

## Legislation Text

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**File #:** 020252, **Version:** 0

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Authorizing the revision of lines and grades on a portion of City Plan No. 13-S by striking from the City Plan and vacating Lawrence street from Wharton street to Titan street and Leithgow street from Wharton street to Titan street; by revising the lines and grades of Reese street from Reed street to Wharton street and Titan street from Fifth street to Fourth street; by placing on the City Plan Earp street from Fifth street to relocated Leithgow street; by striking from the City Plan and vacating certain portions of Earp street from Fourth street to Fifth street; by revising the lines and grades of Lawrence and Leithgow streets from Reed street to former Earp street, all under certain terms and conditions, including the dedication free and clear of all encumbrances the beds of the proposed Earp street not previously dedicated and the unopened portions of Reese street, Lawrence street and Leithgow 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 to revise the lines and grades on a portion of City Plan No. 13-S by:

- (a) Striking from the City Plan and vacating Lawrence street from Wharton street to Titan street.
- (a) Striking from the City Plan and vacating Leithgow street from Wharton street to Titan street.
- (a) Revising the lines and grades of Reese street from Reed street to Wharton street by relocating the easterly house line and curb line approximately eight (8) feet eastwardly from a point approximately sixty-five (65) feet north of Reed street to a point approximately fifty-two (52) feet south of Wharton street.
- (a) Revising the lines and grades of Titan street from Fifth street to Fourth street by relocating the southerly house line ten (10) feet southwardly and by relocating the southerly curb line eight (8) feet southwardly.
- (a) Placing on the City Plan, Earp street, approximately forty-two (42) feet wide from Fifth street, at a point approximately eighty-one (81) feet south of Wharton street and extending eastwardly the approximate distance of two hundred seventy-four (274) feet.
- (a) Striking from the City Plan and vacating the portions of Earp street, from Fourth street to Fifth street not within the lines of proposed Earp street.
- (a) Revising the lines and grades of Lawrence street from Reed street to the proposed Earp street by relocating the westerly house line approximately three (3) feet westwardly and relocating the westerly curb line to a point approximately ten (10) feet east of the proposed westerly house line and relocating the easterly house line approximately nine (9) feet eastwardly and relocating the westerly curb line to a point approximately ten (10) feet west of the proposed easterly house line.
- (a) Revising the lines and grades of Leithgow street from Reed street to the proposed Earp street by relocating the westerly house line approximately twenty-four (24) feet westwardly and relocating the westerly curb line to a point approximately ten (10) feet east of the proposed westerly house line and relocating the

easterly house line approximately twelve (12) feet westwardly and relocating the westerly curb line to a point approximately ten (10) feet west of the proposed easterly house line.

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 or agreements, 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 of such agreements, if the party in interest has demonstrated best efforts to obtain these agreements and such efforts are unsuccessful, the party in interest may 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 by the party in interest satisfactory to the Law Department 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 by the party in interest satisfactory to the Law Department 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, as well as to any other City structures, either overhead, underground or upon the surface, including the relocation, abandonment, repairing, reconstruction, cutting and sealing of such structures and facilities as may be necessitated in the judgment of the Department of Streets and Water Department by the City Plan changes authorized herein. The agreement shall provide for the removal of all existing City owned street lighting poles and equipment and their delivery to the storage yard of the Street Lighting Division at 701 Ramona avenue at no cost to the City. The agreement shall also provide for the removal of salvageable hydrants, valves, manhole covers, frames and connections, as determined by the Water Department, and it shall provide 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 it shall provide 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 (1) 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, to cover the cost of work required under Section 2(c) of this Ordinance.
- (e) The dedication to the City without cost and free and clear of any encumbrances of the unopened portions of Reese, Lawrence, Leithgow, Titan and Earp streets described in Section 1 of this Ordinance.
- (f) The payment by the party in interest of the Board of Surveyors cost of advertising the public hearing on the City Plan changes authorized by this Ordinance.

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 sixty (60) days after this Ordinance becomes law.