

City of Philadelphia



(Bill No. 060830)

AN ORDINANCE

Authorizing and directing the revision of lines and grades on a portion of City Plan No. 46-S within an area bounded by 26th Street, The Schuylkill Expressway, Penrose Ferry Road, Hartranft Street, 22nd Street, and Penrose Avenue, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Pursuant to Section 11-405 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. 46-S by:

- (a) Striking from the City Plan and vacating 24th Street from Penrose Ferry Road to Packer Avenue.
- (b) Striking from the City Plan and vacating 23rd Street from Hartranft Street to Packer Avenue.
- (c) Striking from the City Plan and vacating Packer Avenue from 24th Street to Penrose Ferry Road.
- (d) Striking from the City Plan and vacating Hartranft Street from a distance of approximately 466' southeast of 26th Street to Penrose Ferry Road.
- (e) Placing Palermo Drive from Penrose Avenue to Pietro Way.
- (f) Placing Colli Drive from Pietro Way to Messina Way.
- (g) Placing Milano Drive from Pietro Way to Messina Way.
- (h) Placing San Vincenzo Drive from Pietro Way to Messina Way.
- (i) Placing Napoli Way from Pietro Way to Messina Way.
- (j) Placing Pietro Way from Colli Drive to Roma Drive.
- (k) Placing Messina Way from Colli Drive to Napoli Way.

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- (l) Placing Hartranft Street from a point approximately 466' southeast of 26th Street to Penrose Ferry Road.
- (m) Placing Calabria Way from Hartranft Street to Foggia Drive.
- (n) Placing Foggia Drive from Salerno Way to Pietro Way.
- (o) Placing Salerno Way from Foggia Drive to Roma Drive.
- (p) Placing Roma Drive from Salerno Drive to Trieste Way.
- (q) Placing Genoa Drive from Napoli Way to Trieste Way.
- (r) Placing Trieste Way from Genoa Drive to Roma Drive.

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 Law Department, by the owner or owners of property affected thereby, to release the City from all damages or claims for damages that may arise by reason of the City Plan changes authorized herein, in lieu thereof, provided that the party in interest has demonstrated, to the satisfaction of the City, best efforts to obtain such agreements, and that such efforts are unsuccessful, the party in interest shall file an agreement with corporate surety, satisfactory to the Law Department, to indemnify the City for all such damages and claims for damages.
- (b) The filing of an agreement, satisfactory to the Law Department, 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, satisfactory to the Law Department, by the party in interest, agreeing to make any and all changes and adjustments to curbing, sidewalk paving, cartway paving, water pipe, fire hydrants, sewers, inlets and manholes, street light poles and equipment, and to other City structures either overhead, underground or upon the surface, including the relocation, abandonment, repairing, reconstruction, cutting and sealing of such structures and facilities which may be necessary in the judgment of the Department of Streets and Water Department by reason of the City Plan changes authorized herein. The agreement shall provide for the removal of all existing City owned street lighting poles and equipment and for their delivery to the storage yard of the Street Lighting Division at 701 Ramona Avenue, at no cost to the City. The agreement shall provide for the removal of salvageable hydrants, valves, manhole covers, frames and connections as determined by the Water Department and for their

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delivery to the storage yard of the Water Department located at Twenty-ninth Street and Cambria Street, at no cost to the City. The agreement shall also provide for the removal of salvageable cast iron manholes and covers, street inlet grates, frames and hoods and inlet castings as determined by the Water Department and for their delivery to the storage yard of the Water Department located at 3201 Fox Street, at no cost to the City. The agreement shall provide that this work be completed within one year from the date of confirmation by the Board of Surveyors of the City Plan changes authorized by this Ordinance.

- (d) The party in interest shall file a bond with corporate surety, satisfactory to the Law Department, and in amount satisfactory to the Department of Streets, to cover the cost of the work required under Section 2(c).
- (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.
- (f) The dedication by the owners to the City, without cost, and free and clear of all encumbrances, of the beds of Palermo Drive, Colli Drive, Milano Drive, San Vincenzo Drive, Napoli Way, Pietro Way, Messina Way, Hartranft Street, Calabria Way, Foggia Drive, Salerno Way, Roma Drive, Genoa Drive and Trieste Way being placed on the City Plan under authority of this Ordinance.

SECTION 3.

- (a) The provisions of The Philadelphia Code, Section 14-2104(5) related to minimum street widths shall not apply.
- (b) The provisions of The Philadelphia Code, Section 14-2104(8)(c) related to minimum street offsets shall not apply.
- (c) The provisions of The Philadelphia Code, Section 14-2104(8)(a) related to the minimum angle at which streets intersect shall not apply.

SECTION 4. 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 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 December 7, 2006. The Bill was Signed by the Mayor on December 14, 2006.



Patricia Rafferty
Chief Clerk of the City Council