



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 220771

Introduced September 29, 2022

**Councilmember Jones
for
Councilmember Johnson**

**Referred to the
Committee on Streets and Services**

AN ORDINANCE

Authorizing the striking from City Plan No. 45-S and abandonment of a certain right-of-way reserved for water main and gas main purposes extending from Seventeenth Street to Eighteenth Street, north of Hartranft Street, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Pursuant to Section 11-403 of The Philadelphia Code, the Board of Surveyors of the Department of Streets is hereby authorized to strike from City Plan No. 45-S and abandon a right-of-way reserved for water main and gas main purposes, within the lines of a portion of former Geary Street and extending from Seventeenth Street to Eighteenth Street, north of Hartranft Street.

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(s) 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 obtain such agreements and such efforts are unsuccessful, the party in interest shall file an agreement and a bond, with corporate surety, satisfactory to the City Solicitor or an irrevocable letter of credit satisfactory to the City Solicitor, to release 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 that may arise by reason of the City Plan changes authorized herein.

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c) The filing of an agreement, satisfactory to the City Solicitor, by the party in interest, to make all changes and adjustments to public utility facilities in the affected area which may be necessary in the judgment of the Philadelphia Gas Works. The agreement shall provide that this work be completed within one year from the date of approval by the Board of Surveyors of the City Plan change authorized by this Ordinance.

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.