

City of Philadelphia



(Bill No. 080281)

AN ORDINANCE

Authorizing and directing the revision of lines and grades on a portion of City Plan No. 190 by striking from the City Plan and vacating the northeasterly two feet wide portion of Stout Road from City Avenue to a point approximately five-hundred sixty-three feet southeastwardly therefrom, under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Pursuant to Section 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. 190 by striking from the City Plan and vacating the northeasterly two feet wide portion of Stout Road from City Avenue to a point approximately five-hundred sixty-three feet southeastwardly therefrom, thereby reducing the width of said Stout Road from seventy feet to sixty-eight feet.

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 party requesting changes to the City Plan hereunder shall pay into the City Treasury as reimbursement to the City the appraised value of the two feet wide portion of the bed of Stout Road being stricken from the City Plan under authority of this Ordinance.
- (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.

City of Philadelphia

BILL NO. 080281 continued

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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.

City of Philadelphia

BILL NO. 080281 continued

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City of Philadelphia

BILL NO. 080281 continued

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on April 17, 2008. The Bill was Signed by the Mayor on April 28, 2008.

A handwritten signature in black ink, reading "Patricia Rafferty". The signature is written in a cursive style with a large, stylized "P" and "R".

Patricia Rafferty
Chief Clerk of the City Council