

## Legislation Text

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**File #:** 020203, **Version:** 0

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Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to acquire by condemnation or by purchase in lieu of condemnation a certain underground easement through 3500 Scotts lane, for sewer and drainage purposes, under certain terms and conditions.

*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 condemnation or by purchase in lieu of condemnation a certain underground easement through 3500 Scotts lane, for sewer and drainage purposes. The said easement is more fully described in Exhibit "A" attached hereto.

SECTION 2. The City Solicitor is authorized, if requested 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. The Commissioner of Public Property is authorized to enter into an agreement upon terms and in form satisfactory to the City Solicitor for the purchase in lieu of condemnation of the property.

SECTION 3. 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.

### EXHIBIT "A"

#### DESCRIPTION OF EASEMENT

That certain fifty foot (50') wide underground easement, situate in the thirty-eighth (38th) Ward of the City of Philadelphia, and described herein, according to a Plan of Proposed Right of Way, dated February 26, 1996, Plan No. L-339, prepared by the Philadelphia Water Department Survey Unit, 3585 Fox Street, Philadelphia, PA, 19129, as follows:

BEGINNING AT A POINT on the southerly line of former Ontario Street (50 feet wide, retained for drainage purposes) said point being measured S 88° 30' 17" W a distance of 345.462 feet along the southerly line of former Ontario Street from the westerly line of Henry Avenue (100 feet wide) and being on the easterly line of 32nd Street (50 feet wide) produced; thence along the easterly line of 32nd Street produced S 11° 21' 00" W a distance of 99.954 feet to a point on the northerly right-of-way line of the Richmond Branch of the former Philadelphia and Reading Railroad (now CSX Transportation ); thence along the northerly right-of-way line of the Richmond Branch of the former Philadelphia and Reading Railroad (now CSX Transportation) S 88° 30' 17" W a distance of 51.283 feet to a point on the westerly line of 32nd Street produced; thence along the westerly side of 32nd Street produced N 11° 21' 00" E a distance of 99.9954 feet to a point on the southerly line of former Ontario Street; thence along the southerly line of former Ontario Street N 88° 30' 17" E a distance of 51.283 feet to the point of beginning.

