



City of Philadelphia

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

BILL NO. 190829

Introduced October 24, 2019

**Councilmember O'Neill
for
Councilmember Squilla**

**Referred to the
Committee on Parks, Recreation and Cultural Affairs**

AN ORDINANCE

Authorizing the Commissioner of Public Property and the Parks and Recreation Commissioner, on behalf of the City of Philadelphia, to lease from the School District of Philadelphia certain land and improvements known as a portion of South Philadelphia High School, owned by the School District of Philadelphia, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Commissioner of Public Property and the Parks and Recreation Commissioner are hereby authorized to enter into a lease with the School District of Philadelphia to lease certain land and improvements known as a portion of South Philadelphia High School (the "Premises"). The School District of Philadelphia owns the Premises and will enter into a lease leasing the Premises to the City. The lease and agreement must be based substantially on the terms set forth in the term sheet attached to this Ordinance as Exhibit "A." The Premises is generally as shown in the Map of the Premises attached as Exhibit "B."

SECTION 2. The City Solicitor is hereby authorized to review and to approve, prior to execution, 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 and proper to protect the interests of the City.

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EXHIBIT "A"

Terms of proposed Lease Agreement between the School District of Philadelphia and the City of Philadelphia for certain land and improvements known as a portion of South Philadelphia High School.

1. Exhibit "A" Definitions:

"City" means the City of Philadelphia.

"The District" means the School District of Philadelphia.

"Premises" means a portion of the land and improvements known as the South Philadelphia High School and as generally shown in the attached as Exhibit B.

2. Basic Structure of Lease Transaction:

i) The District will lease the Premises to the City

ii) The City will maintain and operate the Premises for public use for the term of the Lease.

3. Lease Terms:

i) **Premises:** All or some of the land and improvements known as South Philadelphia High School as generally shown in the Map of the Premises attached as Exhibit B.

ii) **Occupancy:** The Premises will be occupied by the City and available for public use and for use by the School District's students.

iii) **Rent:** Nominal.

iv) **Duration:** The term of the Lease may be a term of up to 25 years however, the City (in accordance with Section 8-200(3) of the Philadelphia Charter) shall have right to terminate the Lease, at the City's sole option, at any time after the expiration of four years without liability to the District for damages or loss of profits which would have been realized had the Lease not been terminated..

v) **Commencement Date:** Upon execution.

vi) **Maintenance:** City shall maintain and repair the Premises as required by the Lease, and may make improvements to the Premises that are authorized by the Lease, at no cost to the District.

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EXHIBIT “B”

Map of the Premises