

City of Philadelphia



(Bill No. 100790)

AN ORDINANCE

Amending Section 2 of an Ordinance (Bill No. 080760) approved December 22, 2008, entitled "An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan No. 307 by relocating the westerly curb line and house line of Fifteenth Street between Arch Street and Cherry Street, under certain terms and conditions," by revising the terms and conditions stated therein and extending the period for compliance therewith.

WHEREAS, An Ordinance (Bill No. 080760), approved December 22, 2008, has authorized the widening of Fifteenth Street between Arch Street and Cherry Street; and

WHEREAS, The said Ordinance (Bill No. 080760) was conditional upon certain requirements being complied with within two (2) years from the date of approval; and

WHEREAS, The Commonwealth of Pennsylvania has assumed control of the project to widen Fifteenth Street and develop the abutting property; and

WHEREAS, It is desirable to revise the terms and conditions stated therein and to extend the timeframe in which such conditions may be met; now, therefore

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 2 of an Ordinance (Bill No. 080760) approved December 22, 2008, is hereby amended to read as follows:

SECTION 2. This authorization is conditional upon compliance with the following requirements [within two (2) years from the date this Ordinance becomes law] *by December 22, 2012*:

- (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, provided that the party in interest has demonstrated, to the satisfaction of the City, best efforts to obtain such agreements, and that 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 for all such damages or claims for damages.
- (b) The filing of an agreement, satisfactory to the Law Department, by the party in interest, to release, indemnify and defend the City from

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all damages or claims for damages, which may arise by reason of the City Plan changes authorized herein.

- (c) The filing of an agreement, satisfactory to the Law Department, by the party in interest, to make any and all changes and adjustments to curbing, sidewalk paving, cartway paving, water pipes, 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, and 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 one year from the date of confirmation by the Board of Surveyors of the City Plan changes authorized by this Ordinance.]

[(d)] (a) * * *

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

[(f)] (b) * * *

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Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

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BILL NO. 100790 continued

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 16, 2010. The Bill was Signed by the Mayor on December 21, 2010.



Michael A. Decker
Chief Clerk of the City Council