

City of Philadelphia



(Bill No. 060183)

AN ORDINANCE

Authorizing and directing the revision of lines and grades on a portion of City Plan No. 393 by placing on the City Plan Cates Way, on the northwesterly side of Verree Road, at a distance of approximately 224' southwest of Charette Road, and striking Ferndale Street from Springview Road to a property line produced approximately 101' southwest of Charette Road, under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the bed of Cates Way.

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. 393 by:

- (a) Placing Cates Way, on the northwesterly side of Verree Road, at a distance of approximately 224' southwest of Charette Road, extending northwestwardly approximately 560' to a dead-end turnaround.
- (b) Striking Ferndale Street from Springview Road to a property line produced approximately 101' southwest of Charette Road.

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 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 Law Department, to indemnify the City as aforesaid.
- (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.

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- (c) The dedication to the City, without cost and free and clear of all encumbrances, of the bed of Cates Way, as proposed to be placed on the City Plan by the authority of this Ordinance.
- (d) The filing of an agreement granting a 40' wide easement for access to 8753 Ferndale Street and 8901 Springview Road.
- (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.

SECTION 3. The following provisions of The Philadelphia Code shall not apply:

- (a) Section 14-2104(3)(g) of The Philadelphia Code regarding dead end streets shall not apply to the portion of Ferndale Street approximately 101' southwest of Charette Road and to the portion of Springview Road southeast of Charette Road to the former Ferndale Street.
- (b) Section 14-2104(4) of The Philadelphia Code regarding cul-de-sac streets shall not apply to Cates Way.

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 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 March 30, 2006. The Bill was Signed by the Mayor on April 20, 2006.



Patricia Rafferty
Chief Clerk of the City Council