

Legislation Text

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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 3822 Ridge avenue, 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 3822 Ridge avenue, 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 March 13, 2001, filed BB-202, by James E. Shomper, Surveyor and Regulator of the Sixth Survey District, as follows:

BEGINNING AT A POINT of intersection formed by the westerly line of Ridge avenue (70 feet wide) and the centerline of Allegheny avenue (120 feet wide produced); thence extending S 27° 37' 43" E along the westerly line of said Ridge avenue, the distance of 32.159 feet to a point; thence extending N 78° 39' 00" W, the distance of 431.646 feet to a point of curve; thence extending on an arc of a circle curving to the left having a radius of 775.000 feet and subtending an angle of 27° 02' 26", the arc distance of 365.759 feet to a point; thence extending N 16° 37' 22" W, the distance of 50.006 feet to a point; thence extending on the arc of a circle curving to the right having a radius of 825.000 feet and subtending an angle of 27° 05' 49", the arc distance of 390.170 feet to a point of tangent; thence extending S 78° 39' 00" E, the distance of 391.188 feet to a point on the westerly side of Ridge avenue; thence extending S 27° 37' 43" E along the westerly side of said Ridge avenue, the distance of 32.159 feet to the first mentioned point and place of beginning.

The existing surface elevation varies from EL 77.000 feet to EL 88.000 feet City Datum. The Easement is not a

surface easement and shall begin at elevation EL 45.000 feet City Datum and extend downward to elevation EL 0.000 feet City Datum.