

City of Philadelphia



(Bill No. 080544)

AN ORDINANCE

Authorizing the revision of lines and grades on a portion of City Plan No. 163 by relocating the southwesterly houseline and curbline of Ridge Avenue near Calumet Street; by relocating the northwesterly houseline and curbline of Calumet Street from Ridge Avenue to the Fairmount Park Line; by striking from the City Plan East River Road from Calumet Street northwestwardly to its terminus; and vacating the portions of said East River Road laying outside the lines of Fairmount Park; all 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 hereby authorized to revise the lines and grades on a portion of City Plan No. 163 by:

- (a) Relocating the southwesterly houseline and curbline of Ridge Avenue from Calumet Street to a point approximately three-hundred twelve feet northwestwardly therefrom six feet southwestwardly, thereby increasing the width of said Ridge Avenue within the affected area from sixty feet to sixty-six feet.
- (b) Relocating the northwesterly houseline of Calumet Street from Ridge Avenue to the Fairmount Park Line southeastwardly a distance varying from approximately sixteen feet at Ridge Avenue to approximately eleven feet at the Park Line, thereby reducing the width of said Calumet Street from seventy feet to a variable width, and relocating the northwesterly curbline of said Calumet Street from Ridge Avenue to the Fairmount Park Line southeastwardly a distance varying from approximately seventeen feet at Ridge Avenue to approximately twelve feet at the Park Line, thereby establishing an eleven feet wide footway along the relocated northwesterly houseline of said Calumet Street.
- (c) Striking from the City Plan East River Road from Calumet Street northwestwardly approximately one-thousand one-hundred sixteen feet to its terminus in the vicinity of former Weightman Street and vacating the portions of said East River Road laying outside the lines of Fairmount Park.

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 or owners of property affected thereby, to release the City from all damages or claims

City of Philadelphia

BILL NO. 080544 continued

Certified Copy

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 indemnify 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.
- (c) The filing of an agreement, satisfactory to the City Solicitor, by the party in interest, 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, and to other City structures either overhead, underground, or upon the surface, including the relocation, abandonment, repairing, reconstruction, cutting, and sealing of such structures and facilities which may be necessary in the judgment of the Department of Streets and the Water Department by reason of the City Plan changes authorized herein. The agreement shall provide for the removal of all existing City-owned street lighting poles and equipment and for their delivery to the storage yard of the Street Lighting Division at 701 Ramona Avenue at no cost to the City. The agreement shall provide for the removal of salvageable hydrants, valves, manhole covers, frames, and connections, as determined by the Water Department, and 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 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 of the City Plan changes authorized by this Ordinance.
- (d) The party in interest shall file a bond, with corporate surety, satisfactory to the City Solicitor or an irrevocable letter of credit satisfactory to the City Solicitor, in an amount satisfactory to the Department of Streets and the Water Department, to cover the cost of the work required under Section 2(c) herein.
- (e) The filing of an agreement, satisfactory to the City Solicitor, by the party in interest, to make any and all changes and adjustments to any public utility facilities which may be necessary in the judgment of PECO, Verizon, or any other public utility which maintains facilities within the affected area. The agreement shall provide that this work be completed within one year from the date of confirmation by the Board of Surveyors of the City Plan changes authorized by this Ordinance.

City of Philadelphia

BILL NO. 080544 continued

Certified Copy

- (f) The dedication to the City, without cost and free and clear of all encumbrances, of the bed of the widened portion of Ridge Avenue as proposed to be placed on the City Plan by authority of Section 1(a) herein.
- (g) The dedication to the City, without cost and free and clear of all encumbrances, of the unopened portion of the bed of Calumet Street, as proposed to be revised by authority of Section 1(b) herein, laying within the lines of property abutting the northwesterly side of said Calumet Street from Ridge Avenue to the Fairmount Park Line.
- (h) 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 and twenty (120) days after this Ordinance becomes law.

City of Philadelphia

BILL NO. 080544 continued

Certified Copy

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on November 6, 2008. The Bill was Signed by the Mayor on November 19, 2008.



Patricia Rafferty
Chief Clerk of the City Council