

City of Philadelphia



(Bill No. 020384)

AN ORDINANCE

Authorizing the Commissioner of Public Property and Fairmount Park Commission, on behalf of the City of Philadelphia, to execute and deliver to the Philadelphia Authority for Industrial Development (“PAID”), without consideration, a quitclaim deed conveying fee simple title to the City’s interest in one tract of ground situate in the vicinity of Twenty - first and Twenty-second and Hamilton streets, under and subject to the terms and conditions of the Philadelphia Industrial and Commercial Development Agreement between the City, the PAID, and the Philadelphia Industrial Development Corporation.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Commissioner of Public Property and Fairmount Park Commission, on behalf of the City, are hereby authorized to execute and deliver to the Philadelphia Authority for Industrial Development (“PAID”), without consideration, such interests in the following described tract of ground, situate in the vicinity of Twenty-first and Twenty-second and Hamilton streets, as the Public Property Commissioner and Fairmount Park Commission determine desirable, subject however to all the terms and conditions of the Philadelphia Industrial and Commercial Development Agreement between the City, the PAID, and the Philadelphia Industrial Development Corporation, as follows (subject to an official survey and plan):

Parcel “A”

ALL THAT CERTAIN lot or piece of ground, situate on the southwest corner of Hamilton street and Twenty-first street in the Eighth Ward of the City of Philadelphia, according to a plan prepared for P.R.A. Development Corporation by Alpha Engineering Associates, Inc., Feasterville, Pennsylvania, Project No. 1033.001 dated October 28, 1986, as follows, to wit:

BEGINNING at a point on the south side of Hamilton street (sixty-six feet wide), said point being north seventy-eight degrees fifty nine minutes zero second west, a distance of two hundred nine feet ten and five-eighths inches from the intersection formed by the said south side of Hamilton street and the westerly side of Twenty-first street (fifty four feet and seven inches wide); thence from a point and place of beginning south forty-seven degrees one minute forty seconds west, a distance of seventy-four feet seven and one-half inches along the face of existing tunnel to a point; thence north forty-four degrees thirty-five minutes thirty-nine seconds west, a distance of seventy-seven feet six and one-eighth inches to an angle point; thence north two degrees nineteen minutes twenty-four seconds west, a distance of six feet seven and three-eighths inches to an angle point; thence north seven degrees fifty-eight minutes thirty seconds east, a distance of ten feet two inches to a point on the aforesaid south side of Hamilton street; thence along the same south seventy-eight degrees fifty-nine minutes zero seconds east, a distance of one hundred nine feet ten and seven-eighths inches to the point and the place of beginning.

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BEING Parcel "A" on said Plan.

CONTAINING in area three thousand eight hundred nine square feet or zero and eight hundred seventy-four ten thousandths acre, more or less.

Parcel "B"

ALL THAT CERTAIN lot or piece of ground, situate on the southwest corner of Hamilton street and Twenty-first street in the Eighth Ward of the City of Philadelphia, according to a plan prepared for P.R.A. Development Corporation by Alpha Engineering Associates, Inc., Feasterville, Pennsylvania, Project No. 1033.001 dated October 28, 1986, as follows, to wit:

BEGINNING at a point on the westerly line of Twenty-first street as widened to sixty and zero one-hundredths feet wide; said point being the following two courses and distances from a point forward by the intersection of the westerly line of Twenty-first street (fifty-four feet seven inches wide) with the southerly line of Hamilton street (sixty-six and zero one-hundredths feet wide): (1) south eleven degrees thirty minutes twenty-one seconds west, a distance of one hundred seventy-four feet eleven and seven-eighths inches to a point; and (2) thence along a curve curving to the right having a radius of one thousand one hundred sixty-eight feet five and one-half inches, an arc distance of five-feet ten and one-fourth inches to a point of beginning; thence along said westerly line of Twenty-first street (sixty feet wide) south eleven degrees thirty minutes twenty-one seconds west, a distance of thirty-four feet two and one-half inches to a point; thence north fifty-five degrees eleven minutes twenty-four seconds west, a distance of ninety-nine feet eight and seven-eighths inches to an angle point; thence north forty-four degrees thirty-five minutes thirty-nine seconds west a distance of one hundred eighty-eight feet three and one-eighth inches to a corner of this and Parcel "A"; thence north forty-seven degrees one minute forty-four seconds east, a distance of twenty-two feet nine inches to a drill hole set at a corner of this and Parcel "C"; thence along a line dividing Parcel "B" and "C" on a curve curving to the left a radius of one thousand one hundred sixty-nine feet four and three eighths inches, an arc distance of one hundred seventeen feet two and one-fourth inches to a point of compound curve; thence still along said line along a curve curving to the left having a radius of one thousand feet, an arc distance of one hundred eleven feet six and one-fourth inches to a point of compound curve; thence still along said line along a curve curving to the left having a radius of one thousand one hundred sixty-eight feet five and one-half inches, an arc distance of thirty-nine feet six and one-half inches to a point and place of beginning.

BEING Parcel "B" on said plan.

CONTAINING on area seven thousand four hundred eighty square feet or zero and one thousand seven hundred seventeen ten-thousandths acre, more or less.

TOGETHER with all of the seller's right, title and interest, if any, in and to the bed of the former Pennsylvania Avenue Subway, which was vacated by Ordinance (Bill No. 1115) approved by the Mayor of the City of Philadelphia on July 5, 1969.

Parcel "B-1"

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ALL THAT CERTAIN parcel or piece of land, known as Parcel "B-1"; situated in the Eighth Ward of the City of Philadelphia, Commonwealth of Pennsylvania, according to a plan prepared by Alpha Engineering Associates, Inc., entitled Twenty-first street and Hamilton street, dated October 28, 1986 and being revised May 5, 1988 and being more particularly described as follows, to wit:

BEGINNING at a point, for a corner, being a common corner, for the lands of Parcel "A" and now or late of Rodin Museum, being more particularly described according to the two following courses and distances: (1) beginning at the corner of Parcel "A" on the southwesterly side of Hamilton street (sixty-six feet wide) and proceeding in a southwesterly direction along the common lands, now or late of Rodin Museum and Parcel "A", south seven degrees fifty eight minutes thirty seconds west, a plan distance of ten feet two inches to a point for a corner, being a common corner to the lands now or late of Parcel "A" and Rodin Museum; and (2) thence extending in a southerly direction along the lands now or late of Parcel "A" and Rodin Museum, south two degrees nineteen minutes twenty-four seconds east, a plan distance of six feet seven and three-eighths inches to a point, for a corner, being a common corner, to the lands now or late of Parcel "A", Rodin Museum and Parcel "B-1", being the beginning point; thence continuing in a southeasterly direction along the lands now or late of Rodin Museum, south forty-one degrees seventeen minutes twenty-eight seconds east for a plan distance of three hundred forty-one feet and eight and seven-eighths inches to a point for a corner, being a common corner to the lands now or late of Rodin Museum; thence continuing in a southwesterly direction, along the lands now or late of Rodin Museum, south eleven degrees thirty minutes twenty-one seconds west, a plan distance of seventy feet and zero inches to a point for a corner, being a common corner to the lands now or late of Rodin Museum; thence continuing in a southeasterly direction along the lands now or late of Rodin Museum, south seventy-eight degrees twenty-nine minutes thirty-nine seconds east, a plan distance of forty feet and zero inches to a point; for a corner, being a common corner to lands now or late of Rodin Museum on the northwesterly side of Twenty-first street; sixty feet and zero inches wide; thence continuing along the northeasterly side of Twenty-first street (sixty feet wide) north eleven degrees thirty minutes twenty-one seconds east, a plan distance of eighty-eight feet eleven and one-quarter inches to a point, for a corner, being a common corner to the lands now or late of Parcel "B", on the northwesterly side of Twenty-first street (sixty feet wide); thence continuing in a northwesterly direction along the lands now or late of Parcel "B", north fifty-five degrees eleven minutes twenty four seconds west, a plan distance of ninety-nine feet and eight and seven-eighths inches to a point for a corner, being a common corner to the lands now or late of Parcel "B" thence continuing in a northwesterly direction along the lands now or late of Parcel "B" passing over a common corner of lands now or late of Parcel "B" and Parcel "A" and along the lands now or late of Parcel "A", north forty-four degrees thirty-five minutes thirty-nine seconds west, a plan distance of one hundred eighty-eight feet and three and one-eighth inches to a point for a corner, being a common corner to the lands now or late of Parcel "A" and Rodin Museum thence north forty-four degrees thirty-five minutes thirty-nine seconds west, the distance of seventy-seven feet six and one-eighth inches to a point also being the first mentioned point and place of beginning.

CONTAINING in area seven thousand four hundred fifty-two square feet.

Parcel "B-2"

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ALL THAT CERTAIN lot or piece of ground together with the improvements thereon erected, situate in the Eighth Ward of the City of Philadelphia and described in accordance with a topographical plan prepared Barton and Martin Engineers dated March 14, 2001 last revised April 10, 2002, as follows to wit:

BEGINNING at the point of intersection of the southerly side of Hamilton street (sixty-six feet wide) with the easterly side of Twenty-second street (eighty feet wide); thence from said point of beginning extending the following six (6) courses and distances:

- (1) along the said side of Hamilton street, south seventy-eight degrees fifty-nine minutes zero seconds east sixty-one feet and two and one-half inches to a point;
- (2) south seventy-eight degrees fifty-nine minutes thirty seconds west ten feet two inches to a point;
- (3) south two degrees nineteen minutes twenty-four seconds east six feet seven and three-eighths inches to a point;
- (4) south forty-one degrees seventeen minutes twenty-eight seconds east one hundred and thirty-nine feet eight and one-fourth inches to a point;
- (5) north seventy-eight degrees fifty-nine minutes zero seconds west one hundred and seventy-four feet eight and one-fourth inches to a point;
- (6) north eleven degrees thirty minutes twenty-one seconds east one hundred and two feet zero inches to a point.

CONTAINING in area eleven thousand one hundred ninety-six square feet.

EXCEPTING AND RESERVING THEREFROM ALL PARCELS: a perpetual easement for municipal and park purposes, including, but not limited to, pedestrian and vehicular access, service facilities and parking for the Rodin Museum, and subsurface use and access for utilities.

SECTION 2. 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 interest of the City and to carry out the purposes of the Philadelphia Industrial and Commercial Development Agreement and this Ordinance.

SECTION 3. The disposition of all portions of this property to PAID, and subsequently from PAID to another transferee or transferees may be conditioned upon execution of a development agreement and related documents between PAID and PAID's transferee(s), in form and substance approved by the Fairmount Park Commission.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 13, 2002. The Bill was Signed by the Mayor on June 28, 2002.



Marie B. Hauser
Chief Clerk of the City Council