

City of Philadelphia



(Bill No. 110566)

AN ORDINANCE

Authorizing the revision of lines and grades on a portion of City Plan No. 63 by striking from the City Plan and vacating a portion of Pennsylvania Avenue, between Nineteenth Street and Twentieth Street, and relocating the curblines of Shamokin Street, from Nineteenth Street to Twentieth Street, thereby increasing the cartway width of said Shamokin Street, 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. 63 by:

- (a) Striking from the City Plan and vacating a portion of Pennsylvania Avenue, between Nineteenth Street and Twentieth Street, the said portion to be stricken being approximately fifteen feet in width and extending along the southerly side of said Pennsylvania Avenue from said Nineteenth Street to a point approximately two-hundred forty-five feet westwardly therefrom.
- (b) Relocating the northerly curpline of Shamokin Street, from Nineteenth Street to Twentieth Street, three feet three inches northwardly and relocating the southerly curpline of said Shamokin Street nine inches southwardly, thereby increasing the cartway width of said Shamokin Street from eight feet six inches to twelve feet six inches.

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 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.

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- (c) The payment into the City Treasury, as reimbursement to the City, of the appraised value of the portion of Pennsylvania Avenue being stricken from the City Plan under authority of Section 1(a) 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.

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 October 27, 2011. The Bill was Signed by the Mayor on November 14, 2011.



Michael A. Decker
Chief Clerk of the City Council