

City of Philadelphia



(Bill No. 010331)

AN ORDINANCE

Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to acquire by amicable negotiations or by condemnation, fee simple title to a certain parcel of real estate with the improvements situated thereon (and any covenants, restrictions, easements and other matters that burden said parcel of real estate and/or the improvements thereon) located on the easterly side of Darien street south of Pattison avenue, Philadelphia, Pennsylvania and to transfer that parcel to the Philadelphia Authority for Industrial Development in fee for nominal consideration.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Commissioner of Public Property, on behalf of the City of Philadelphia, is hereby authorized to acquire by amicable negotiations or by condemnation, fee simple title to a certain parcel of real estate with the improvements situated thereon (and any covenants, restrictions, easements and other matters that burden said parcel of real estate and/or the improvements thereon) located on the easterly side of Darien street south of Pattison avenue, Philadelphia, Pennsylvania and to transfer that same parcel to the Philadelphia Authority for Industrial Development in fee for nominal consideration. The said parcel is more fully described as follows:

ALL THAT CERTAIN lot or piece of ground, Situate in the 39th Ward of the City of Philadelphia, described in accordance with a Plan of Property made for Food Distribution Center by Lewis C. Jones, Surveyor and Regulator of the Second District, dated November 25, 1970, as follows, to wit:

BEGINNING at the point formed by the intersection of the Easterly side of Darien street (of variable width) and the Southerly property line of the parcel, the legal title to which was in Food Distribution Center and the equitable title to which was in the Grantor by virtue of a certain Installment Sale Agreement dated June 26, 1964, a Memorandum of which was recorded in the Department of Records of the City of Philadelphia in Deed Book CAD 211 page 387, which point is the following two courses and distances measured from the point formed by the intersection of the Easterly side of Darien street (84 feet wide at this point) and the Southerly side of Pattison avenue (120 feet wide); (1) commencing at said point of intersection of Darien street and Pattison avenue and extending South 14 degrees 30 minutes West along the easterly side of Darien street 1632.477 feet to a point of curve; and (2) still

City of Philadelphia

BILL NO. 010331 continued

Certified Copy

along the Easterly side of Darien street (of variable width) in a Southwesterly direction on the arc of a circle on a line curving to the left, having a radius of 100 feet, the arc distance of 22.028 feet to the first mentioned point of beginning; thence along the Southerly property line of the aforementioned parcel which is the subject of said Installment Sale Agreement, North 85 degrees 55 minutes 48.8 seconds East, 1327.466 feet to a point on the center line of a right-of-way for railroad purposes (17 feet wide) thence in a Southwesterly direction on the arc of a circle on a line curving to the right, having a radius of 375 feet, the arc distance of 11.822 feet to the point of intersection with the Northerly right-of-way of Limited Access Route No. 1000 (139.721 feet wide); thence along said Northerly right-of-way line, South 85 degrees 55 minutes 48.8 seconds West, 1322.169 feet to the point of intersection with the Easterly side of Darien street (of variable width); thence in a Northeasterly direction on the arc of a circle on a line curving to the right, having a radius of 100 feet, the arc distance of 10.467 feet to the first mentioned point of beginning.

CONTAINING 0.31266 acres.

TOGETHER with the free, perpetual and uninterrupted right, liberty and privilege to install, maintain and use railroad spur tracks and other track facilities in the following two described strips of land:

THE FIRST THEREOF BEING 17 feet in width, the center line of which is described as follows: BEGINNING at an interior point, which point is the three following courses and distances measured from the intersection of the Southerly side of Pattison avenue and the Easterly side of Darien street: (1) commencing at said intersection and extending thence along the Southerly side of Pattison avenue, South 75 degrees 30 minutes East 1266.600 feet to a point; (2) South 14 degrees 30 minutes West 1165.717 feet to a point of curve; and (3) in a Southwesterly direction on an arc of a circle on a line curving to the right, having a radius of 375 feet, an arc distance of 78.028 feet to the place of beginning; thence extending from the point of beginning in a Southwesterly direction on the arc of a circle on a line curving to the right, having a radius of 375 feet, an arc distance of 203.884 feet to a point on the Northerly right-of-way line of a joint railroad.

AND THE SECOND THEREOF BEING bounded and described as follows: BEGINNING at a point on the Easterly side of Darien street, which point is the two following courses and distances from the point formed by the intersection of the Easterly side of Darien street and the Southerly side of Pattison avenue; (1) commencing at said point of intersection and extending South 14 degrees 30 minutes West, along the

City of Philadelphia

BILL NO. 010331 continued

Certified Copy

Easterly side of Darien street 1632.477 feet to a point of curve; and a (2) still along the Easterly side of Darien street in a Southwesterly direction on an arc of a circle on a line curving to the left having a radius of 100 feet an arc distance of 32.495 feet to the point of beginning. Thence extending from the point of beginning North 85 degrees 55 minutes 48.8 seconds East along the hereinabove described 0.31266 acre tract, 500 feet to a point; thence extending South 4 degrees 4 minutes 11.2 seconds East 140 feet to a point on the Northerly right-of-way line of a joint railroad, thence extending along said Northerly right-of-way line South 85 degrees 55 minutes 48.8 seconds West 800 feet to a point; thence extending North 4 degrees 4 minutes 11.2 seconds West 80 feet to a point; thence North 85 degrees 55 minutes 48.8 seconds East, crossing the Westerly side of Darien street 225 feet more or less to a point on the center line of Darien street; thence extending along the center line of Darien street; North 14 degrees 30 seconds East 65 feet more or less to a point and thence extending North 85 degrees 55 minutes 48.8 seconds East 50 feet more or less to the first mentioned point and place of BEGINNING.

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 or appropriate to protect the interests of the City. The City Solicitor is further authorized, if directed by the Commissioner of Public Property, to prepare and file with the appropriate court a Declaration of Taking to acquire by condemnation the property described by this Ordinance and in that regard to take any action necessary or desirable to effectuate this Ordinance.

City of Philadelphia

BILL NO. 010331 continued

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 7, 2001. The Bill was Signed by the Mayor on August 2, 2001.



Marie B. Hauser
Chief Clerk of the City Council