

## Legislation Text

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**File #:** 010128, **Version:** 0

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Authorizing the revision of lines and grades on a portion of City Plan No. 319 of an area bounded by Rhawn street, Dorcas street and the New York Shortline Railroad by striking from the City Plan and vacating portions of Stanwood street, Pennway street and Solly avenue; by placing on the City Plan Meadowbrook drive, Peach Tree lane, Apple Blossom way, Cherry Blossom way, Apple Blossom drive, Rose Petal way and Rose Petal drive, and by placing on the City Plan two (2) rights-of-way for drainage purposes, all under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the beds of Meadowbrook drive, Peach Tree lane, Apple Blossom way, Cherry Blossom way, Apple Blossom drive, Rose Petal way and Rose Petal drive.

*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. 319 by:

(a) Striking from the City Plan and vacating:

- (1) Stanwood street from Whitaker avenue to Pennway street.
- (2) Solly avenue from Whitaker avenue to Pennway street.
- (3) Pennway street from Solly avenue to Stanwood street.

(b) Placing on the City Plan:

- (1) Meadowbrook drive from Rhawn street to Peach Tree lane.
- (2) Peach Tree lane from Apple Blossom drive to Cherry Blossom way.
- (3) Cherry Blossom way from Peach Tree lane to Apple Blossom drive.
- (4) Apple Blossom drive from Peach Tree lane to Apple Blossom way.

(5) Apple Blossom way from Apple Blossom drive to a dead end turnaround northwest of Rose Petal way.

(6) Rose Petal way from Apple Blossom way to Rose Petal drive.

(7) Rose Petal drive from Rose Petal way northeastwardly, approximately seven hundred forty-seven (747) feet to a dead end turn around.

(8) A certain thirty-six feet (36') wide right-of-way for drainage purposes within the lines of Meadowbrook drive extended between the northerly house line of Peach Tree lane and the southerly house line of Cherry Blossom way.

(9) A certain thirty-six feet (36') wide right-of-way for drainage purposes within the lines of Meadowbrook drive extended between the northerly house line of Cherry Blossom way and the southerly house line of Apple Blossom way.

**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.
- (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 dedication to the City, without cost and free and clear of all encumbrances, of the beds of Meadowbrook drive, Peach Tree lane, Apple Blossom way, Cherry Blossom way, Apple Blossom drive, Rose Petal way and Rose Petal drive, as proposed to be placed on the City Plan by the 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.
- (e) The dedication to the City, without cost, of the beds of the proposed drainage rights-of-way as mentioned in Section 1 (b) (8) and Section 1 (b) (9) of this Ordinance.

**SECTION 3.** The provisions of The Philadelphia Code, Section 14-2104(4), relating to the minimum radii and length of cul-de-sacs, shall not apply to Rose Petal drive and Whitaker avenue. The provisions of The Philadelphia Code, Section 14-2104(5), relating to the width of streets, shall not apply to Rose Petal way.

**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 sixty (60) days after this Ordinance becomes law.