

Legislation Text

File #: 130353, **Version:** 0

Authorizing the revision of lines and grades on a portion of City Plan No. 319 by striking from the City Plan and vacating the legally open portion of Pennway Street from Rhawn Street to a point approximately five-hundred fifty feet southwestwardly 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. 319 by striking from the City Plan and vacating the legally open portion of Pennway Street from Rhawn Street to a point approximately five-hundred fifty feet southwestwardly therefrom.

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 party requesting changes to the City Plan hereunder shall pay into the City Treasury, as reimbursement to the City, the appraised value of the legally open portion of the bed of Pennway Street being stricken from the City Plan under authority of Section 1 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 provisions of The Philadelphia Code, Section 14-708(5)(g), relating to dead end streets, shall not apply to Pennway Street as affected 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.