

**Ordinance No. 26592**

AN ORDINANCE providing for the laying off, widening, and establishing of Ninth Avenue N., from Denny Way to John Street; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor, providing for establishing the curb grades, of Ninth Ave. N. etc.

*Blaine*

**Council Bill No. 14388**

INTRODUCED: JAN 30 1911	BY: BLAINE
REFERRED: JAN 30 1911	TO: STREETS
REFERRED:	
REPORTED: MAR 6 1911	VETO:
SECOND READING: MAR 6 1911	PUBLISHED:
THIRD READING: MAR 6 1911	VETO SUSTAINED:
SIGNED: MAR 6 1911	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED: MAR 9 1911
FILED: MAR 9 1911	PUBLISHED: MAR 14 1911
ENGROSSED: VOL <i>A</i> PAGE <i>102</i>	BY: <i>LB</i>
COMPALED BY: <i>Compaled By Barnes &amp; Lewis.</i>	
AND	

ORDINANCE No. 26592

AN ORDINANCE Providing for the laying off, extending, altering and establishing of Ninth Avenue from the north margin of Denny Way to the east margin of Ninth Avenue North all in the City of Seattle as a public street and highway; and providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; and providing for the changing and establishing of the curb grades of Ninth Avenue North from Denny Way to Westlake Avenue North, and of Denny Way from Eighth Avenue to Westlake Avenue, and approaches thereto, all in the City of Seattle; providing for the condemnation, appropriation, taking and damaging of land and other property necessary for the grading and regrading of said avenue, street and approaches thereto, in conformity with such established grades; and for the construction of all necessary slopes for cuts and fills on the property abutting upon said avenue and street and approaches thereto; providing that the payment of the cost of such improvement be made by special assessment upon property specially benefited, in the manner provided by law.

WHEREAS, Public necessity and convenience demand that Ninth Avenue from the north margin of Denny Way to the east margin of Ninth Avenue North be laid off, extended, altered and established as a public street and highway, and that the curb grades of Ninth Avenue North from Denny Way to Westlake Avenue North, and of Denny Way from Eighth Avenue to Westlake Avenue, and approaches thereto, be changed and established, and that said streets and avenues be graded and regraded in conformity with such established grades; and

WHEREAS, Said improvement will be of special benefit to certain lands and premises and other property;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE, AS FOLLOWS:

SECTION 1: That Ninth Avenue from the north margin of Denny Way to the east margin of Ninth Avenue North, all in the City of Seattle, be, and the same is hereby, laid off, extended, altered and established as a public street and

highway, over and across the following lots, blocks and tracts of land, to-wit:

In D. T. Denny's Fifth Addition to the City of Seattle:  
That portion of Lot Seven (7), Block Eighty-nine (89), described as follows, to-wit:

Beginning at a point on the south line of said lot, said point being distant thirty-nine and twenty one-hundredths (39.20) feet west from the southeast corner of said lot; thence west along said south line, a distance of eighty and eighty one-hundredths (80.80) feet to the southwest corner of said lot; thence north along the west line thereof, a distance of sixty (60) feet to the northwest corner of said lot; thence east along the north line thereof, a distance of eleven and forty-five one-hundredths (11.45) feet; thence southeasterly, a distance of ninety-one and ninety-nine one-hundredths (91.99) feet to the point of beginning.

That portion of Lot Eight (8), Block Eighty-nine (89) described as follows, to-wit:

Beginning at a point on the south line of said lot, said point being distant one hundred eight and fifty-five one-hundredths (108.55) feet west from the southeast corner of said lot; thence west along said south line, a distance of eleven and forty-five one-hundredths (11.45) feet to the southwest corner of said lot; thence north along the west line thereof, a distance of nine and ninety one-hundredths (9.90) feet; thence southeasterly, a distance of fifteen and fourteen one-hundredths (15.14) feet to the point of beginning.

SECTION 2: That all lands, rights, privileges and other property lying within the limits of the lots, blocks or tracts of land described in Section One (1) hereof be, and the same are hereby, condemned, appropriated, taken and damaged to the public use for the purposes of a public street and highway.

SECTION 3: That the curb grades of Ninth Avenue North from Denny Way to Westlake Avenue North, and of Denny Way from Eighth Avenue to Westlake Avenue and approaches thereto, all in the City of Seattle, be, and the same are

changed and  
hereby established at the following elevations above City  
Datum, to-wit:

ON NINTH AVENUE NORTH

At the north margin of Denny Way:	
East curb,	62.66 feet
West curb,	64.05 feet
At the south margin of John Street:	
East curb,	57.41 feet
West curb,	58.71 feet
At the north margin of John Street:	
East curb,	56.43 feet
West curb,	57.73 feet
At the south margin of Thomas Street:	
East curb,	51.21 feet
West curb,	52.39 feet
At the north margin of Thomas Street:	
East curb,	50.23 feet
West curb,	51.41 feet
At the south margin of Harrison Street:	
East curb,	45.01 feet
West curb,	46.09 feet
At the north margin of Harrison Street:	
East curb,	44.03 feet
West curb,	45.11 feet
At the south margin of Republican Street:	
East curb,	38.33 feet
West curb,	39.51 feet
At the north margin of Republican Street:	
East curb,	37.31 feet
West curb,	38.49 feet
At the south margin of Mercer Street:	
East curb,	30.74 feet
West curb,	32.04 feet
At the north margin of Mercer Street:	
East curb,	29.72 feet
West curb,	31.02 feet
At the south margin of Roy Street:	
East curb,	26.50 feet
West curb,	26.97 feet
At the northerly margin of Roy Street:	
East curb,	25.00 feet
West curb,	25.79 feet

At the southerly margin of Broad Street:  
East curb, 20.00 feet  
West curb, 21.07 feet

At the northerly margin of Broad Street:  
West curb, 19.75 feet

At the westerly margin of Westlake  
Avenue North:  
West curb, 19.00 feet

ON DENNY WAY

Opposite the intersection of the south  
margin of Denny Way and the north-  
easterly margin of Eighth Avenue:  
North and south curbs, 73.16 feet

Opposite the intersection of the south  
margin of Denny Way and the north-  
westerly margin of Bell Street:  
South curb, 65.95 feet

At the west margin of Ninth Avenue North:  
North curb, 64.51 feet

Opposite the intersection of the south  
margin of Denny Way and the south-  
easterly margin of Bell Street:  
South curb, 63.28 feet

At the east margin of Ninth Avenue North:  
North curb, 62.43 feet

Opposite the intersection of the south  
margin of Denny Way and the south-  
westerly margin of Ninth Avenue:  
South curb, 60.71 feet

Opposite the intersection of the south  
margin of Denny Way and the north-  
easterly margin of Ninth Avenue:  
South curb, 57.66 feet

At the west margin of Westlake Avenue  
at existing elevations:  
North curb, 54.47 feet  
South curb, 55.09 feet

That the curb grades shall be straight lines between the  
elevations established herein; that the grades of the approach-  
es to said avenue and street be changed and established to  
conform to the grades established herein, to such distance  
back from said avenue and street not exceeding two hundred

fifty-six (256) feet, as may be necessary; that the grades of each and all of the alleys in the several blocks bounded by said avenue and street or approaches thereto, or any of them, are hereby fixed and established at such grades as will conform to the elevations herein fixed on the above named avenue, street and approaches thereto at the respective points of intersection.

That in the construction of the necessary slopes for cuts and fills upon property abutting upon said avenue, street, approaches thereto and connecting alleys, in the grading and regrading of said avenue, street, approaches thereto and alleys, in accordance with the grades established herein, each cut shall be carried back into and extend upon the abutting real property one (1) foot for each foot of depth in cut, and each fill shall be carried back and extend upon the abutting real property one and one-half ( $1\frac{1}{2}$ ) feet for each foot of elevation of fill.

SECTION 4. That all lands, rights, privileges and other property necessary to be taken, used or damaged, in the grading and regrading of said avenue, street, approaches thereto and connecting alleys, in conformity with the grades established in Section One (1) hereof, and in the construction of the necessary slopes for cuts and fills upon the real property abutting on said avenue, street, approaches thereto and connecting alleys, are hereby condemned to the public use for such purposes; said lands, rights, privileges and other property to be taken and appropriated only after just compensation has been made or paid into

court for the owner in the manner provided by law.

SECTION 5. That the improvement provided for in this ordinance shall be paid for by special assessment upon property specially benefited, in the manner provided by law. Any part of the costs of said improvement that is not finally assessed against the property specially benefited shall be paid from the General Fund of the city of Seattle.

SECTION 6. That the Corporation Counsel be, and he is hereby, authorized and directed to begin and prosecute the actions and proceedings, in the manner provided by law, to condemn, appropriate, take and damage the lands and other property necessary to carry out the provisions of this ordinance, and also to take the steps necessary to make such special assessment.

(To be used for all Ordinances except Emergency.)

Section . 7 This ordinance shall take effect and be in force thirty days 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 6 day of MARCH 1911

and signed by me in open session in authentication of its passage this 6 day of MARCH 1911

J.P. Muller  
President Pro tem of the City Council.  
1911

Approved by me this 9 day of MARCH 1911

W. S. Mulling  
Mayor.  
1911

Filed by me this 9 day of MARCH 1911

Attest: Wm. J. Rothwell  
City Comptroller and Ex-Officio City Clerk.

[SEAL]

MAR 14 1911

By J.W. Chandler  
Deputy Clerk.

Published Wm. J. Rothwell  
City Comptroller and Ex-Officio City Clerk.

By J.W. Chandler  
Deputy Clerk.