

Legislation Text

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Authorizing the striking from City Plan No. 269 and abandonment of a portion of a certain right-of-way for drainage purposes and water main purposes in the vicinity of the northwesterly side of Civic Center Boulevard, northeast of Osler Circle, 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 strike from City Plan No. 269 and abandon a portion of a certain twenty-five feet wide right-of-way for drainage purposes and water main purposes which extends northwestwardly from a point on the northwesterly side of Civic Center Boulevard that is both approximately two-hundred seventy-five feet to the east of the northeast corner of the intersection of Osler Circle and Civic Center Boulevard, and forty-three feet north of the northwesterly side of Civic Center Boulevard; the said portion to be stricken extending from such point to a second point approximately three-hundred and seventy-eight feet further northwestwardly therefrom, as is shown on Exhibit A, attached.

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 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 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 City Plan changes 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.