

City of Philadelphia



(Bill No. 150415)

AN ORDINANCE

Authorizing the Department of Public Property to acquire, on behalf of the City, an approximately 0.80 acre property consisting of a portion of the elevated rail line known as the Viaduct located between North Broad Street, the north side of Noble Street, 11th Street and the south side of Callowhill Street, together with all improvements thereon and associated easements; and to lease a portion of the property to the Southeastern Pennsylvania Transportation Authority; all under certain terms and conditions.

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

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

WHEREAS, The Southeastern Pennsylvania Transportation Authority ("SEPTA") is the owner of a section of the Viaduct between a point 50 feet west of the west side of 13th Street and curving to the south side of Callowhill Street, consisting of 0.80 acres of land ("the Property"), as depicted in Exhibit "A" hereto; and

WHEREAS, Center City District has secured approximately nine million dollars of funding for the completion of remediation and structural repairs to the Property, as well as the construction of an elevated park on the Property ("Improvements"); and

WHEREAS, Upon Center City District's completion of the Improvements on the Property, SEPTA desires to convey the Property to the City and the City seeks to take ownership of the Property; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Department of Public Property is hereby authorized to acquire on behalf of the City approximately 0.80 acres of land and bridge structures located on a portion of the City Branch between North Broad Street, the north side of Noble Street, 11th Street and the south side of Callowhill Street, as more specifically depicted in Exhibit "A" hereto, pursuant to terms substantially similar to those set forth in the term sheet attached as Exhibit "B."

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SECTION 2. The Commissioner of Public Property is authorized to enter into a lease agreement with SEPTA whereby the City would lease to SEPTA a surface parking lot on a portion of the Property located below a bridge structure.

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 purposes of this Ordinance.

EXHIBIT B

TERM SHEET FOR CITY OF PHILADELPHIA ACQUISITION OF THE SEPTA OWNED PORTION OF THE READING VIADUCT

Seller: Southeastern Pennsylvania Transportation Authority (“SEPTA”)

Buyer: The City of Philadelphia (“City”)

The Property: Approximately 0.80 acres of land located on a portion of the City Branch between the west side of 13th Street at Mile Post 0.61 and curving to the south side of Callowhill Street at Mile Post 0.45, as more fully depicted in Exhibit “A,” together with an easement for ingress and egress over and across a triangular parcel of real estate located at the northeast corner of an adjoining portion of City Branch which is located west of 13th Street and south of Noble Street, and an easement approximately 15 feet in width along the southerly side of the Property and the northerly side of a property known as 411-419 N. 13th Street for maintenance of a retaining wall.

As-Is: The Property will be delivered to the City at closing in its current “as-is” and “where is” condition.

Purchase Price: \$1.00.

Conditions to Closing: Closing shall be conditioned upon Center City District’s completion of the project in accordance with the approved design documents and the City’s issuance of an approval and acceptance letter to the Center City District pertaining to the improvements. Closing is also conditioned on the approval of the transfer by SEPTA’s Board.

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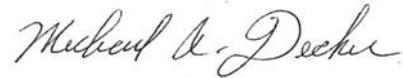
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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on May 21, 2015. The Bill was Signed by the Mayor on June 2, 2015.



Michael A. Decker
Chief Clerk of the City Council