

City of Philadelphia



(Bill No. 060185)

AN ORDINANCE

Removing a portion of the property known generally as the Byberry State Hospital from the Philadelphia Keystone Opportunity Zone, subject to the request and consent of the owners of said Property, under certain terms and conditions.

WHEREAS, The Department of Commerce is willing to accept an application from the owners of the property known generally as the former Byberry State Hospital and more particularly described in Exhibit “A” hereto (the “Property”), and from all parties with any known interest in the Property, including the prospective purchasers of the Property, requesting and consenting to the removal of all exemptions, deductions, abatements, or credits provided for by Chapter 19-3200 of The Philadelphia Code, relating to the Keystone Opportunity Zone and the Keystone Opportunity Expansion Zone, with respect to the Property, all to enable a residential development on the Property.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Any exemptions, deductions, abatements or credits provided for by Chapter 19-3200 of The Philadelphia Code, relating to the Keystone Opportunity Zone and the Keystone Opportunity Expansion Zone, with respect to a portion of the property known generally as the Byberry State Hospital and more particularly described in Exhibit “A” hereto (the “Property”), are hereby repealed, revoked and removed; and the Property is hereby removed from the Philadelphia Keystone Opportunity Zone.

SECTION 2. The repeal, revocation and removal described in Section 1 of this Ordinance shall be effective upon, and only with respect to exemptions, deductions, abatements or credits accruing on or after, the effective date of an approval by the Commonwealth Department of Community and Economic Development (the “Department”) of a request by the Director of Commerce to decertify the Property and remove it from the Philadelphia Keystone Opportunity Zone, which request shall not be submitted with respect to any portion of the Property prior to the submission by the owners and all parties with any known interest in said portion of the Properties of written application to the Department of Commerce requesting and consenting to the removal of all exemptions, deductions, abatements, or credits provided for by Chapter 19-3200 of The Philadelphia Code, relating to the Keystone Opportunity Zone and the Keystone Opportunity Expansion Zone with respect to said Property. To the extent the Department approves the decertification of less than all of the Property, the repeal, revocation and removal provided for in Section 1 of this Ordinance shall be effective only with respect to such portion of the Property as the Department approves for decertification.

City of Philadelphia

BILL NO. 060185 continued

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SECTION 3. The Clerk shall keep on file for public inspection a copy of all Exhibits referenced herein.

City of Philadelphia

BILL NO. 060185 continued

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Exhibit "A"

Description of Property

November 1, 2005

ALL THAT CERTAIN lot or piece of ground situate in the Fifty-eighth Ward of the City of Philadelphia and described in accordance with a Plan of Property (V44-886A) made for Westrum Urban Development LLC. & Brandywine Byberry, L.P. by Mark S. Zeitz, P.L.S., Surveyor and Regulator of the Fourth Survey District, dated November 1, 2005 as follows to wit:

BEGINNING at a point of intersection connecting the northeasterly side of Southampton Road (sixty feet wide – On City Plan/thirty-three feet wide Legally Open) with the southeasterly side of Carter road (forty-six and five-tenths feet wide – On City Plan/Legally Open) thence extending the following two (2) courses and distances along the southeasterly side of the said Carter Road: (1) north forty-one degrees four minutes twenty-two seconds east, the distance of one thousand four hundred three and three hundred nine one-thousandths feet to an angle point; and (2) north forty-six degrees six minutes thirty-two seconds east, the distance of nine hundred twenty-eight and four hundred forty-two one-thousandths feet to a point; thence extending south forty-three degrees fifty-three minutes twenty-eight seconds east, the distance of four hundred feet to a point; thence extending south eighty-eight degrees fifty-three minutes twenty-eight seconds east, the distance of two hundred feet to a point; thence extending north forty-six degrees six minutes thirty-two seconds east, the distance of four hundred twelve and two hundred ninety-two one-thousandths feet to a point; thence extending south forty-one degrees fifty-four minutes eleven seconds east, the distance of eight hundred fifty-one and one hundred sixty-eight one-thousandths feet to a point; thence extending south forty-eight degrees five minutes forty-nine seconds west, the distance of two hundred ninety-two and six hundred thirty-one one-thousandths feet to a point; thence extending south three degrees five minutes forty-nine seconds west, the distance of nineteen and seven hundred ninety-eight one-thousandths feet to a point; thence extending south forty-eight degrees five minutes forty-nine seconds west, the distance of two thousand five hundred nineteen and eight hundred seventy-two one-thousandths feet to a point on the northeasterly side of the said Southampton road; thence extending north forty-five degrees six minutes forty seconds west, along the northeasterly side of the said Southampton road, the distance of one thousand one hundred eighty-five and ninety-five one-thousandths feet to the first mentioned point and place of beginning.

BEING the parcel "B" as shown on above mentioned plan.

CONTAINING in area three million five hundred thousand five hundred sixty-four and seven-tenths square feet or eighty and thirty-six thousand one hundred ninety-one-hundredth thousandths acres.

City of Philadelphia

BILL NO. 060185 continued

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on May 4, 2006. The Bill was Signed by the Mayor on May 18, 2006.



Patricia Rafferty
Chief Clerk of the City Council