# City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

## Legislation Details (With Text)

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| **File #:** | 220775 | **Version:** | 0 | **Name:** | |
| **Type:** | Bill | | | **Status:** | ENACTED |
| **File created:** | 9/29/2022 | | | **In control:** | Committee on Streets and Services |
| **On agenda:** | | | | **Final action:** | 12/15/2022 |
| **Title:** | Authorizing the revision of lines and grades on a portion of City Plan No. 291 by striking from the City Plan and vacating the legally open portion of Shelmire Avenue from State Road to the centerline of the Philadelphia and Trenton Railroad, under certain terms and conditions. | | | | |
| **Sponsors:** | Councilmember Driscoll | | | | |
| **Indexes:** | CITY PLAN, REVISION, CITY PLAN, STRIKE FROM & VACATE | | | | |
| **Code sections:** | | | | | |
| **Attachments:** | 1. Bill No. 22077500.pdf, 2. CertifiedCopy22077500 | | | | |

| Date | Ver. | Action By | Action | Result | Tally |
|---|---|---|---|---|---|
| 1/10/2023 | 0 | MAYOR | SIGNED | | |
| 12/15/2022 | 0 | CITY COUNCIL | READ AND PASSED | Pass | 16:0 |
| 12/8/2022 | 0 | CITY COUNCIL | SUSPEND THE RULES OF THE COUNCIL | | |
| 12/8/2022 | 0 | CITY COUNCIL | READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR | | |
| 12/8/2022 | 0 | CITY COUNCIL | ORDERED PLACED ON THIS DAY`S FIRST READING CALENDAR | | |
| 12/7/2022 | 0 | Committee on Streets and Services | HEARING HELD | | |
| 12/7/2022 | 0 | Committee on Streets and Services | REPORTED FAVORABLY, RULE SUSPENSION REQUESTED | | |
| 12/7/2022 | 0 | Committee on Streets and Services | HEARING NOTICES SENT | | |
| 9/29/2022 | 0 | CITY COUNCIL | Introduced and Referred | | |

Authorizing the revision of lines and grades on a portion of City Plan No. 291 by striking from the City Plan and vacating the legally open portion of Shelmire Avenue from State Road to the centerline of the Philadelphia and Trenton Railroad, 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. 291 by striking from the City Plan and vacating the legally open portion of Shelmire Avenue from State Road to the centerline of the Philadelphia and Trenton Railroad.

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.

c) 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. 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.