

## Legislation Text

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**File #:** 150894, **Version:** 0

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Authorizing the striking from City Plan No. 119 and abandoning of a certain pedestrian walkway reserved within the bed of former Thompson Street, from Watts Street to Thirteenth Street, and the modifying of a certain right-of-way for drainage purposes, water main purposes, gas main purposes, and public utility purposes, also reserved within the bed of said former Thompson Street, by abandoning the right-of-way as to water main purposes, gas main purposes, and public utility purposes, but retaining the said right-of-way on the City Plan as a right-of-way for drainage purposes only, 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 make the following changes affecting a portion of City Plan No. 119:

- a) Striking from the City Plan and abandoning a certain pedestrian walkway reserved within the bed of former Thompson Street, from Watts Street to Thirteenth Street.
- b) Modifying a certain right-of-way for drainage purposes, water main purposes, gas main purposes, and public utility purposes, also reserved within the bed of former Thompson Street, from Watts Street to Thirteenth Street, by abandoning the right-of-way as to water main purposes, gas main purposes, and public utility purposes, but retaining the said right-of-way on the City Plan as a right-of-way for drainage purposes only.

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.

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.