

City of Philadelphia



Philadelphia, December 4, 2003

CERTIFICATION: This is to certify that Bill No. 030564 was presented to the Mayor on the thirteenth day of November, 2003, and was not returned to the Council with his signature at a meeting held December 4, 2003 (being more than ten days after it has been presented to him).

THEREFORE, Pursuant to the provisions of Section 2-202 of the Philadelphia Home Rule Charter, the ordinance becomes effective as if the Mayor had approved it.

A handwritten signature in cursive script that reads "Patricia Rafferty".

Patricia Rafferty
Chief Clerk of the City Council

(Bill No. 030564)

AN ORDINANCE

To waive certain conditions, covenants and restrictions affecting the use and development of a certain area of land situate in the 58th Ward consisting of twenty (20.0) acres on Red Lion Road and known and assessed as 300 Red Lion Road (Tax Parcel No. 88-2-1744-00).

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The conditions, covenants and restrictions contained in paragraph 1 of the deed to the Budd Company dated 7/15/70 as set forth in Deed Book PLMcs 33, pages 170-171 (attached hereto as Appendix "A") imposed on the area of land situate in the 58th Ward consisting of twenty (20.0) acres located on Red Lion Road and known and assessed as 300 Red Lion Road (Tax Parcel No. 88-2-1744-00) (herein the "Property") are hereby WAIVED; provided, however, that any development and/or use of the Property shall be subject to and in accordance with the "R-1" Residential District requirements and restrictions of The Philadelphia Code.

SECTION 2. This Ordinance shall take effect immediately.

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COVENANTS AND RESTRICTIONS AS IN DEED BOOK
PLMCS 33 PAGE 168.

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X UNDER AND SUBJECT, also nevertheless, to the following conditions,
covenants and restrictions, to wit:

1. The premises hereinabove described shall not at any time hereafter forever be used for any purpose other than industrial development or redevelopment, including uses related to or accessory to industrial uses which do not change the essential industrial character of the tract and are appropriate and useful in its industrial development or redevelopment, unless and until the Council of the City of Philadelphia shall by Ordinance, waive, alter or amend this restriction in whole or in part.
2. There shall be no discrimination in the use, sale or lease of any part of the premises herein conveyed against any person because of race, creed, color or national origin.
3. The following standards of land use shall be imposed upon the said tract of land for a period of forty (40) years:
 - (a) That all the building be set back at least 50 feet from the legal street line of Red Lion Road and 25 feet from any other street now or later placed in the area.
 - (b) That the buildings be not nearer than 24 feet to the rear property line of any property except the property line approximately 1500 feet South of Red Lion Road where the required distance from that line shall be 50 feet, provided that the 20 feet nearest said rear property shall be landscaped with grass, shrubs and trees according to a plan approved by PIDC.
 - (c) That no building shall be erected nearer than 24 feet to any side property line.
 - (d) All exterior walls shall be faced with masonry or other fire retardant materials subject to approval by PIDC.
 - (e) All loading areas shall be at the side or rear of the buildings; provided that to the rear of buildings erected on the lots having the aforementioned southerly most rear property line, an area the full width of the lot and extending from that rear line for a depth of 20 feet shall be landscaped with grass, shrubs and trees according to a plan approved by PIDC.

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Appendix A

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DEED BOOK PLMCS-33 PAGE 168.

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(f) Parking space shall be provided on the lot in a ratio of one (1) parking space for each 1,000 sq. ft. of building floor area.

(g) All parking areas shall be paved with impervious material.

(h) That not more than 75% of the ground area shall be occupied by buildings.

(i) No outdoor storage of materials will be permitted except in areas enclosed to a height which will keep such storage from view from the streets and adjoining properties.

(j) Only one sign, not more than 100 square feet in area nor more than 6 feet high will be permitted on any premises provided that it shall not be nearer to any property line than 20 feet and shall not have flashing lights, motion or animation; further provided that no sign will be permitted facing the southernmost property line of the total tract.

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All the aforesaid restrictions, covenants and conditions shall be restrictions, covenants and conditions running with the land. X

TOGETHER with all and singular the Buildings, Improvements, Streets, Alleys, Passages, Ways, Waters, Water-Courses, Rights, Liberties, Privileges, Hereditaments and Appurtenances, whatsoever thereunto belonging, or in any wise appertaining, and the Reversions and Remainders, Rents, Issues and Profits thereof, and all the estate, right, title, interest, property claim and demand whatsoever, of the said Grantor, in law, equity or otherwise, howsoever, of, in and to the same and every part thereof.

TO HAVE AND TO HOLD the said lots or pieces of ground, Hereditaments and Premises hereby granted, or mentioned and intended so to be, with the Appurtenances, unto the said Grantee, its successors and assigns, forever, under and subject as aforesaid.