

Ordinance No. 16700

Providing for the improvement of certain streets from a point beginning at the intersection of East Waterway and Lander Street, et al. by constructing a main trunk sewer.

Council Bill No. 3330

INTRODUCED: JUL - 8 1907	BY: KREME
REFERRED: JUL - 8 1907	TO: SEWER COM.
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REPORTED: AUG 19 1907	
SECOND READING: AUG 19 1907	VETO:
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SIGNED: AUG 19 1907	VETO _____ SUSTAINED _____
PRESENTED TO MAYOR: AUG 20 1907	APPROVED: AUG 20 1907
FILED: AUG 20 1907	PUBLISHED: AUG 22 1907
ENGROSSED: VOL. 21 PAGE 458	BY: <i>[Signature]</i>
COMPARED BY: <i>Barnes</i>	AND <i>Johnson</i>

ORDINANCE NO. 10700

AN ORDINANCE providing for the improvement of certain streets, avenues and alleys, commencing at a point at the intersection of East Waterway and Lander Street; thence east along Lander Street to Ninth Avenue South; thence north along Ninth Avenue South to Bay View Street; thence east on Bay View Street to a connection with the South Tunnel at the alley between Tenth Avenue South and Eleventh Avenue South, all in the City of Seattle, by constructing a main trunk sewer and other appurtenances therein, said trunk sewer to serve also as a sub-sewer or local sewer; providing for establishing a main trunk sewer or drainage district, to be known as the "Lander Street Trunk Sewer District", and providing for the creation of Local Improvement District No. 1542 for the purpose of providing for the payment of said improvement; all in accordance with Resolution No. 653 of the City of Seattle, and appropriating the sum of One Hundred and Twenty-five Thousand (\$125,000.00) Dollars out of the sewer fund to apply upon the cost of said improvement, and providing for the payment of the cost of said improvement over and above the amount appropriated out of the sewer fund by the mode of "Payment by Bonds", as provided by the laws of the State of Washington and the Charter and ordinances of the City of Seattle.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Lander Street, and certain other streets, avenues and alleys hereinafter described, as follows, to-wit: Beginning at the intersection of East Waterway and Lander Street, running thence east along Lander Street to Ninth Avenue South; thence north along Ninth Avenue South to Bay View Street; thence east along Bay View Street to a connection with the south tunnel at the alley between Tenth Avenue South and Eleventh Avenue South; all in the City of Seattle, be improved by the construction of a main trunk sewer and appurtenances therein and thereon.

Section 2. That said main trunk sewer shall be deemed to, and will serve as a sub-sewer for all that property proximate or adjacent to said sewer, to such a distance back therefrom as shall be benefited thereby as a local sewer, and all such property shall be and is specially benefited thereby as a local sewer; and all such property shall bear a special assessment for its benefit on account of its location within said district.

Section 3. That there is hereby established a main trunk sewer, or drainage district, to be known as the "Lander Street Trunk Sewer District". The boundaries of the district constituting said Lander Street Trunk Sewer District shall include all that territory described as follows, to-wit:

Beginning at a point on the east line of Whatcom Avenue and Holgate Street; thence east along Holgate Street to the alley between Eleventh Avenue South and Twelfth Avenue South; thence north along said alley to Grand Street; thence east along Grand Street to the east line of Maynard's Donation Claim; thence north along the east line of Maynard's Donation Claim line to a point one hundred

(100) feet north of the north line of State Street; thence east along a line one hundred (100) feet north and parallel with the north line of State Street, to a point one hundred (100) feet east of the east line of Fourteenth Avenue South; thence south along a line one hundred (100) feet east and parallel with the east line of Fourteenth Avenue South, to the south line of Grand Street; thence east along the south line of Grand Street to the alley between Fourteenth Avenue South and Fifteenth Avenue South; thence south along said alley to the south line of College Street; thence east along the south line of College Street to the alley between Fifteenth Avenue South and Sixteenth Avenue South; thence south along said alley and said alley produced to a point one hundred and twenty (120) feet at right angles with Beacon Place; thence in a southeasterly direction along a line one hundred and twenty (120) feet from and parallel with the east margin of Beacon Place to the south line of Stevens Street; thence east along the south line of Stevens Street to the west line of Eighteenth Avenue South; thence south along the west line of Eighteenth Avenue South to Horton Street; thence west on Horton Street and Horton Street produced to Fourteenth Avenue South; thence north along Fourteenth Avenue South to Horton Street; thence west along Horton Street to Ninth Avenue South; thence north along Ninth Avenue South to a point directly east of the north margin of the Canal Waterway; thence west along the north line of the Canal Waterway to the east line of Whatcom Avenue; thence north along the east line of Whatcom Avenue to the point of beginning.

Section 4. Said improvement to be made according to the maps, plans and specifications prepared under the direction of the City Engineer and approved by the Board of Public Works on June 1, 1907, which said maps, plans and specifications are hereby adopted and approved.

Section 5. That there is hereby established a local improvement district, to be designated as Local Improvement District No. 1542, which said district shall include all the territory included within said Lander Street Trunk Sewer District, as set forth in section 3 herein.

Section 6. That the sum of \$125,000.00, or so much thereof as may be necessary, be and the same is hereby appropriated out of the sewer fund of the City of Seattle, derived from the sale of the bonds authorized by Ordinance No. 14327 of said city and ratified by vote of the people on September 12, 1906.

Section 7. That assessments be levied and collected upon all lots and parcels of land specially benefited by said improvement to defray the cost and expense thereof over and above the amount herein appropriated from the sewer fund, and local improvement district bonds be issued as hereinafter provided, and said assessments shall become a first lien upon all property liable therefor and for the payment of said local improvement district bonds.

Section 8. That said special assessments shall be levied upon the property within said local improvement district in the following manner, to-wit: There shall first be levied against all the property immediately abutting, adjacent, proximate and contiguous to the portions of said streets and avenues upon which said main trunk and sub-sewer are located to such distance back from the marginal

lines thereof, as prescribed by the City Charter and which can be conveniently sewerred or drained into said main or trunk sewer, such amounts in accordance with special benefits as would have been levied against such property in case there had been constructed in the same place a branch or sub-sewer for the service of that immediate neighborhood only. The remaining portion of the cost of said main or trunk sewer and appurtenances over and above the amount herein appropriated out of the sewer fund shall then be distributed and assessed equitably against all the land included in said local improvement district, in accordance with special benefits and in proportion to the area of the various tracts and parcels of land therein.

The property included within said local improvement district shall be deemed to be and shall be the property specially benefited by said improvement, and the total cost and expense of said improvement herein ordered, including all necessary incidental expenses over and above the amount herein appropriated out of the sewer fund, shall be defrayed by the collection of special assessments upon the property included in said local improvement district.

Section 9. That the mode of making payment for said local improvement shall be by the mode of "Payment by Bonds", as provided by the laws of the State of Washington, the Charter and ordinances of the City of Seattle.

Section 10. That said improvement shall be made under the supervision of the Board of Public Works, which board is hereby ordered to proceed with said improvement as soon as the bonds of said local improvement districts shall have been issued, and the improvement shall not be begun until said bonds are negotiated and sold, unless the contract for said improvement shall provide for the delivery of said bonds to the contractor in payment therefor; provided, if the contract for said improvement shall be so made that the contractor constructing the same shall accept the bonds in payment thereof, the improvement may be commenced immediately after the execution of the contract; provided, that if the contract for said improvement does not provide for the delivery of the bonds to the contractor, said bonds shall be negotiated before said improvement shall be commenced, and if the bonds be not negotiated and the contract for said improvement shall provide that said bonds shall be delivered to the contractor in payment for such improvement, the Board of Public Works shall provide for the delivery of any portion of said bonds during the progress of the work, as in its judgment it may deem safe and proper.

Section 11. That provision shall be made by ordinance for the issuance of bonds of said local improvement district for the whole estimated cost of said improvement, less the amount assessed against lands of the United States and the City of Seattle, and less the amount herein appropriated out of the sewer fund, and less the amount paid upon the assessment prior to the time for the issuance of the bonds and for their delivery to the contractor constructing the improvement in payment thereof, or their negotiation and sale. Said bonds shall be payable on or before five (5) years from date of their issuance and shall bear interest at the rate of six (6) per cent per annum, payable annually upon all unpaid portion of said bonds.

Section 12. This ordinance shall take effect and be in force from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the City Charter.

Passed the City Council the 19th day of August 1907 and signed by me in open session in authentication of its passage this 19th day of August 1907

Thos R. Keolle
President PRO-TEM of the City Council.

Approved by me this 20th day of AUGUST 1907

C. H. Burnett Jr.
acting Mayor.

Filed by me this 20th day of AUGUST 1907

Attest:

H. M. Carroll

City Comptroller and ex-officio City Clerk.

(SEAL)

By _____

Deputy Clerk.

Published AUG 22 1907

City Comptroller and ex-officio City Clerk.

By _____

Deputy Clerk.