

Legislation Text

File #: 060436, **Version:** 0

Authorizing and directing the revision of lines and grades on a portion of City Plan No. 105 by striking and vacating Sloan Street from Fairmount Avenue to Aspen Street and placing a relocated Sloan Street 23' eastwardly from the former Sloan Street, under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the newly placed bed of Sloan Street.

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 and directed to revise the lines and grades on a portion of City Plan No. 105 by:

- (a) Striking from the City Plan Sloan Street from Fairmount Avenue to Aspen Street.
- (b) Placing Sloan Street on the City Plan from Fairmount Avenue to Aspen Street in a relocated position, 23' eastwardly of the former location of Sloan Street.

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 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, 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 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 one year from the date of confirmation by the Board of Surveyors on the City Plan changes authorized by this Ordinance.

- (d) The filing of a bond, with corporate surety, satisfactory to the Law Department, in an amount satisfactory to the Department of Streets, to cover the cost of work required under Section 2.
- (e) The dedication to the City, without cost and free and clear of all encumbrances, of the relocated Sloan Street, as proposed to be placed on the City Plan by the authority of this Ordinance.
- (f) 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. The provisions of The Philadelphia Code, Section 14-2104 (5) (a) (.2) relating to the minimum width of a secondary residential street shall not apply to Sloan Street as proposed to be placed 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 one hundred and twenty (120) days after this Ordinance becomes law.