

City of Philadelphia



(Bill No. 030688)

AN ORDINANCE

Authorizing the revision of lines and grades on a portion of City Plan No. 163 by striking from the City Plan and abandoning a portion of a certain right-of-way for drainage purposes and gas main purposes and by placing on the City Plan three (3) additional areas of right-of-way for gas main purposes in the vicinity of Ridge Avenue and Roosevelt Boulevard Extension, 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 to make changes to a portion of City Plan No. 163 by:

- (a) Striking from the City Plan and abandoning a southerly nineteen (19) foot wide portion of a certain sixty (60) foot wide right-of-way for drainage purposes and gas main purposes lying within the lines of former Crawford Street east of Ridge Avenue from a point approximately ninety-six (96) feet east of Ridge Avenue, eastward to its terminus.
- (b) Placing on the City Plan a right-of-way for gas main purposes extending approximately forty-five (45) feet northwestwardly along Ridge Avenue from the 60' wide right-of-way mentioned in Section 1(a) at Ridge Avenue.
- (c) Placing on the City Plan two (2) rights-of-way for gas main purposes which will extend the remaining right-of-way mentioned in Section 1(a) approximately three hundred sixty (360) feet eastwardly, northwardly and then eastwardly to a property line.

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.

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- (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 owner or owners of property affected thereby, granting to the City the right-of-way for gas main purposes for the areas described in Section 1(b), and 1(c) of this Ordinance. The agreement shall provide that no changes in grades shall be made and that no 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 the Philadelphia Gas Works. The agreement shall also grant the right-of-access and occupation at any and all times to the officers, agents, employees and contractors of the City and the Philadelphia Gas Works for the purpose of construction, reconstruction, maintenance, alterations, repairs and inspection of present and future gas structures.
- (d) 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. 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 4, 2003. The Bill was Signed by the Mayor on December 18, 2003.



Patricia Rafferty
Chief Clerk of the City Council