

City of Philadelphia



(Bill No. 110367)

AN ORDINANCE

Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to execute a deed to the Philadelphia Authority for Industrial Development (“PAID”) and to accept a deed from PAID, and to execute all other necessary documents, for the purpose of exchanging a parcel of City-owned land that is part of a larger parcel commonly called the Kensington & Tacony Trail (the “K & T Trail”) for a parcel of land in the Frankford Arsenal (the “Arsenal Parcel”) and, upon completion of the City’s acquisition of the Arsenal Parcel, incorporating the Arsenal Parcel into the K & T Trail, under the jurisdiction of the Department of Parks and Recreation, subject to certain provisions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Commissioner of Public Property, on behalf of the City of Philadelphia, is authorized to execute a deed to the Philadelphia Authority for Industrial Development (“PAID”) and to accept a deed from PAID, and to execute all other necessary documents, for the purpose of exchanging a parcel of City-owned land that is part of a larger parcel commonly called the Kensington & Tacony Trail (the “K&T Parcel”) for a parcel of land in the Frankford Arsenal (the “Arsenal Parcel”). The K&T Parcel is described in Exhibit “A” to this Ordinance, and the Arsenal Parcel is described in Exhibit “B” to this Ordinance.

SECTION 2. The Chief Clerk shall keep a copy of Exhibit “A” and Exhibit “B” to this Ordinance on file in the Chief Clerk’s Office for inspection by members of the public. The legal description of the K&T Parcel in the deed the Commissioner of Public Property is authorized to execute under this Ordinance, and the description of the Arsenal Parcel in the deed the Commissioner of Public Property is authorized to accept under this Ordinance, must be substantially in the form of the descriptions set forth, respectively, in Exhibit “A” and Exhibit “B” to this Ordinance.

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SECTION 3. This Ordinance authorizes the City Solicitor to include in each deed in connection with the exchange of the K&T Parcel for the Arsenal Parcel those provisions that the City Solicitor deems necessary or appropriate to protect the interests of the City, and to prepare all additional agreements that the City Solicitor deems necessary or appropriate to protect the interests of the City.

SECTION 4. Upon completion of the City's acquisition of the Arsenal Parcel, the Arsenal Property is deemed incorporated into the Kensington & Tacony Trail under the jurisdiction of the Department of Parks and Recreation.

Exhibit A

**LEGAL DESCRIPTION
CITY PROPERTY
(TO BE DEEDED TO ARSENAL ASSOCIATES)
CITY OF PHILADELPHIA
PHILADELPHIA COUNTY, COMMONWEALTH OF PENNSYLVANIA**

All that certain lot, tract, and parcel of land together with the buildings and improvements erected thereon, and the privileges and appurtenances thereto appertaining, situate, lying and being in the City of Philadelphia, County of Philadelphia, Commonwealth of Pennsylvania, as shown on a plan entitled "Shopping Center at the Arsenal, Preliminary Site Plan" by Langan Engineering & Environmental Services, Drawing No. FIG.-1, dated 10-28-09, last revised, 8-24-10, and being more particularly bounded and described as follows:

Beginning at a point in the southeasterly right of way line of Tacony Street, said point being the northeast corner of TMP#884212100 and running thence from said Point of Beginning;

1. Along said southeasterly right of way line of Tacony Street, North $50^{\circ}57'33''$ East, a distance of 33.97 feet (34.06' U.S.) to a point in the said southeasterly right of way line of Tacony Street; thence
2. Leaving said southeasterly right of way line of Tacony Street, South $37^{\circ}28'27''$ East, a distance of 1586.78 feet (1590.76' U.S.) to a point; thence
3. South $26^{\circ}26'07''$ West, a distance of 77.76 feet (77.94' U.S.) to a point of curvature, said point being the southeast corner of TMP#884212100; thence
4. Along the same, in a northerly direction along a curve to the left having a radius of 463.00 feet (464.16' U.S.) and a central angle of $23^{\circ}46'13''$, an arc distance of 192.09 feet (192.57' U.S.), said curve being subtended by a chord which bears North $25^{\circ}35'20''$ West 190.71 feet (191.19' U.S.) to a point; thence
5. Along the same, North $37^{\circ}28'27''$ West, a distance of 1327.76 feet (1331.09' U.S.) to a point of curvature; thence
6. Along the same in a northerly direction along a curve to the left having a radius of 1418.00 feet (1421.55' U.S.) and a central angle of $4^{\circ}19'24''$, an arc distance of 106.99 feet (107.26' U.S.), said curve being subtended by a chord which bears North $39^{\circ}38'09''$ West 106.97 feet (107.24' U.S.) to the Point and Place of Beginning.

The above described parcel encompassing an area of 1.15 acres of land (U.S.), more or less.

Said parcel being subject to the findings of a current, comprehensive title report of the subject parcel.

All as shown on the above reference plan by Langan Engineering & Environmental Services.

Exhibit B

**LEGAL DESCRIPTION
RECREATIONAL ZONED FRANKFORD ARSENAL PROPERTY
(TO REMAIN IN REC ZONE AND TO BE DEEDED TO THE CITY OF PHILADELPHIA)
P/O TMP# 884212100
CITY OF PHILADELPHIA
PHILADELPHIA COUNTY, COMMONWEALTH OF PENNSYLVANIA**

All that certain lot, tract, and parcel of land together with the buildings and improvements erected thereon, and the privileges and appurtenances thereto appertaining, situate, lying and being in the City of Philadelphia, County of Philadelphia, Commonwealth of Pennsylvania, as shown on a plan entitled "Shopping Center at the Arsenal, Preliminary Site Plan" by Langan Engineering & Environmental Services, Drawing No. FIG.-1, dated 10-28-09, last revised, 8-24-10, and being more particularly bounded and described as follows,:

Beginning at a point in the Frankford Creek, said point being the current southeasterly property corner of TMP# 884212100, and running thence from said Point of Beginning;

1. Along the Frankford Creek, North $58^{\circ}24'54''$ West, a distance of 142.64 feet (143.00' U.S.) to a point; thence
2. Passing over, into, and through TMP# 884212100, North $31^{\circ}35'06''$ East, a distance of 79.61 feet (79.81' U.S.) to a point of curvature; thence
3. Continuing through the same, in a northwesterly direction along a curve to the left having a radius of 89.96 feet (90.19' U.S.) and a central angle of $76^{\circ}43'34''$, an arc distance of 120.47 feet (120.78' U.S.), said curve being subtended by a chord which bears North $06^{\circ}46'41''$ West 111.68 feet (111.96' U.S.) to a point of reverse curvature; thence
4. Continuing through the same, in a northwesterly direction along a curve to the right having a radius of 26.75 feet (26.82' U.S.) and a central angle of $81^{\circ}27'54''$, an arc distance of 38.03 feet (38.13' U.S.), said curve being subtended by a chord which bears North $04^{\circ}24'31''$ West 34.91' feet (35.00 U.S.) to a point of tangency; thence
5. Continuing through the same, North $36^{\circ}19'26''$ East, a distance of 342.39 feet (343.25' U.S.) to a point; thence
6. Continuing through the same, North $53^{\circ}17'44''$ East, a distance of 78.22 feet (78.42' U.S.) to a point; thence
7. Along the easterly line of TMP# 884212100, South $25^{\circ}25'07''$ West, a distance of 425.69 feet (426.76' U.S.) to a point; thence

8. Along the same, South $25^{\circ}33'07''$ East, a distance of 145.19 feet (145.55' U.S.) to a point of non-tangency curvature; thence
9. Along the same, in a southwesterly direction along a curve to the right having a radius of 2849.90 feet (2857.02' U.S.) and a central angle of $2^{\circ}09'46''$, an arc distance of 107.58 feet (107.85' U.S.), said curve being subtended by a chord which bears South $27^{\circ}32'50''$ West 107.58 feet (107.85' U.S.) to the Point and Place of Beginning.

The above described parcel encompassing an area of 1.15 acres of land (U.S.); more or less.

Said parcel being subject to the findings of a current, comprehensive title report of the subject parcel.

All as shown on the above reference plan by Langan Engineering & Environmental Services.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 16, 2011. The Bill was Signed by the Mayor on July 19, 2011.



Michael A. Decker
Chief Clerk of the City Council