



# City of Philadelphia

City Council  
Chief Clerk's Office  
402 City Hall  
Philadelphia, PA 19107

## Legislation Text

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**File #: 240969, Version: 0**

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Authorizing the revision of lines and grades on a portion of City Plan No. 307 by striking from the City Plan and vacating certain aerial portions of Tenth Street between Market Street and Filbert Street, under certain terms and conditions.

WHEREAS, By ordinance approved June 18, 2015 (Bill No. 150376), City Council authorized the striking of certain aerial portions of Tenth Street between Market Street and Filbert Street and authorizing the conveyance of such struck and vacated areas; and,

WHEREAS, it is desirable to expand the previously struck, vacated and conveyed aerial portions of Tenth Street between Market Street and Filbert Street to include portions which have not been previously stricken, vacated and/or conveyed; now, therefore,

*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. 307 by striking from the City Plan and vacating a certain aerial portion of Tenth Street, between Market Street and Filbert Street, the said portion being more particularly identified in Exhibit "A" attached hereto.

SECTION 2. Exhibit "A" to this Ordinance shall be kept on file by the Chief Clerk and shall be available for public inspection.

SECTION 3. This authorization is conditional upon compliance with the following requirements within eight (8) 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 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 4. The various executive officers of the City are hereby authorized to enter into and/or execute, on behalf of the City, all other agreements or documents as are required to be entered into or executed by such officers under the preceding sections of this Ordinance or in order to effectuate the purposes of the agreements or other matters authorized by this Ordinance.

SECTION 5. 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.