

# City of Philadelphia



(Bill No. 020339)

## AN ORDINANCE

Authorizing the revision of lines and grades on a portion of City Plan Nos. 24-S and 25-S within an area bounded by New Hope street, Twenty-ninth street, Tasker street and Vare avenue, by striking from the City Plan and vacating Morris street from a point approximately four hundred ninety-six (496) feet east of Vare avenue to Thirty-first street, Morris street from Thirty-first street to a point approximately three hundred eighty-eight (388) feet west of Twenty-ninth street, and Thirty-first street from Morris street to Mifflin street; by placing on the City Plan Douglas street, Natrona street, Thirty-second street, Napa street, Thirty-first street, Corlies street, Thirtieth street, Hollywood street, Fernon street, Morris street, Moore street and Mifflin street; by revising the lines and grades of portions of, Thirtieth street and Mifflin street, and by striking from the City Plan and abandoning a certain right-of-way for drainage purposes and sewer purposes, lying within the lines of Mifflin street extended from Thirty-first street to Vare avenue, all under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the beds of Douglas street, Natrona street, Thirty-second street, Napa street, Thirty-first street, Corlies street, Thirtieth street, Hollywood street, Fernon street, Morris street, Moore street and Mifflin street.

### *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 Nos. 24-S and 25-S by:

- (a) Striking from the City Plan and vacating Morris street from a point approximately four hundred ninety-six (496) feet east of Vare avenue to Thirty-first street.
- (b) Striking from the City Plan and vacating Morris street from Thirty-first street to a point approximately three hundred eighty-eight (388) feet west of Twenty-ninth street.
- (c) Striking from the City Plan and vacating Thirty-first street from Morris street to Mifflin street.
- (d) Placing on the City Plan Douglas street, from Morris street to Moore street.

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- (e) Placing on the City Plan Natrona street, from Morris street to Moore street.
- (f) Placing on the City Plan Thirty-second street, from Morris street to Vare avenue.
- (g) Placing on the City Plan Napa street, from Fernon street to Mifflin street.
- (h) Placing on the City Plan Thirty-first street from Tasker street to Mifflin street.
- (i) Placing on the City Plan Corlies street from Tasker street to Morris street.
- (j) Placing on the City Plan Corlies street from Moore street to Mifflin street.
- (k) Placing on the City Plan Thirtieth street, from Morris street to Mifflin street.
- (l) Placing on the City Plan Hollywood street, from Morris street to Moore street.
- (m) Placing on the City Plan Fernon street, from Thirty-second street to Thirty-first street.
- (n) Placing on the City Plan Morris street, from Thirty-second street to Thirtieth street.
- (o) Placing on the City Plan Moore street, from Vare avenue to Twenty-ninth street.
- (p) Placing on the City Plan Mifflin street, from Vare avenue to Thirty-first street.
- (q) Revising the lines and grades of Thirtieth street between Tasker street and Morris street.
- (r) Revising the lines and grades of portions of Mifflin street, from Thirty-first street to New Hope street.
- (s) Striking from the City Plan and abandoning a certain right-of-way for drainage purposes and sewer purposes, lying within the lines of former Mifflin street extended from Thirty-first street to Vare avenue.

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SECTION 2. This authorization is conditional upon compliance with the following requirements within four (4) 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.

(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 dedication to the City, without cost and free and clear of all encumbrances, of the beds of, Douglas street, Natrona street, Thirty-second street, Napa street, Thirty-first street, Corlies street, Thirtieth street, Hollywood street, Fernon street, Morris street, Moore street and Mifflin street, as set forth in Section 1 of this Ordinance.

(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.

(e) 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:

(i) 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.

(ii) 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.

(iii) 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.

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(iv) that within one (1) year from the date of any partial confirmation by the Board of Surveyors on a portion of the City Plan changes authorized by this Ordinance, the work included in area of the partial confirmation will be completed.

(f) The filing of a bond, with corporate surety, satisfactory to the Law Department, to cover the cost of the work required by Section 2(e), or in lieu thereof, submission of documentation in a form acceptable to the City of Philadelphia that the party in interest agrees, at no cost to the City of Philadelphia, to fulfill all obligations that would be in a bond with corporate surety and to cover the cost of the work required by Section 2(e).

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 13, 2002. The Bill was Signed by the Mayor on June 26, 2002.



Marie B. Hauser  
Chief Clerk of the City Council