

# City of Philadelphia



(Bill No. 070460)

## AN ORDINANCE

Authorizing and directing the revision of lines and grades on a portion of City Plan No. 384 bounded by The Roosevelt Boulevard, Southampton Road, Carter Road, and the Philadelphia-Bucks County Line, under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the beds of all streets proposed to be placed on the City Plan by authority of this Ordinance and of a certain unopened portion of the bed of Southampton Road.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

**SECTION 1.** Pursuant to Section 11-404 of The Philadelphia Code, the Board of Surveyors of the Department of Streets is authorized and directed to revise the lines and grades on a portion of City Plan No. 384 by:

- (a) Placing Dahlia Drive from Iris Lane to Marigold Lane.
- (b) Placing Sunflower Drive from Bluebell Court to Marigold Lane.
- (c) Placing Arbours Way from Marigold Lane to Southampton Road.
- (d) Placing Marigold Lane from Dahlia Drive to Sunflower Drive.
- (e) Placing Veronica Lane from Dahlia Drive to Sunflower Drive.
- (f) Placing Honeysuckle Court from Dahlia Drive to Wildflower Way.
- (g) Placing Foxglove Lane from Dahlia Drive to Sunflower Drive.
- (h) Placing Iris Lane from Dahlia Drive to Sunflower Drive.
- (i) Placing Bluebell Court from Sunflower Drive northwestwardly to a dead-end turnaround.
- (j) Placing Mimosa Drive from Wildflower Way to Sunflower Drive.
- (k) Placing Wildflower Way from Honeysuckle Court to Mimosa Drive.
- (l) Placing certain rights-of-way for Gas Main Purposes and Public Utility Purposes.

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- (m) Placing two certain 54 feet wide rights-of-way for Water Main Purposes, Drainage Purposes, and Public Utility Purposes, each extending between Southampton Road and Marigold Lane.

**SECTION 2.** This authorization is conditional upon compliance with the following requirements within two (2) years from the date this Ordinance becomes law:

- (a) The filing of an agreement, satisfactory to the City Solicitor, by the owner or owners of property affected thereby, to release the City from all damages or claims for damages which may arise by reason of the City Plan changes authorized herein; in lieu thereof, only after the party in interest has demonstrated best efforts to locate any owner or owners of property affected and has been unable to do so, the party in interest shall file an agreement and bond with corporate surety, satisfactory to the City Solicitor, to indemnify the City as aforesaid.
- (b) The filing of an agreement, satisfactory to the City Solicitor, by the party in interest, to release, indemnify and defend the City from all damages or claims for damages, which may arise by reason of the City Plan changes authorized herein.
- (c) The filing of an agreement by the owner or owners of property affected thereby, granting to PGW, PECO and the City the aforesaid rights-of-way for public utility purposes in Sections 1(l) and 1(m) of this ordinance. The agreement shall provide that no changes in grades shall be made and that no fences, buildings or other structures, either overhead, underground or upon the surface shall be constructed within the lines of the right-of-way or abutting thereon, unless the plans for such structures shall first be submitted to and approved by PGW, PECO and the City. The agreement shall also grant the right-of-access and occupation at any and all times to the officers, agents, employees and contractors of PGW, PECO and the City for the purpose of construction, reconstruction, maintenance, alterations, repairs and inspection of present and future facilities and structures.
- (d) The dedication to the City, without cost and free and clear of all encumbrances, of the beds of Dahlia Drive, Sunflower Drive, Arbours Way, Marigold Lane, Veronica Lane, Honeysuckle Court, Foxglove Lane, Iris Lane, Bluebell Court, Mimosa Drive, and Wildflower Way, as proposed to be placed on the City Plan by authority of this Ordinance and of the unopened northeasterly 13.5 feet wide portion of the bed of Southampton Road extending between the proposed southeasterly and northwesterly lines of Arbours Way.
- (e) The payment by the party in interest of the cost of advertising the public hearing by the Board of Surveyors on the City Plan changes authorized by this Ordinance.

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**SECTION 3.** This Ordinance shall not become effective unless the sum of two hundred dollars (\$200.00), toward costs thereof, is paid into the City Treasury within one hundred and twenty (120) days after this Ordinance becomes law.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 14, 2007. The Bill was Signed by the Mayor on July 31, 2007.



Patricia Rafferty  
Chief Clerk of the City Council