

City of Philadelphia



(Bill No. 080653)

AN ORDINANCE

Authorizing the revision of lines and grades on a portion of City Plan No. 58 by placing on the City Plan an extension of Mount Vernon Street from its existing terminus west of Percy Street westwardly to Tenth Street; by striking from the City Plan a certain right-of-way reserved for drainage and utility purposes laying within the lines of the proposed extension of Mount Vernon Street; and authorizing dedication to the City of the bed of the proposed extension of Mount Vernon Street; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Pursuant to Sections 11-402 and 11-403 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. 58 by:

- (a) Placing on the City Plan an extension of Mount Vernon Street from the existing terminus of Mount Vernon Street approximately one-hundred twenty-two feet west of Percy Street westwardly approximately ninety feet to Tenth Street .
- (b) Striking from the City Plan a certain fifty feet wide right-of-way reserved for drainage purposes, water main purposes, gas main purposes, and public utility purposes laying within the lines of Mount Vernon Street as proposed to be placed on the City Plan by authority of Section 1(a) herein.

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 locate any owner or owners of property affected and has been unable to do so, 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 dedication to the City, without cost and free and clear of all encumbrances, of the bed of the extension of Mount Vernon Street proposed to be placed on the City Plan by authority of Section 1(a) herein.

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(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 November 6, 2008. The Bill was Signed by the Mayor on November 19, 2008.



Patricia Rafferty
Chief Clerk of the City Council