

City of Philadelphia



(Bill No. 160775)

AN ORDINANCE

Authorizing the Commissioner of Public Property, on behalf of the City, to acquire fee simple title or a lesser interest such as an easement, by purchase, condemnation or otherwise, in parcels of land along the Delaware River and the Delaware River Trail connecting to Penn Treaty Park, and authorizing an agreement between the City and the Philadelphia Redevelopment Authority for the PRA to act as the City's condemnation agent, under certain terms and conditions.

WHEREAS, The City would like to acquire fee simple title or a lesser interest such as an easement, by purchase, condemnation or otherwise, in parcels of land along the Delaware River and the Delaware River Trail and connecting to Penn Treaty Park (the "Acquisition"); and

WHEREAS, Pursuant to § 6.1 of the Redevelopment Cooperation Law, Act of May 24, 1945, P.L. 982, § 6.1; added by the Act of January 19, 1968, P.L. (1967) 987, § 2; 35 P.S. § 1746.1, the City may designate and appoint the PRA its agent to perform any specified activity that the City is authorized by law to perform, so long as such activity is in furtherance of the public purposes specified in the Urban Redevelopment Law (the "URL"); and

WHEREAS, The City and the PRA desire to enter into an Agreement of Agency Designation (the "Agency Agreement") wherein the City will designate PRA as the City's agent to perform the activities necessary to allow the City to acquire the necessary real property interests for the Acquisition; and

WHEREAS, The Acquisition furthers the public purposes specified in the URL and, therefore, the Redevelopment Cooperation Law authorizes the Agency Agreement; and

WHEREAS, The Redevelopment Cooperation Law requires that the Council of the City of Philadelphia approve the Agency Agreement; and

WHEREAS, Bill No. 150818 (approved December 15, 2015) provided similar authorizations as provided in this Ordinance, but it was determined that an ordinance with greater specificity would be beneficial; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

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SECTION 1. The Commissioner of Public Property, on behalf of the City, is authorized to acquire by purchase, condemnation, deed in lieu of condemnation, donation, dedication, or otherwise, fee simple title or a lesser interest such as an easement, in some or all of the parcels of land identified in Section 2 of this Ordinance along the Delaware River and the Delaware River Trail and connecting to Penn Treaty Park for the purpose of making, enlarging, extending, operating and maintaining public parks for public recreation use.

SECTION 2. The lands subject to this Ordinance are the following:

All those certain parcels or tracts of land, situate in the Fifth Ward of the City bounded on the north by the former Marlborough Street, extended to the Delaware River, bounded on the south by Shackamaxon Street, extended to the Delaware River, bounded on the east by the Delaware River and bounded on the west by Delaware Avenue, containing within said bounds an area of approximately one-half of one acre.

SECTION 3. The City, either through the Commissioner of Public Property or the Director of Commerce, is authorized to enter into an Agreement of Agency Designation pursuant to the Redevelopment Cooperation Law to designate and appoint the Philadelphia Redevelopment Authority its agent to be its condemnation agent to carry out the purposes of this Ordinance.

SECTION 4. The City Solicitor is authorized to review and approve all documents necessary to complete the acquisitions authorized by this Ordinance. The City Solicitor is further authorized to include in those documents provisions that the City Solicitor deems necessary and desirable to protect the interests of the City.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on October 27, 2016. The Bill was Signed by the Mayor on November 16, 2016.



Michael A. Decker
Chief Clerk of the City Council