

Legislation Text

File #: 220494, **Version:** 0

Authorizing the striking from City Plan No. 97 and abandoning of a right-of-way for drainage purposes and water main purposes, in the vicinity of east of Broad Street and extending from Washington Avenue to Carpenter Street, and a right-of-way for gas main purposes, located in the vicinity of north of Washington Avenue and extending from Thirteenth Street westwardly to a terminus, 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 certain changes affecting the lines of City utility rights-of-way on a portion of City Plan No. 97, within the area bound by Washington Avenue, Broad Street, Carpenter Street, and Thirteenth Street, by:

- a) Striking from the City Plan and abandoning a right-of-way reserved for drainage purposes and water main purposes, said right-of-way located approximately one-hundred fifty feet east of Broad Street and extending from Washington Avenue to Carpenter Street.
- b) Striking from the City Plan and abandoning a right-of-way reserved for gas main purposes, said right-of-way located approximately one-hundred eighty-six feet north of Washington Avenue and extending from Thirteenth Street westwardly approximately forty feet to a terminus.

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.