

Legislation Text

File #: 071003, **Version:** 0

Authorizing and directing the revision of lines and grades on a portion of City Plan Nos. 231 and 275 by relocating the lines and changing the grades of Cinnaminson Street from a point approximately six-hundred sixty-two feet north and northeast of Smick Street to a point approximately one-thousand four-hundred fifty-four feet north and northeast of said Smick Street, including increasing the width of said Cinnaminson Street and placing on the City Plan a cul-de-sac turnaround at the proposed northeasterly terminus of said Cinnaminson Street, and striking from the City Plan Cinnaminson Street from a point approximately one-hundred eighty-three feet southwest of Silverwood Street to a point approximately two-hundred eighty-five feet southwest of said Silverwood Street, all under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the bed of Cinnaminson Street as revised on the City Plan by authority of this Ordinance.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Pursuant to Section 11-404 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 Nos. 231 and 275 by:

- (a) Relocating the lines and changing the grades of Cinnaminson Street from a point approximately six-hundred sixty-two feet north and northeast of Smick Street to a point approximately one-thousand fifty-four feet north and northeast of said Smick Street, including increasing the width of said Cinnaminson Street from fifty feet to fifty-four feet and placing on the City Plan a cul-de-sac turnaround at the proposed northeasterly terminus of said Cinnaminson Street.
- (b) Striking from the City Plan Cinnaminson Street from a point approximately one-hundred eighty-three feet southwest of Silverwood Street to a point approximately two-hundred eighty-five feet southwest of said Silverwood Street.

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 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 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 indemnify 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 dedication to the City, without cost and free and clear of all encumbrances, of the bed of Cinnaminson Street as revised on the City Plan by 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.

SECTION 3. The following provisions of The Philadelphia Code shall not apply to Cinnaminson Street as affected by this Ordinance:

- (a) Section 14-2104(3)(g), relating to dead-end streets.
- (b) Section 14-2104(4), relating to cul-de-sac streets.

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.