

## Ordinance No. 35158

Providing for the changing and establishing of curb grades on Bailey Street et al, and providing for the condemnation, appropriation, etc.

*Ord. 35158  
curb & sewers  
also ord. for  
chg grade*

*Lundy*

## Council Bill No. 24052

INTRODUCED: AUG 9 1915	BY: LUNDY
REFERRED: AUG 9 1915	TO: STREETS & SEWERS
REFERRED:	
REPORTED: AUG 30 1915	VETO:
SECOND READING: AUG 30 1915	PUBLISHED:
THIRD READING:	VETO SUSTAINED:
SIGNED: AUG 30 1915	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED: SEP 1 1915
FILED: SEP 1 1915	PUBLISHED: SEP 7 1915
ENGROSSED:	BY:
VOL. <i>P1</i> PAGE <i>5th</i>	<i>TSB</i>
COMPARED BY: <i>Compared by DARGES &amp; DARLING</i>	

ORDINANCE NO. 35158

AN ORDINANCE providing for the changing and establishing of the curb grades on Bailey Street, from Corson Avenue to Thirteenth Avenue South; on Twelfth Avenue South, from Vale Street to Bailey Street; on Vale Street, from Duwamish Avenue to Twelfth Avenue South; on Thirteenth Avenue South, from Juneau Street to Angelo Street; on Stanley Avenue, from Thirteenth Avenue South to Albro Place, and approaches thereto; providing for the condemnation, appropriation, taking and damaging of land and other property necessary for the grading and regrading of said streets, avenues and approaches thereto in conformity with such established grades and necessary for the construction of the slopes for cuts and fills upon the property abutting on said streets and avenues and approaches thereto; and providing that the entire cost of said improvement shall be paid by special assessment upon property specially benefited, in the manner provided by law.

WHEREAS, public necessity and convenience demand that the curb grades of the above described streets, avenues and approaches thereto, all in the City of Seattle, be changed and established and that said streets, avenues and approaches thereto be graded and regraded in conformity with such established grades, and

WHEREAS, said improvement will be of special benefit to certain lands, premises and other property, NOW THEREFORE

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the curb grades on Bailey Street, from Corson Avenue to Thirteenth Avenue South; on Twelfth Avenue South, from Vale Street to Bailey Street; on Vale Street, from Duwamish Avenue to Twelfth Avenue South; on Thirteenth Avenue, from Juneau Street to Angelo Street; on Stanley Avenue, from Thirteenth Avenue South to Albro Place, and approaches thereto, be and the same are hereby changed and established at the following elevations above City Datum, to-wit:

ON BAILEY STREET

At the easterly margin of Corson Avenue	
Northerly and southerly curbs	7.50 ft.

Opposite the intersection of the westerly margin of Carleton Avenue and the southerly margin of Bailey Street	
Northerly and southerly curbs	9.70 ft.



Opposite the intersection of the easterly margin of Carleton Avenue and the southerly margin of Bailey Street, Northerly and southerly curbs	9.70 ft.
Opposite the intersection of the westerly margin of Flora Avenue and the southerly margin of Bailey Street, Northerly and southerly curbs	10.40 ft.
Opposite the intersection of the easterly margin of Flora Avenue and the southerly margin of Bailey Street, Northerly and southerly curbs	10.40 ft.
Opposite the intersection of the westerly margin of Ellis Avenue and the southerly margin of Bailey Street, Northerly and southerly curbs	11.00 ft.
Opposite the intersection of the easterly margin of Ellis Avenue and the southerly margin of Bailey Street, Northerly and southerly curbs	11.00 ft.
Opposite the intersection of the westerly margin of Twelfth Avenue South and the northerly margin of Bailey Street, Northerly and southerly curbs,	11.20 ft.
Opposite the intersection of the easterly margin of Twelfth Avenue South and the northerly margin of Bailey Street, Northerly and southerly curbs	11.20 ft.
At the west margin of Thirteenth Avenue South, Northerly and southerly curbs	11.80 ft.

ON VALE STREET.

At the southwesterly margin of Duwamish Avenue produced from the southeast, Northerly and southerly curbs, at the existing elevation	10.82 ft.
Opposite the intersection of the east margin of Twelfth Avenue South and the southerly margin of Vale Street, Northerly and southerly curbs	10.68
Opposite the intersection of the west margin of Twelfth Avenue South and the southerly margin of Vale Street, Northerly and southerly curbs	10.68 ft.

ON TWELFTH AVENUE SOUTH

At the south margin of Vale Street, East and west curbs,	10.68 ft.
Opposite the intersection of the west margin of Twelfth Avenue South and the northeasterly margin of the Oregon-Washington Railway and Navigation Co.'s Right of Way, West Curb,	11.50 ft.
Opposite the intersection of the east margin of Twelfth Avenue South and the northeasterly margin of the Oregon-Washington Railway and Navigation Co.'s Right of Way, East Curb,	11.50 ft.
Opposite the intersection of the west margin of Twelfth Avenue South and the southwesterly mar- gin of the Oregon-Washington Railway and Navi- gation Co.'s Right of Way, West Curb,	11.50 ft.
Opposite the intersection of the east margin of Twelfth Avenue South and the southwesterly mar- gin of the Oregon-Washington Railway and Navi- gation Co.'s Right of Way, East Curb,	11.50 ft.
At the northerly margin of Bailey Street, East and west Curb,	11.20 ft.

ON THIRTEENTH AVENUE SOUTH.

Opposite the intersection of the east margin of Thirteenth Avenue South and the southeasterly margin of Juneau Street, East and west Curbs, at the existing elevations	11.40 ft.
At the northerly margin of Bailey Street, West Curb	11.80 ft.
At the southerly margin of Bailey Street, East and west curb,	11.80 ft.
At the north margin of Angelo Street, East and west Curb,	12.40 ft.

ON STANLEY AVENUE.

Opposite the intersection of the southwesterly margin of Stanley Avenue and the east margin of Thirteenth Avenue South, Northeasterly and southwesterly Curbs,	11.80 ft.
At the northerly margin of Albro Place, Northeasterly and southwesterly Curbs	12.70 ft.
At the southeasterly margin of Albro Place, Northeasterly and southwesterly Curbs,	12.70 ft.



ON CARLETON AVENUE

At the south margin of Bailey Street,  
East and West Curbs

9.70 feet.

ON FLORA AVENUE

At the southerly margin of Bailey Street,  
East and West Curbs

10.40 feet.

ON ELLIS AVENUE

At the southerly margin of Bailey Street,  
East and West Curbs

11.00 feet.

That the curb gradients shall be straight lines between the elevations established herein; that the curb grades of the approaches to said streets and avenues be changed and established to conform to the grades established herein to <sup>Such</sup> A distance back from said streets and avenues not to exceed fifty (50) feet, as may be necessary:

That in the grading and regrading of the above named Streets and Avenues and approaches thereto, the City of Seattle shall acquire the right, in the case of a cut, to remove the lateral support of the real property abutting upon said streets and avenues and approaches thereto; and in every case, the right to remove said lateral support shall include the right to carry a slope back into, and extended upon the abutting real property at least one (1) foot for each foot of depth of cut:

That in the case of a fill, the right shall be acquired to extend and maintain upon the adjoining and abutting property, slopes of one and one-half ( $1\frac{1}{2}$ ) feet for each foot of elevation of fill or, for such greater or less distance as the topography and geological condition of the streets and abutting property may make necessary for lateral support for the adjoining abutting streets and avenues; reserving unto the abutting owners respectively, the right at any time to remove such said slopes upon providing other <sup>adequate</sup> lateral support for such streets and avenues.

Section 2. That all lands, rights, privileges and other property, necessary to be taken, used or damaged in grading and regrading said Avenue and approaches thereto 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 upon said avenue and approaches thereto, as provided in Section One (1) hereof, are hereby condemned to the public use for such purposes.

Section 3. That the entire cost of the improvement provided for herein shall be paid by special assessment upon the property specially benefited in the manner provided by law, and that no part thereof shall be paid from the General Fund of the City of Seattle.

Section 4. 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, take, damage and appropriate 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 5. 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 30 day of AUGUST 1915  
and signed by me in open session in authentication of its passage this 30 day of

AUGUST 1915 Robert B. Hesketh  
President Pro tem of the City Council.

Approved by me this 1st day of SEPTEMBER 1915

Filed by me this 1st day of SEPTEMBER 1915 Mayor.

Attest: Wm. Carroll  
City Comptroller and Ex-Officio City Clerk.

[SEAL]  
By Wm. Carroll Deputy Clerk.

Published SEP 7 1915  
City Comptroller and Ex-Officio City Clerk.

By Wm. Carroll Deputy Clerk.