

City of Philadelphia



(Bill No. 060385)

AN ORDINANCE

Authorizing and directing the revision of lines and grades on a portion of City Plan No. 190 within the general area of City Avenue, Monument Road and Presidential Boulevard, all under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the beds of the portions of City Avenue, Monument Road and Presidential Boulevard as proposed to be widened by this Ordinance.

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 No. 190 by:

- (a) Widening City Avenue by placing on the City Plan a variable width portion of the southeasterly side of City Avenue from a point approximately 200' southwest of the point where the southeasterly side of said City Avenue intersects the westerly side of Monument Road projected, to a point of tangency on the arc which connects the southeasterly side of said City Avenue with the westerly side of said Monument Road.
- (b) Widening City Avenue by placing on the City Plan a 16' wide portion, a variable width portion, a 5' wide portion and variable width curvilinear portion of the southeasterly side of said City Avenue from a point approximately 509' northeast of the point where the southeasterly side of said City Avenue intersects the easterly side of Monument Road projected, to a point where the proposed widened portion of said City Avenue intersects the present arc which connects the southeasterly side of said City Avenue with the easterly side of said Monument Road.
- (c) Widening Monument Road by placing on the City Plan a variable width portion, a 12' portion and a variable width portion of the easterly side of said Monument Road from the easterly end of an arc which connects the northerly side of Presidential Boulevard with the easterly side of said Monument Road to a point where the proposed widened portion of said Monument Road intersects the present arc which connects the southeasterly side of City Avenue with the easterly side of said Monument Road.
- (d) Striking from the City Plan and vacating a curvilinear portion of the intersection of the southeasterly side of City Avenue and the easterly side of Monument Road, said portion being approximately 23' in length and 0.67' in width.

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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 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 filing of an agreement, satisfactory to the Law Department, by the party in interest, agreeing 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 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 Law Department, and in amount satisfactory to the Department of Streets, to cover the cost of the work required under Section 2(c).
- (e) 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.
- (f) The dedication by the owners to the City, without cost, and free and clear of all encumbrances, of the beds of the widened portions of City Avenue, Monument Road and Presidential Boulevard being placed on the City Plan under authority of this Ordinance.

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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 June 1, 2006. The Bill was Signed by the Mayor on June 15, 2006.



Patricia Rafferty
Chief Clerk of the City Council