

City of Philadelphia



(Bill No. 020316)

AN ORDINANCE

Authorizing the Commissioner of Public Property, on behalf of the City, to enter into a further amendment to a lease between the City and the Far Northeast Senior Citizens, Inc. for the use of certain property located on the northeast corner of Byberry-Southampton road and Townsend road, to provide for an extension of the City's responsibility for the payment of charges and fees for public utilities, sewer rents, water rents, water charges, and heating charges, under certain terms and conditions.

WHEREAS, Pursuant to Bill No. 768 (approved May 25, 1994), the Commissioner of Public Property, on behalf of the City, accepted from the Philadelphia Authority for Industrial Development ("PAID") the assignment of an existing twenty-five year lease ("Lease") dated July 10, 1990 between PAID and the Far Northeast Senior Citizens, Inc. ("Tenant") for the use of certain property located on the northeast corner of Byberry-Southampton road and Townsend road, for use as a senior citizens center; and

WHEREAS, Bill No. 768 further authorized the Commissioner of Public Property, on behalf of the City, to enter into an amendment to the Lease to provide that the City would be responsible for the payment of charges and fees and public utilities, sewer rents, water rents, water charges, and heating charges, provided (as required by Section 8-200(3) of the Philadelphia Home Rule Charter) that the City could terminate its obligation to pay such charges after the expiration of four years from the date of the Lease amendment; and

WHEREAS, Pursuant to Bill No. 980147 (approved June 25, 1998), the City was authorized to further amend the Lease to extend for an additional four year term the City's obligation to pay utility charges under the Lease; and

WHEREAS, Council wishes to authorize a further amendment to the Lease to extend for an additional four year term the City's obligation to pay utility charges under the Lease; now therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Commissioner of Public Property, on behalf of the City, is hereby authorized to enter into a further amendment to paragraph 4 of the lease ("Lease") dated July 10, 1990 between the City and the Far Northeast Senior Citizens, Inc. ("Tenant"), as previously amended (which Lease was assigned to the City pursuant to Bill No. 768, approved May 25, 1994), for the use of certain property located on the northeast corner of Byberry-Southampton road and Townsend road, which amendment shall state

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that the City shall be responsible for the payment of charges and fees for public utilities, sewer rents, water rents, water charges, and heating charges, provided that the City may terminate its obligations to pay such charges, without any liability to the Tenant, at any time after the expiration of four years from the date of the Lease amendment authorized by this Ordinance, and thereafter, payment of such charges will be Tenant's responsibility.

SECTION 2. 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 and proper to protect the interest 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 June 13, 2002. The Bill was Signed by the Mayor on September 6, 2002.



Marie B. Hauser
Chief Clerk of the City Council