; thence north 19 degrees 03 minutes 29 seconds west along the center line of Scotts lane, a distance of 39 feet 6-7/8 inches to a point on the southwesterly right-of-way line of the former Philadelphia, Germantown and Norristown Railroad (now the Route R-6 Regional Rail Line of the Southeastern Pennsylvania Transportation Authority); thence south 67 degrees 56 minutes 26 seconds east along the southwesterly right-of-way line of the former Philadelphia, Germantown and Norristown Railroad (now the Route R-6 Regional Rail Line of the Southeastern Pennsylvania Transportation Authority), a distance of 662 feet 1 inch to an angle point; thence south 63 degrees 4 minutes 5 seconds east along the southerly right-of-way line of the former Philadelphia, Germantown and Norristown Railroad (now the Route R-6 Regional Rail Line of the Southeastern Pennsylvania Transportation Authority), recrossing said bed of former Thirty-third street (Stricken from City Plan and reserved as a Drainage Right-of-way, 50 feet wide), a distance of 588

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feet 8 inches to an angle point; thence south 67 degrees 56 minutes 26 seconds east along the southeasterly right-of-way line of the former Philadelphia, Germantown and Norristown Railroad (now the Route R-6 Regional Rail Line of the Southeastern Pennsylvania Transportation Authority), recrossing the bed of former Ontario street (Stricken from City Plan and reserved as a Drainage Right-of-way), a distance of 415 feet 0-1/4 inches to a point on the southwesterly side of Henry avenue; thence south 13 degrees 10 minutes 22 seconds east along the southwesterly side of Henry avenue, a distance of 86 feet 7-1/8 inches to a point on the northerly right-of-way line of the Richmond Branch of the former Philadelphia and Reading Railroad (now CSX Transportation), being the first mentioned point and place of beginning.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on April 10, 2003. The Bill was Signed by the Mayor on April 24, 2003.

A handwritten signature in black ink that reads "Patricia Rafferty". The signature is written in a cursive, flowing style.

Patricia Rafferty  
Chief Clerk of the City Council