



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 120085

Introduced February 9, 2012

Councilmember Jones

**Referred to the
Committee on Streets and Services**

AN ORDINANCE

Authorizing the revision of lines and grades on a portion of City Plan No. 231 by striking from the City Plan and vacating Cinnaminson Street from Smick Street to a point approximately six feet southwest of Mansion Street, placing on the City Plan a right-of-way for sewer and drainage purposes, water main purposes, and other utility purposes such as may be necessary within the lines of Cinnaminson Street being stricken, and placing on the City Plan a right-of-way for sewer and drainage purposes extending from Cinnaminson Street southeastwardly, partly southwest of Mansion Street and partly along the southwesterly side of said Mansion Street, to Lemonte Street, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Pursuant to Sections 11-403 and 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. 231 by:

- (a) Striking from the City Plan and vacating Cinnaminson Street from Smick Street to a point approximately six feet southwest of Mansion Street.
- (b) Placing on the City Plan a right-of-way for sewer and drainage purposes, water main purposes, and other utility purposes such as may be necessary within the lines of Cinnaminson Street being stricken.
- (c) Placing on the City Plan a right-of-way for sewer and drainage purposes extending from Cinnaminson Street southeastwardly, partly southwest of Mansion Street and partly along the southwesterly side of said Mansion Street, to Lemonte Street.

SECTION 2. This authorization is conditional upon compliance with the following requirements within two (2) years from the date this Ordinance becomes law:

City of Philadelphia

BILL NO. 120085 continued

- (a) The filing of an agreement, satisfactory to the City Solicitor, by the 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 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.