

City of Philadelphia



(Bill No. 130848)

AN ORDINANCE

Authorizing the Commissioner of Public Property and the Commissioner of Parks and Recreation to enter into a lease agreement with the Philadelphia Housing Authority for use by the City of the property located in the area bounded by Aspen Street, Markoe Street, Fairmount Avenue, and 47th Street, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Commissioner of Public Property and the Commissioner of Parks and Recreation on behalf of the City of Philadelphia, as tenant, is hereby authorized to enter into a lease agreement with the Philadelphia Housing Authority, as landlord, for use by the City of property bounded by Aspen Street, Markoe Street, Fairmount Avenue, and 47th Street, pursuant to the terms substantially set forth in the document attached hereto as Exhibit "A".

SECTION 2. The City Solicitor is authorized to review and to approve the lease or other documents necessary to effectuate this Ordinance, which lease or other 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 to carry out the purpose of this Ordinance.

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EXHIBIT "A"

Terms of proposed Lease Agreement between the Philadelphia Housing Authority and the City of Philadelphia for certain land and improvements in the area bounded by Aspen Street, Markoe Street, Fairmount Avenue, and 47th Street.

1. Exhibit "A" Definitions:

"PHA" means the Philadelphia Housing Authority.

"City" means the City of Philadelphia.

"Premises" means the land and improvements located in the area bounded by Aspen Street, Markoe Street, Fairmount Avenue, and 47th Street.

2. Basic Structure of Lease Transaction:

i) City will enter into a 99 year term lease to develop and maintain a 1.7 acre park.

ii) The City and PHA will partner in the design process for Mill Creek Park.

iii) The designs for Mill Creek Park will include pedestrian pathways, benches, landscaping, and streetscape improvements, including trees and pedestrian lighting.

3. Lease Terms:

i) **Use:** The Premises will be used as a passive park open to the public.

ii) **Rent:** Nominal consideration of \$10 per year.

iii) **Duration:** The term of the lease shall be 99 years.

iv) **Maintenance:** The City shall maintain the Premises during the term of the lease.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 12, 2013. The Bill was Signed by the Mayor on January 8, 2014.



Michael A. Decker
Chief Clerk of the City Council