

# City of Philadelphia



(Bill No. 080432)

## AN ORDINANCE

Authorizing and directing the revision of lines and grades on a portion of City Plan No. 350, in the area northeast of Susquehanna Road and northwest of Verree Road, by placing on the City Plan a right-of-way for gas main purposes and public utility purposes, and a right-of-way for gas main purposes, under certain terms and conditions.

### *THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

**SECTION 1.** Pursuant to Section 11-402 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. 350 by:

- (a) Placing on the City Plan a right-of-way for gas main purposes and public utility purposes described as follows:

**BEGINNING AT A POINT** on the northeasterly side of Susquehanna Road (sixty feet wide, legally open), said point being measured North forty-nine degrees forty-eight minutes four seconds West, along the said northeasterly side of Susquehanna Road, the distance of one-thousand twenty-two and four-hundred twenty-three one-thousandths feet from a point of tangency at the northwesterly end of a curve having a radius of fifteen feet and an arc length of twenty-three and six-hundred forty-eight one-thousandths feet which connects the said northeasterly side of Susquehanna Road with the northwesterly side of Verree Road (eighty feet wide, legally open); **thence** extending North forty-nine degrees forty-eight minutes four seconds West, along the said northeasterly side of Susquehanna Road, the distance of fifty and seven-hundred twenty-one one-thousandths feet to a point; **thence** extending North forty-nine degrees fifty-two minutes nineteen and three tenths seconds East, the distance of seven-hundred eighty-five and four-hundred thirty-four one-thousandths feet to a point; **thence** extending South forty degrees seven minutes forty and seven tenths seconds East, the distance of seven-hundred ninety-two and four-hundred sixty-six one-thousandths feet to a point; **thence** extending South eighty-five degrees seven minutes forty and seven tenths seconds East, the distance of fourteen and one-hundred forty-two one-thousandths feet to a point; **thence** extending South forty degrees seven minutes forty and seven tenths seconds East, the distance of two-hundred fifty-eight and one-hundred eighty-eight one-thousandths feet to a point on the said northwesterly

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side of Verree Road; **thence** extending South forty-nine degrees fifty-two minutes nineteen and three tenths seconds West, along the said northwesterly side of Verree Road, the distance of seventy feet to a point; **thence** extending North forty degrees seven minutes forty and seven tenths seconds West, the distance of one-thousand ten and six-hundred fifty-four one-thousandths feet to a point; **thence** extending South forty-nine degrees fifty-two minutes nineteen and three tenths seconds West, the distance of seven-hundred sixteen and nine-hundred eleven one-thousandths feet to the **FIRST MENTIONED POINT AND PLACE OF BEGINNING.**

**BEING** a fifty feet, sixty feet, and seventy feet wide right-of-way for gas main purposes and public utility purposes extending from the said northeasterly side of Susquehanna Road northeastwardly and southeastwardly to the said northwesterly side of Verree Road.

- (b) Placing on the City Plan a right-of-way for gas main purposes described as follows:

**BEGINNING AT AN INTERIOR POINT**, said point being measured the following two (2) courses and distances from a point of tangency at the northwesterly end of a curve having a radius of fifteen feet and an arc length of twenty-three and six-hundred forty-eight one-thousandths feet which connects the northeasterly side of Susquehanna Road (sixty feet wide, legally open) with the northwesterly side of Verree Road (eighty feet wide, legally open): (1) North forty-nine degrees forty-eight minutes four seconds West, along the said northeasterly side of Susquehanna Road, the distance of one-thousand seventy-three and one-hundred forty-four one-thousandths feet to a point; (2) North forty-nine degrees fifty-two minutes nineteen and three tenths seconds East, the distance of seven-hundred eighty-five and four-hundred thirty-four one-thousandths feet to the point of beginning; **thence**, from said point of beginning, extending North forty-nine degrees fifty-two minutes nineteen and three tenths seconds East, the distance of six-hundred two and five-hundred eighty-four one-thousandths feet to a point on the southwesterly side of Grant Avenue (eighty feet wide, no record of legal opening), said point being the beginning of a non-tangent curve to which beginning of curve a radial line bears South twenty degrees thirteen minutes seventeen seconds West; **thence** extending southeastwardly, along the said southwesterly side of Grant Avenue, along the arc of a circle curving to the left and having a radius of eight-hundred thirty feet, the arc distance of thirty-four and fifty-two one-thousandths feet to a point; **thence** extending South seventeen degrees fifty-two minutes fourteen and eight tenths seconds West, along a prolongation of a line radial to the end of the aforementioned curve, the distance of twelve and one-hundred four one-thousandths

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feet to a point; **thence** extending South forty degrees seven minutes forty and seven tenths seconds East, the distance of fourteen and three-hundred forty-five one-thousandths feet to a point; **thence** extending North eighty-five degrees seven minutes forty and seven tenths seconds West, the distance of forty-two and four-hundred twenty-six one-thousandths feet to a point; **thence** extending South forty-nine degrees fifty-two minutes nineteen and three tenths seconds West, the distance of five-hundred seventy-nine and seven-hundred sixty-five one-thousandths feet to a point; **thence** extending North forty degrees seven minutes forty and seven tenths seconds West, the distance of twenty feet to the **FIRST MENTIONED POINT AND PLACE OF BEGINNING.**

**BEING** a twenty feet wide and variable width right-of-way for gas main purposes extending from a point approximately seven-hundred eighty-five feet northeast of the said northeasterly side of Susquehanna Road northeastwardly to the said southwesterly side of Grant Avenue.

**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.
- (c) The filing of an agreement, satisfactory to the City Solicitor, by the owner or owners of property affected thereby, granting to the City the aforesaid right-of-way for gas main purposes and public utility purposes authorized in Section 1(a) of this Ordinance and the aforesaid right-of-way for gas main purposes authorized in Section 1(b) of this Ordinance. The agreement shall provide that no changes in grades shall be made and that no fences, buildings, or other structures, either overhead, underground, or upon the surface, shall be constructed within the lines of the said rights-of-way or abutting thereon, unless the plans for such structures shall first be submitted to and approved by the Philadelphia Gas Works and any other public utility which maintains facilities within the said rights-of-way. The agreement shall also grant the right-of-access and occupation at any and all times to the officers, agents, employees, and contractors of the Gas Works and any other

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public utility which maintains facilities within the said rights-of-way for the purpose of construction, reconstruction, maintenance, alterations, repairs, and inspection of present and future facilities and structures.

- (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 June 19, 2008. The Bill was Signed by the Mayor on July 2, 2008.



Patricia Rafferty  
Chief Clerk of the City Council