

Legislation Text

File #: 200145, **Version:** 0

Authorizing the vacating of Charles Street (also known as Markle Street), between Manayunk Avenue and Dexter Street, under certain terms and conditions.

WHEREAS, Charles Street (also known as Markle Street), from Manayunk Avenue to Dexter Street, was granted to the City of Philadelphia by a deed of dedication made on April 14, 1873 and accepted by the Board of Surveyors on December 1, 1873, for use as a public street or highway and for no other purpose, but was not plotted on the City Plan;

WHEREAS, there are no municipal improvements in the bed of said Charles Street and the existing grades and conditions make it impractical for the City to construct and maintain a street in this location; and

WHEREAS, the abutting property owners have requested that the City vacate its rights in the bed of said Charles Street; NOW, THEREFORE,

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Board of Surveyors of the Department of Streets is hereby authorized to adopt a resolution vacating Charles Street (also known as Markle Street) from Manayunk Avenue to Dexter Street, within the area designated as City Plan No. 230.

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(s) of property affected thereby, to release the City from all damages or claims for damages which may arise by reason of the vacating of said Charles Street as 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 release 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 said street vacating authorized herein.

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.