

Ordinance No. 21470

An Ordinance providing for and establishing a main trunk sewer or drainage district, to be known as the Connecticut Street Trunk Sewer District and providing for the construction of a trunk sewer and branch sewer within the said Connecticut Street trunk sewer district, and authorizing the city engineer to incur an indebtedness in an amount not to exceed \$50,000. against the sewer fund, to be applied on cost and expense of said improvement

Council Bill No. 8826

INTRODUCED: JUN 28 1909	BY: JUDICIARY
REFERRED:	TO:
REFERRED:	
REPORTED:	VETO:
SECOND READING: JUL 12 1909	PUBLISHED:
THIRD READING: JUL 12 1909	VETO SUSTAINED:
SIGNED: JUL 12 1909	PASSED OVER VETO:
PRESENTED TO MAYOR: JUL 13 1909	APPROVED: JUL 21 1909
FILED: JUL 21 1909	PUBLISHED: JUL 24 1909
ENGROSSED: VOL 21 PAGE 426	BY: JRB
COMPARED BY: Compared by [unclear]	
AND	

ORDINANCE NO. 21470

AN ORDINANCE providing for the establishment of a main trunk sewer or drainage district, to be known as the "Connecticut Street Trunk Sewer District", and for the construction within said district of a main trunk sewer with a certain branch describing the routes along which said sewer is to be constructed, together with its branch, adopting the maps, plans and specifications for said work, on file in the office of the City Engineer, and providing for the mode of making payment for the cost and expense of such improvement by the mode of "Payment by Bonds", extending over a period of five (5) years, all in accordance with the laws of the State of Washington, the charter and ordinances of the City of Seattle and Resolution No. 2101 of the City Council of the City of Seattle.

Be it ordained by the City of Seattle as follows:

Section 1. That there be and hereby is established a main trunk sewer or drainage district, to be known as the "Connecticut Street Trunk Sewer District", which said district, and the territory therein, is described as follows:

Beginning at Railroad Avenue and Holgate Street; thence in a northerly direction along Railroad Avenue to the south margin of King Street; thence east along the south margin of King Street, and King Street produced to a point one hundred ninety-four (194) feet west of the east margin of Fourth Avenue South; thence north along a line one hundred ninety-four (194) feet west of the east margin of Fourth Avenue South to Yesler Way; thence northerly along a line one hundred nineteen (119) feet west of and parallel with the west margin of Fourth Avenue to a point one hundred twenty (120) feet north of the north margin of Marion Street; thence easterly along a line one hundred twenty (120) feet north of and parallel with the north margin of Marion Street, to a point one hundred twenty (120) feet east of the east margin of Summit Avenue; thence southerly along a line one hundred twenty (120) feet east of and parallel with the east margin of Summit Avenue to the east margin of Broadway; thence south along the east margin of Broadway to a point one hundred twenty (120) feet south of the south margin of East Fir Street; thence east along a line one hundred twenty (120) feet south of and parallel with the south margin of East Fir Street; to the east margin of Tenth Avenue; thence south along the east margin of Tenth Avenue and Tenth Avenue South to a point one Hundred Twenty (120) feet south of the south margin of Yesler Way; thence east along a line one hundred twenty (120) feet south of and parallel with the south margin of Yesler Way to a point one hundred twenty (120) feet east of the east margin of Tenth Avenue South; thence south along a line one hundred twenty (120) feet east of and parallel with the east margin of Tenth Avenue South to a point one hundred twenty (120) feet north of the north margin of Jackson Street; thence east along a line one hundred twenty (120) feet north of and parallel with the north margin of Jackson Street to the east margin of Twelfth Avenue South; thence

south along the east margin of Twelfth Avenue South to a point one hundred twenty (120) feet south of the south margin of King Street; thence east along a line one hundred twenty (120) feet south of and parallel with the south margin of King Street to a point one hundred twenty (120) feet east of the east margin of Twelfth Avenue South; thence south along a line one hundred twenty (120) feet east of and parallel with the east margin of Twelfth Avenue South to the north line of Judkins Street; thence east along the north line of Judkins Street to the middle line of the block between Thirteenth Avenue South and Fourteenth Avenue South; thence south along said line to the south margin of Atlantic Street; thence east along the south margin of Atlantic Street to the middle line of the block between Fourteenth Avenue South and Fifteenth Avenue South; thence south along said line to a point one hundred (100) feet south of the south margin of Massachusetts Street; thence west along a line one hundred (100) feet south of and parallel with the south margin of Massachusetts Street to the middle line of block between Thirteenth Avenue South and Fourteenth Avenue South; thence south along said line to Grand Street; thence west along Grand Street to the alley between Twelfth Avenue South and Eleventh Avenue South; thence south along said alley to Holgate Street, thence west along Holgate Street to the place of beginning.

Section 2. That there shall be constructed within said district a main trunk sewer, together with a certain branch or sub-sewer, all of proper dimensions, together with all necessary tunnels, wyes, openings, man-holes, lamp-holes, catch basins and other necessary appurtenances, all in accordance with Resolution No. 2101 of the City Council of the City of Seattle, and according to the plans proposed by the City Engineer and on file in the office of the Board of Public Works, which said maps, plans and specifications for said main trunk sewer and for said branch or sub-sewer, be and they are hereby adopted and approved as the official maps, plans and specifications for said improvement along the routes and locations for said main trunk sewer and for said branch or sub-sewer — described as follows:

MAIN TRUNK SEWER.

Beginning at the intersection of the outer harbor line and Connecticut Street, thence east along Connecticut Street to Ninth Avenue South.

BRANCH or SUB-SEWER.

Beginning at the intersection of Connecticut Street and Fourth Avenue South, and running thence north on Fourth Avenue South to Main Street, all in the City of Seattle.

Section 3. That there is hereby established a local improvement district to be designated as "Local Improvement District No. 7133", which said district shall include all the territory embraced within the boundaries of said Connecticut Street trunk sewer district described in Section One of this ordinance; and all of the lots, tracts and parcels of land included within the boundaries of such district, be and are hereby declared to be specially benefited by the construction of such main trunk sewer, on account of the topography of the ground and the convenience of sewerage or drainage into such main trunk sewer; said main trunk sewer and said branch or sub-sewer shall be deemed to serve as a sub-sewer or local sewer, for all that property immediately abutting and contiguous to such main or trunk sewer and to such branch or sub-sewer which property can be conveniently sewered or drained thereinto, and such property be and hereby is declared to be specially benefited by such improvement the same as if a sub-sewer, or local sewer, had been constructed in the same place; and there shall first be levied against such property 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 improvement shall then be distributed and assessed equitably against all the lands included in said Connecticut Street Trunk Sewer District in accordance with the special benefits and in proportion to the area of the various lots, tracts or parcels of land therein; the property included within said district, and none other, shall be deemed to be, and shall be, the property specially benefited by

said improvement, and the total cost and expense of the improvement herein ordered, including all necessary incidental expenses, shall be defrayed by the collection of special assessments upon the property included in said district, as herein provided, except such portion of said cost as is hereinbelow directed to be paid by the City of Seattle by appropriation from the fund realized by the sale of bonds for such purpose, under Ordinance No. 14327, and provided that there shall be borne by the Seattle-Montana Railroad Company and the Northern Pacific Railway Company, grantees of the City of Seattle, under Ordinance No. 9116, as amended by Ordinance No. 10545, so much of the cost of the sewer running southward along Fourth Avenue South and thence to an outlet in Elliott Bay, as shall be entailed by the increase in size of such sewers needful to provide thereby for such part of the city's sewerage and drainage as the sewers formerly existing on Main and Jackson Streets, in the City of Seattle were calculated to discharge.

Section 4. That the calling for bids and the letting of the contract for the construction of said main trunk sewer and said branch sewer, or sub-sewer, shall be in the samemanner as other contracts for local improvements are let under the provisions of the City Charter.

Section 5. That the City Engineer be and he hereby is authorized and directed to incur an indebtedness in an amount not to exceed \$50,000.00 against the sewer fund realized by the sale of bonds under Ordinance No. 14327 to pay a portion of the main trunk sewer herein provided for.

Section 6. That the mode of making payment for said improvement as to the portion thereof not paid by the City of Seattle out of its sewer bond issue, and as to the portion thereof not paid by the Seattle-Montana Railroad Company and the Northern Pacific Railway Company, grantees of the City of Seattle under Ordinance No. 9116, as amended by Ordinance No. 10545, shall be made by the mode of "Payment by Bonds", extending over five (5) years, as provided by the charter and ordinances of the City of Seattle, and laws of the

State of Washington, which said bonds shall be issued against the fund raised by the assessments levied against the lots, tracts and parcels of land in this ordinance described.

Section 7. 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 district 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 ~~before said improvement shall be commenced~~ 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 8. That provision shall be made by ordinance for the issuance of bonds 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 paid upon the assessment prior to the time for the issuance of the bonds before their delivery to the contractor constructing the improvement in payment thereof, or their negotiation and sale, and less the amount assessed to the Seattle-Montana Railroad Company and the Northern Pacific Railway Company, grantees of the City of Seattle under Ordinance No. 9116, as amended by Ordinance No. 10545, and less the amount to be paid from the Sewer Fund realized by the sale of bonds under Ordinance No. 14327 of said City. Said bonds shall be

payable in five (5) equal annual installments and shall bear interest at the rate of six (6) per cent per annum, payable annually upon all unpaid installments of said bonds.

Section 9.

WHEREAS, the present condition of the sewerage and drainage within the district described in Section One of this ordinance is dangerous to public health and safety; and

WHEREAS, unless such condition be forthwith remedied it will continue to be a danger and menace to public health and safety,

NOW, THEREFORE, by reason of the foregoing facts, an emergency is hereby declared to exist in which it is necessary for the immediate preservation of the public peace, health and safety that this ordinance shall become effective without delay.

Section 10 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 12th day of JULY, 1909, and signed by me in open session in authentication of its passage this 12th day of JULY, 1909,

H. H. Murphy
President PRO TEM of the City Council

Approved by me this 21 day of JULY, 1909.

John A. Sullivan
Mayor.

Filed by me this 21st day of JULY, 1909.

Attest: *A. M. Carroll*
City Comptroller and ex-officio City Clerk,

[SEAL]

By _____
Deputy Clerk.

Published JUL 24 1909

A. M. Carroll
City Comptroller and ex-officio City Clerk.
W. A. ...
Deputy Clerk.