

# City of Philadelphia



(Bill No. 090330)

## AN ORDINANCE

Authorizing the President of the Fairmount Park Commission and the Executive Director of Fairmount Park, on behalf of the City, to enter into a Master Lease providing for the lease by the City to the Philadelphia Authority for Industrial Development of a portion of the west corner of Arch Street, 16th Street and Benjamin Franklin Parkway, and under which PAID will be required to enter into an agreement pursuant to which PAID will sublease the property to The Philadelphia Holocaust Remembrance Foundation, Inc., for the development, construction and operation of an educational facility and memorial park to foster remembrance and understanding of the Holocaust, all under certain provisions.

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

**SECTION 1.** The Council of the City of Philadelphia finds the following:

A. The Philadelphia Holocaust Remembrance Foundation, Inc. (the “Foundation”) desires to construct a new Holocaust remembrance and educational facility and to develop a Holocaust Memorial Park on two parcels of land (the “Premises”) at the west corner of Arch Street, 16th Street, and Benjamin Franklin Parkway.

B. The unique use of the Premises by the Foundation to construct and operate a Holocaust remembrance education facility and to develop a Holocaust Memorial Park will enhance park facilities and benefit park users, and will enhance and improve the Benjamin Franklin Parkway, which is part of Fairmount Park.

**SECTION 2.** The President of the Fairmount Park Commission and the Executive Director of Fairmount Park, on behalf of the City, are authorized to enter into a Master Lease (the “Master Lease”) with the Philadelphia Authority for Industrial Development (“PAID”), which provides for the City to lease the Premises and improvements on the Premises to PAID, and under which PAID is authorized and directed to enter into a Sublease Agreement (the “Sublease”) with the Foundation. The Premises are more particularly described in the Sublease.

**SECTION 3.** The Master Lease must be substantially in the form set forth in Exhibit A to this Ordinance. The Sublease must be substantially in the form set forth in Attachment 1 to the Master Lease. The City Solicitor is authorized to include in the Master Lease, and to cause PAID to include in the Sublease, provisions the City Solicitor deems necessary or desirable to protect the interests of the City, and to make any other changes consistent with this Ordinance.

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**SECTION 4.** The Chief Clerk of City Council shall keep on file the exhibit referred to in this Ordinance and make it available to the public for inspection during regular office hours.

**SECTION 5.** The President of the Fairmount Park Commission, the Executive Director of Fairmount Park, the City Solicitor, and all other officials of the City, are authorized to execute all documents, including a Lease Recognition Agreement that is Exhibit H to the Sublease, and to take all actions necessary or desirable, to accomplish the intent and purpose of this Ordinance.

**[Note: Exhibits to this Bill are on file in the Office of the Chief Clerk.]**

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 11, 2009. The Bill was Signed by the Mayor on June 24, 2009.



Patricia Rafferty  
Chief Clerk of the City Council