

Legislation Text

File #: 140007, **Version:** 1

Authorizing the revision of lines and grades on a portion of City Plan No. 307 by relocating the curblines of Cuthbert Street, from Eighteenth Street to Nineteenth Street, thereby increasing the cartway width of said Cuthbert Street, and by re-grading Eighteenth Street, from John F. Kennedy Boulevard to Arch Street, and re-grading Cuthbert Street from Eighteenth Street to Nineteenth Street, thereby raising said Eighteenth Street and Cuthbert Street, under certain terms and conditions.

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 hereby authorized to revise the lines and grades on a portion of City Plan No. 307 by (i) relocating the northerly curbline of Cuthbert Street, from Nineteenth Street east to a point approximately one hundred eleven feet (111') east of the east curb of Nineteenth Street, four feet (4') northwardly, thereby increasing the cartway width of said Cuthbert Street from sixteen feet (16') to twenty feet (20'); (ii) relocating the northerly curbline of Cuthbert street, from a point located approximately one hundred eleven feet (111') east of the curb of Nineteenth Street east to a point approximately forty-six feet (46') west of the west curb of Eighteenth Street, two feet (2') northwardly, thereby increasing the cartway width of Cuthbert Street from sixteen feet (16') to eighteen feet (18'); (iii) re-grading Eighteenth Street, from John F. Kennedy Boulevard to Arch Street, thereby raising said Eighteenth Street by up to three feet (3'); and (iv) re-grading Cuthbert Street, from Eighteenth Street to Nineteenth Street, thereby raising said Cuthbert Street by up to three feet (3').

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 provided below.
- (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.