

# City of Philadelphia



Council of the City of Philadelphia  
Office of the Chief Clerk  
Room 402, City Hall  
Philadelphia

(Resolution No. 230928)

## RESOLUTION

Approving the Third Amendment to Lease of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the Independence Mall Urban Renewal Area, Unit No. 4, bounded generally by Eighth street, Vine street and Race street, also identified by house number and street address as 820 Vine street; and authorizing the Redevelopment Authority to execute the amendment to lease with E-Z Park, Inc. and to take such action as may be necessary to effectuate the amendment to lease.

WHEREAS, The Philadelphia Redevelopment Authority (hereinafter "Redevelopment Authority") has prepared and submitted an urban renewal plan and a redevelopment proposal for the redevelopment of the Independence Mall Urban Renewal Area, Unit No. 4 (hereinafter "Independence Mall Unit 4"), which said plan and proposal were approved by Ordinance of the Council on February 19, 1966, as amended; and

WHEREAS, The Redevelopment Authority entered into a lease with E-Z Park, Inc. (hereinafter "E-Z Park") dated March 14, 2008, which was amended by a First Amendment to Lease dated June 29, 2012, and further amended by a Second Amendment to Lease dated September 1, 2017 (collectively, the "Lease"), which granted to E-Z Park a leasehold interest in a portion of Independence Mall Unit 4, in property bounded generally by Eighth street, Ninth street, Vine street, and Race street (the "Original Leased Premises"); and

WHEREAS, In March 2023, E-Z Park relinquished possession to the Redevelopment Authority and released from the Lease a certain portion of the Original Leased Premises on the Ninth street side, known as 217-253 North Ninth street, in order to allow for development of affordable housing rental units.

WHEREAS, The Lease will be amended to, among other things, extend the lease term, and change the description of the leased premises thereunder.

WHEREAS, The Redevelopment Authority has prepared a Third Amendment to Lease ("Third Amendment") for the amended leased premises, now bounded generally by Eighth

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street, Vine street, and Race street, also identified by house number and street address as 820 Vine street (the "Property"). The area of the Property is bounded as follows:

Eighth street, Vine street and Race street, also known as 820 Vine street. All that certain lot or piece of ground beginning at a point on the northerly right-of-way line of Race street (A.K.A. Sassafra Street, sixty-two foot-wide right-of-way, on City Plan, legally open), at the intersection with the westerly right-of-way line of Eighth street (A.K.A. North Eighth street seventy-one and eighty-eight hundredths foot wide right-of-way, on City Plan, legally open), and from said point of beginning running; Thence extending, along the said northerly right-of-way line of Race street, and crossing the head of former Ridge avenue a right-of-way for drainage, sewer, water main, public utilities and subsurface transportation purposes, subway access and ventilation and a underground right-of-way for the commuter rail line, north seventy-eight degrees, fifty-eight minutes, and zero seconds west, a distance of two hundred seventy and sixty-one hundredths feet to a point; Thence extending, thru the said underground right-of-way for the commuter rail line north eleven degrees, twenty-one minutes, and zero seconds east, a distance of two hundred ten feet to a point; Thence extending, across to the westerly side of the said underground right-of-way for the commuter rail line north seventy-eight degrees, fifty-eight minutes, and zero seconds west, a distance of eleven and four hundred forty-two thousandths feet to a point; The following four (4) courses and distances along the dividing line between 217-53 North Ninth street: Thence extending, along the said westerly side of the underground right-of-way for the commuter rail line and thru the right-of-way for drainage purposes, north twelve degrees, fifteen minutes, twenty-eight seconds east, a distance of one hundred forty-one and one hundred twenty-nine thousandths feet to a point; Thence extending, along the southwesterly side of the said right-of-way for drainage purposes, north twenty-three degrees, forty minutes, and thirty-nine seconds west, a distance of one hundred four and three hundred thirteen thousandths feet to a point; Thence extending south seventy-eight degrees, fifty-seven minutes, and three seconds east, a distance of twenty-seven and eight hundred ninety-two thousandths feet to a point; Thence along the said former Ridge avenue a right-of-way for drainage, sewer, water main, public utility and subsurface transportation purposes and the said underground right-of-way for commuter rail line, the arc of a circle curving to the left, having a radius of six hundred ninety and four hundred twenty-nine thousandths feet, a central angle of four degrees, forty minutes, and twenty seconds, an arc length of fifty-six and three hundred one thousandths feet, a chord bearing south eighty-one degrees, seventeen minutes, and fifty-five seconds east and a chord distance of fifty-six and two hundred eighty-six thousandths feet to a point; Thence extending still along the said former Ridge avenue a right-of-way for drainage, sewer, water main, public utility, and subsurface transportation purposes and the said underground right-of-way for commuter rail line and a right-of-way for drainage and water main purposes, south eighty-three degrees, thirty-seven minutes, fifty-one seconds east, a distance of two hundred twenty and one hundred eight thousandths feet to a point of curvature; Thence along the arc of a circle curving to the right, having a radius of twenty and nine hundred fifty-eight thousandths feet, a central angle of ninety-four degrees, fifty-eight minutes, fifty-one seconds, an arc length of thirty-four and seven hundred forty-three thousandths feet, a chord bearing south thirty-six degrees, eight minutes, twenty-six seconds east and a chord distance of thirty and eight hundred ninety-nine thousandths feet to a point; Thence extending along the said westerly right-of-way line of Eighth street and partly crossing the said former Ridge avenue right-of-way for drainage,

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sewer, water main, public utility, and subsurface transportation purposes, south eleven degrees, twenty-one minutes, and zero seconds west, a distance of three hundred and six hundred forty-two thousandths feet to an angle point; Thence extending still along the said westerly side of Eighth street, south five degrees, thirty-nine minutes, and twenty-nine seconds west, a distance of one hundred thirty-six feet to the first mentioned point and place of beginning. Excepting thereout and therefrom those municipal and other public surface and subsurface easements (1) generally known as the area reserved for subway use as recorded in deed from the Redevelopment Authority of the City of Philadelphia to the Commonwealth of Pennsylvania, Department of Transportation dated July 7, 1988 and recorded in the Office of the Recorder of Deeds for Philadelphia County on June 22, 1990 in Deed Book FHS 1648 Page 127; (2) surface and subsurface rights (Center City commuter tunnel) acquired by the City of Philadelphia pursuant to that certain Declaration of Taking docketed as Court of Common Pleas of Philadelphia County October Term 1978, No. 4655, a notice of which was recorded in the City of Philadelphia Department of Records on October 26, 1978 in Deed Book DCC 1792 Page 499, and (3) rights of way reserved for sewer, drainage, public utility and subsurface transportation purposes as shown on City plan confirmed by the Board of Surveyors on June 4, 2012.

The Third Amendment is in substantial conformity with the amended urban renewal plan and the amended redevelopment proposal approved by Council; and

WHEREAS, E-Z Park, Inc. desires to enter into the Third Amendment to Lease Agreement; and

WHEREAS, Pursuant to the Urban Redevelopment Law, 35 P.S. § 1709(k), the Redevelopment Authority may lease any real property in a redevelopment area subject to the approval of City Council; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Third Amendment to Lease, (hereinafter "Third Amendment") submitted by the Philadelphia Redevelopment Authority (hereinafter "Redevelopment Authority") for the redevelopment of that portion of the Independence Mall Urban Renewal Area, Unit No. 4, as hereinabove more particularly described, is hereby approved. City Council authorizes the Redevelopment Authority to proceed with minor changes in substantial conformity with the hereby approved Third Amendment. The Redevelopment Authority is authorized to execute the hereby approved Third Amendment with E-Z Park, Inc. (hereinafter "E-Z Park"). The Redevelopment Authority and the E-Z Park are authorized to take such action in substantial conformity with the Third Amendment as may be necessary to carry it out.

RESOLVED, The Redevelopment Authority and the E-Z Park are authorized to prepare or cause to be prepared for introduction into the Council such ordinances or resolutions as may be necessary for changes in zoning, streets, alleys, public ways, street patterns, location and relocation of public utilities, and related items which are required in order to facilitate and effectuate the Third Amendment hereby approved. Accordingly, the Council hereby declares that it will cooperate in helping to carry out the Third Amendment and requests the various

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officials, departments, boards, and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Third Amendment.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the fourteenth day of December 2023.

Darrell L. Clarke  
PRESIDENT OF THE COUNCIL

Michael A. Decker  
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Bass for Squilla

Sponsored by: Councilmember Squilla