

City of Philadelphia



(Bill No. 000363)

AN ORDINANCE

Authorizing the revision of lines and grades on a portion of City Plan No. 97 by striking from the City Plan Watts street from Catherine street to Clymer street; by striking from the City Plan Clymer street from Watts street to the easterly line of Park avenue; and by striking from the City Plan and abandoning a certain twenty (20) foot wide right-of-way reserved for drainage purposes and gas main purposes, all 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 authorized to revise the lines and grades on a portion of City Plan No. 97 by:

- (a) Striking from the City Plan Watts street from Catherine street to Clymer street;
- (b) Striking from the City Plan Clymer street from Watts street to the easterly line of Park avenue; and
- (c) Striking from the City Plan and abandoning a certain twenty (20) foot wide right-of-way reserved for drainage purposes and gas main purposes approximately one hundred thirty (130) feet east of Broad street, extending from Fitzwater street to Clymer street.

SECTION 2. This authorization is conditional upon compliance with the following requirements within one (1) year from the date this Ordinance becomes law:

- (a) The filing of an agreement or agreements, 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 of such agreements, if the party in interest has demonstrated best efforts to obtain these agreements and such efforts are unsuccessful, the party in interest may 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 by the party in interest satisfactory to the Law Department to release, indemnify and defend the City from all damages or claims

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for damages which may arise by reason of the City Plan changes authorized herein;

- (c) The filing of an agreement by the party in interest satisfactory to the Law Department 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, as well as to any other City structures, either overhead, underground or upon the surface, including the relocation, abandonment, repairing, reconstruction, cutting and sealing of such structures and facilities as may be necessitated in the judgment of the Department of Streets and Water Department by the City Plan changes authorized herein. The agreement shall provide for the removal of all existing city owned street lighting poles and equipment and their delivery to the storage yard of the Street Lighting Division at 701 Ramona avenue at no cost to the City. The agreement shall also provide for the removal of salvageable hydrants, valves, manhole covers, frames and connections, as determined by the Water Department, and it shall provide for their 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 it shall provide 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 on the City Plan changes authorized by this Ordinance;
- (d) The filing of a bond, with corporate surety, satisfactory to the Law Department, to cover the cost of work required under Section 2(c); and
- (e) The payment by the party in interest of the Board of Surveyor's cost of advertising the public hearing on the City Plan changes 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 sixty (60) 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 22, 2000. The Bill was Signed by the Mayor on August 11, 2000.

A handwritten signature in black ink that reads "Marie B. Hauser". The signature is written in a cursive style with a large, looped initial "M".

Marie B. Hauser
Chief Clerk of the City Council