

Proposed Amendments to Bill No. 250807

Matter to be added by amendment in **Bold**
Matter to be deleted by amendment in ~~Strikethrough~~

AN ORDINANCE

Authorizing the Commissioner of Public Property to acquire, on behalf of the City, fee simple title or a lesser interest, by purchase, dedication, donation, condemnation, agreement in lieu of condemnation or otherwise, for the purpose of making, enlarging, connecting, extending, operating, and maintaining public parks for recreational use, certain parcels of land, generally bounded and located between Vine Street, Fairmount Avenue, 8th Street and 12th Street, together with all improvements thereon and all associated easements and appurtenances; and to lease the property, or a portion thereof, to the Center City District; all under certain terms and conditions.

WHEREAS, the City is committed to fostering economic development, reuse of abandoned infrastructure, and creating green space;

WHEREAS, the Reading Viaduct is a combination of embankment sections, bridged steel structures and arched masonry bridges built in the 1890s. Rail service was discontinued on the Reading Viaduct in approximately 1984;

WHEREAS, the City would like to acquire fee simple title or a lesser interest, by purchase, dedication, donation, condemnation, agreement in lieu of condemnation or otherwise, certain parcels of land, generally bounded and located between Vine Street, Fairmount Avenue, 8th Street and 12th Street, consisting of portions of the area commonly known as the Reading Viaduct and certain adjacent land located along ~~Buttonwood~~ **Spring Garden** Street **and in the area other areas** adjacent to the Reading Viaduct, together with all improvements thereon and associated easements and appurtenances (“the Property”) for purposes of expanding the recreational use of the area commonly referred to as the Rail Park; and

WHEREAS, Center City District will secure funding for the completion of remediation and certain improvements to the Property to enable it to be used for recreational purposes and to expand the geographical area of the Rail Park; and

WHEREAS, upon the City’s acquisition of fee simple title or a lesser interest in the Property, the City desires to lease the Property to Center City District, upon certain terms and conditions; now, therefore,

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Commissioner of Public Property, on behalf of the City, is hereby authorized to acquire, by purchase, dedication, donation, condemnation, agreement in lieu of condemnation or otherwise, certain parcels of land now or formerly owned by Philadelphia and Reading Terminal Railroad Company, Reading Company, or affiliates thereof, generally bounded and located between Vine Street, Fairmount Avenue, 8th Street and 12th Street, consisting of portions of the area commonly known as the Reading Viaduct and certain adjacent land, located along ~~Buttonwood~~ **Spring Garden** Street in ~~the area~~ **other areas** adjacent to the Reading Viaduct, together with all improvements thereon and all associated easements and appurtenances, for the purpose of making, enlarging, connecting, extending, operating and maintaining public parks for recreational use.

SECTION 2. The Commissioner of Public Property is authorized to enter into a lease agreement with Center City District as tenant, whereby the City would lease the Property to Center City District for purposes consistent with this Ordinance and substantially in accordance with the terms set forth in Exhibit "A".

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 and proper to protect the interests of the City of Philadelphia and carry out the purpose of this Ordinance.

EXHIBIT A
Terms of Proposed Lease
For Viaduct Between Vine Street and Fairmount Avenue

- 1. Landlord:** The City of Philadelphia, through its Department of Public Property (“City”).
- 2. Tenant:** Center City District (“CCD”).
- 3. Premises:** The premises consists of several parcels located in the area bounded by Vine Street, Fairmount Avenue, 8th Street and 12th Street, which contain an elevated viaduct structure.
- 4. Commencement Date:** The date that title to the premises passes to the City, to be confirmed by Commencement Date Letter, which shall be attached to the Lease.
- 5. Term:** Thirty (30) years.
- 6. Base Rent or Fee:** Rent shall nominally be \$1.00 per year.
- 7. Improvements:** CCD shall make substantial improvements to the property, including but not limited to environmental remediation, landscaping, etc. The details of the improvements shall be contained in a Development Plan and attached to the Lease.
- 8. Use:** The Premises shall be used for open space, pedestrian, public use and public park purposes, including such activities as are commonly occurring in parks in Center City.
- 9. Utilities:** Utilities shall be paid by CCD.
- 10. Maintenance/Repair:** CCD shall maintain and repair the premises. The City will provide police services consistent with those services provided by the City at other parks in Center City. An Operations Plan describing the maintenance to be performed by CCD shall be completed before construction commences and shall be attached to the Lease.

11. Equal Economic

Opportunity: ~~Tenant Improvements to the premises will be completed in accordance with the goals established by an Equal Economic Opportunity Plan developed by the City’s Office of Equal Opportunity, which goals will be attached to the Lease and will be provided in advance to all contractors bidding on the Tenant Improvements.~~