

City of Philadelphia



(Bill No. 020120)

AN ORDINANCE

Authorizing the revision of lines and grades on a portion of City Plan No. 358 by striking from the City Plan Whitten street from Haldeman avenue to Jamison street and by placing on the City Plan Reilly road and Conwell avenue, all under certain terms and conditions including the dedication to the City, free and clear of all encumbrances, of the beds of Reilly road and Conwell avenue.

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 to revise the lines and grades on a portion of City Plan No. 358 by:

- (a) Striking from the City Plan Whitten street from Haldeman avenue to Jamison street.
- (b) Placing on the City Plan Reilly road (54' wide) from Haldeman avenue to Conwell avenue.
- (c) Placing on the City Plan Conwell avenue (54' wide) from Haldeman avenue to Reilly road.

SECTION 2. This authorization is conditional upon compliance with the following requirements within one (1) year 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 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 bond with corporate surety, satisfactory to the Law Department, to indemnify the City as aforesaid.
- (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 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 beds of Reilly road and Conwell avenue.

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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.

(e) The filing of an agreement, satisfactory to the Law Department, by the party in interest, to make any and all changes and adjustments including construction and placing of 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. The agreement 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 three years from the date of confirmation by the Board of Surveyors on the City Plan changes authorized by this Ordinance.

(f) The filing of a bond, with corporate surety, satisfactory to the Law Department, to cover the cost of work required under Section 2(e).

SECTION 3. The provisions of Section 14-2104 of The Philadelphia Code relating to dead end streets shall not apply to the portion of Jamison avenue remaining on the City Plan as a result of the striking action authorized by this Ordinance.

SECTION 4. 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 sixty (60) 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 April 4, 2002. The Bill was Signed by the Mayor on April 17, 2002.



Marie B. Hauser
Chief Clerk of the City Council