

City of Philadelphia



(Bill No. 050571)

AN ORDINANCE

Authorizing and directing the revision of lines and grades on a portion of City Plan No. 163 of the area bounded by Ridge Avenue, Calumet Street, the Philadelphia Germantown and Norristown Railroad (SEPTA), and School House Lane, by striking from the City Plan and vacating Gustine Lake Drive, Schuylkill Falls Circle, Genesis Terrace, Hilltop Lane and Falling Water Lane, and by placing on the City Plan Falls Circle, Riverview Lane, Driftwood Drive and an extension of Founders Place, 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 authorized and directed to revise the lines and grades on a portion of City Plan No. 163 of the area bounded by Ridge Avenue, Calumet Street, the Philadelphia Germantown and Norristown Railroad (SEPTA), and School House Lane by:

- (a) Striking from the City Plan and vacating the legally open portions of:
 - (1) Gustine Lake Drive from Founders Place and Genesis Terrace to Schuylkill Falls Circle,
 - (2) Schuylkill Falls Circle from Gustine Lake Drive to Genesis Terrace and Merrick Road,
 - (3) Genesis Terrace from Founders Place and Gustine Lake Drive to Merrick Road and Schuylkill Falls Circle,
 - (4) Hilltop Lane from Gustine Lake Drive to Genesis Terrace, and
 - (5) Falling Water Lane from Gustine Lake Drive to Genesis Terrace;

- (b) Placing on the City Plan:
 - (1) Falls Circle from Merrick Road to Riverview Lane,
 - (2) Riverview Lane from Falls Circle to Founders Lane and Driftwood Drive,
 - (3) Driftwood Drive from Founders Place and Riverview Lane to Falls Circle, and
 - (4) An extension of Founders Place from its current terminus to Riverview Lane and Driftwood Drive.

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

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- claims for damages which may arise by reason of the City Plan changes authorized herein; in lieu thereof, provided that the party in interest has demonstrated, to the satisfaction of the City, best efforts to obtain such agreements, and that such efforts are unsuccessful, the party in interest shall file an agreement and bond with corporate surety, satisfactory to the Law Department, to indemnify the City for all such damages or claims for damages.
- (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, 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 and 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 filing of a bond, with corporate surety, satisfactory to the Law Department, to cover the cost of work required under Section 2(c).
 - (e) The dedication to the City, without cost and free and clear of all encumbrances, of the beds of Falls Circle, Riverview Lane, Driftwood Drive and the Founders Place extension, as proposed to be placed on the City Plan under authority of this Ordinance.
 - (f) 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.

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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 and 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