



# City of Philadelphia

City Council  
Chief Clerk's Office  
402 City Hall  
Philadelphia, PA 19107

**BILL NO. 051146**

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**Introduced December 1, 2005**

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**Councilmembers Clarke, Kelly, Nutter, Council President Verna,  
Councilmembers Miller and O'Neill**

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**Referred to the  
Committee on Transportation and Public Utilities**

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## **AN ORDINANCE**

Authorizing and directing the City, including the Commissioner of Public Property and the City Solicitor, to request that CSX Transportation, Inc., remove its signal shed, located in the vicinity of the intersection of the Schuylkill River Trail and the overpass of the Vine Street Expressway, from its bearing on City property and, if necessary, to take legal action to force the removal of the shed from City property; all under certain terms and conditions.

WHEREAS, CSX Transportation, Inc., has erected and is maintaining a signal shed that is located, at least in significant part, on City property in the vicinity of the Schuylkill River Trail and the overpass of the Vine Street Expressway; and

WHEREAS, CSX should not be permitted to maintain such structure, which narrows the useful portion of the Trail at that location; NOW, THEREFORE,

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

Section 1. The City, including the Commissioner of Public Property and the City Solicitor, are hereby authorized and directed to request that CSX Transportation, Inc., remove its signal shed, located in the vicinity of the intersection of the Schuylkill River Trail and the overpass of the Vine Street Expressway, from its bearing on City property and, if necessary, to take legal action to force the removal of the shed from City property.

Section 2. The City Solicitor is hereby authorized to execute any documents, and file with the courts any legal documents, necessary to carry out the intent of this Ordinance.

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*BILL NO. 051146 continued*

Section 3. Section 1 shall take effect if, by March 30, 2006, the City has not entered into an agreement with CSX Transportation, Inc., regarding the legal rights of the City and CSX with respect to the signal shed. Section 2 of this Ordinance shall take effect immediately.