City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
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Legislation Details (With Text)

File #:	140483	**Version:**	0	**Name:**	
Type:	Bill			**Status:**	ENACTED
File created:	5/22/2014			**In control:**	Committee on Streets and Services
On agenda:				**Final action:**	6/19/2014
Title:	Authorizing the revision of lines and grades on a portion of City Plan No. 307 by striking from the City Plan and vacating a variable width portion of the southerly footway area of Vine Street from Seventeenth Street to a point approximately three-hundred four feet eastwardly therefrom, under certain terms and conditions.				
Sponsors:	Council President Clarke, Councilmember Greenlee				
Indexes:	CITY PLAN, STRIKE FROM & VACATE				
Code sections:					
Attachments:	1. CertifiedCopy14048300.pdf				

Date	Ver.	Action By	Action	Result	Tally
8/5/2014	0	MAYOR	SIGNED		
6/19/2014	0	CITY COUNCIL	PASSED	Pass	16:0
6/12/2014	0	CITY COUNCIL	SUSPEND THE RULES OF THE COUNCIL	Pass	
6/12/2014	0	CITY COUNCIL	ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR		
6/12/2014	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK`S SECOND READING CALENDAR		
6/12/2014	0	CITY COUNCIL	ORDERED PLACED ON NEXT WEEK`S SECOND READING CALENDAR		
6/11/2014	0	Committee on Streets and Services	HEARING NOTICES SENT		
6/11/2014	0	Committee on Streets and Services	HEARING HELD		
6/11/2014	0	Committee on Streets and Services	REPORTED FAVORABLY, RULE SUSPENSION REQUESTED		
5/22/2014	0	CITY COUNCIL	Introduced and Referred	Pass	

Authorizing the revision of lines and grades on a portion of City Plan No. 307 by striking from the City Plan and vacating a variable width portion of the southerly footway area of Vine Street from Seventeenth Street to a point approximately three-hundred four feet eastwardly therefrom, 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 revise the lines and grades on a portion of City Plan No. 307 by striking from the City Plan and vacating a variable width portion of the southerly footway area of Vine Street from Seventeenth Street to a point approximately three-hundred four feet eastwardly therefrom.

SECTION 2. The Streets Commissioner, on behalf of the City of Philadelphia, is hereby authorized to accept

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the grant to the City of a certain easement area for public pedestrian use, within the lines of the portion of Vine Street being stricken under authority of this Ordinance, at the ground floor level of the existing building occupying the abutting property.

SECTION 3. 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.

c) The party requesting changes to the City Plan hereunder shall pay into the City Treasury as reimbursement to the City the appraised value of the portion of the bed of Vine Street having been legally opened by eminent domain and proposed to be stricken from the City Plan under authority of this Ordinance.

d) The filing of an agreement, satisfactory to the City Solicitor, by the owner(s) of property affected thereby, granting to the City the aforesaid easement area for public pedestrian use authorized in Section 2 of this Ordinance. The agreement shall provide that the party in interest shall maintain adequate pedestrian access through the said area at all times and shall be responsible for maintaining the sidewalk paving within the said area in good repair. The agreement shall also provide that no structure, fixture, excavation, obstruction, projection, or other encroachment shall be erected or maintained over, on, in, or under the said area, unless the plans for such encroachments shall first be submitted to and approved by the Department of Streets.

e) The payment by the party in interest of the cost of advertisin the public hearing by the Board of Surveyors on the City Plan changes authorized 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.

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