

REPRODUCED FROM BEST
AVAILABLE DOCUMENT.

Ordinance No. 39024

Providing for the laying
off, opening, widening, extend-
ing and establishing of Elliott
Avenue North et al, through
Block 134, Seattle Tide Lands.

REPEALED
BY
ORDINANCE
No. 42637

Council Bill No. 28214

INTRODUCED: DEC 9 1918	BY: STREETS AND SEWER
REFERRED: DEC 9 1918	TO: STREETS AND SEWER
REFERRED:	
REPORTED: DEC 16 1918	VETO:
SECOND READING: DEC 16 1918	PUBLISHED:
THIRD READING: DEC 16 1918	VETO SUSTAINED:
SIGNED: DEC 16 1918	PASSED OVER VETO:
PRESENTED TO MAYOR: DEC 17 1918	APPROVED: DEC 26 1918
FILED: DEC 26 1918	PUBLISHED: Dec 31 1918
ENGROSSED:	BY:
VOL. 21 PAGE 276	
COMPARED BY:	

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12-6-18.

REPEALED

BY

ORDINANCE NO.

39024

ORDINANCE

No. 42637

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of Elliott Avenue North through Block One Hundred and Thirty-four (134) Seattle Tide Lands, and of West Garfield Street from Elliott Avenue North as extended herein to the East margin of Smith's Cove Waterway, providing for the changing and establishing of curb grades of Elliott Avenue North as extended herein, and West Garfield Street from Fifteenth Avenue West to the East margin of Smith's Cove Waterway. Providing for the condemnation, appropriation, taking and damaging of land and other property necessary for the laying off, opening, widening, extending and establishing of the above named avenue and street, and for the changing and establishing of the curb grades and grading and regrading of the above named avenue and street and approaches thereto in conformity with the grades established herein and for the necessary slopes for cuts and fills upon the property abutting on said avenue and street and approaches thereto, and providing that the entire cost of said improvement shall be paid by special assessment upon the property specially benefited in the manner provided by law,

WHEREAS, public necessity and convenience demand that the above named avenue and street be laid off, opened, widened, extended, and established as public streets and highways, and that the curb grades of the above named avenue and street be changed and established, and that said avenue and street and approaches thereto be graded and regraded in conformity with such established grade; and

WHEREAS, such 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 Elliott Avenue North through Block One Hundred and Thirty-four (134) Seattle Tide Lands and West Garfield Street from Elliott Avenue North as extended herein, to the Easterly margin of Smith's Cove Waterway, be and the same is hereby laid off, opened, widened, extended and established over and across the following lots, blocks and tracts of land, to-wit:

IN SEATTLE TIDE LANDS

All that portion of Lot One (1), Block One Hundred and Thirty-four (134), lying north of a line Thirteen (13) feet south from and parallel with the South margin of West Garfield Street as platted in Seattle Tide Lands; that portion of Lot Two (2), Block One Hundred

and Thirty-four (134) described as follows:

Beginning at a point on the Southeasterly line of said Lot, said point being a distance of One Hundred seventy-seven and thirty one-hundredths (177.30) feet Northeast from a most Southerly corner of said lot; thence Northeasterly along said Southeasterly line, a distance of Thirty-three and fifty one-hundredths (33.50) feet to the most Easterly corner of said lot; thence West along the North line of said lot, a distance of One Hundred fifty-two and thirty-two one-hundredths (152.32) feet to the Northwest corner of said lot; thence Southwesterly along the Northwesterly line of said lot, a distance of Nineteen and eighty one-hundredths (19.80) feet; thence North Eighty-nine degrees, Fifty-one minutes and Thirty-eight seconds East (N. 89° 51' 38" E.) a distance of One Hundred seven and eighty-three one-hundredths (107.83) feet to a point of curve; thence Easterly along the arc of a curve to the right having a uniform radius of Seventy (70) feet, a distance of Thirty-five and eighty-eight one-hundredths (35.88) feet to a point of beginning.

All that portion of Lot Three (3), Block One Hundred and Thirty-four (134) described as follows:

Beginning at a point on the Northwesterly line of said Lot, said point being a distance of One Hundred seventy-seven and thirty one-hundredths (177.30) feet Northeasterly from the most Westerly corner of said lot; thence Northeasterly along the Northwesterly line of said lot a distance of Thirty-three and fifty one-hundredths (33.50) feet to a point on the North line of said lot; thence East along the North line of said lot a distance of Forty and sixty-four one-hundredths (40.64) feet; thence South Forty degrees, Thirty-two minutes and Thirty-two seconds East, (S. 40° 32' 32" E.) a distance of Seventy-three and thirty-two one-hundredths (73.32) feet to a point on the Southeasterly line of said lot; thence Southwesterly along said Southeasterly line, a distance of Sixty and no one-hundredths (60.00) feet; thence North Forty degrees, Thirty-two minutes and Thirty-two seconds West, (N. 40° 32' 32" W.) a distance of Seventy-five and sixty-four one-hundredths (75.64) feet to a point of curve; thence Northwesterly along the arc of a curve to the left having a uniform radius of Seventy (70) feet a distance of Twenty-four and Seventy-two one-hundredths (24.72) feet to a point of beginning.

All that portion of Lot Four (4), Block One Hundred and Thirty-four (134) described as follows:

Beginning at a point on the Northwesterly line of said Lot, said point being a distance of One hundred eighty-eight and thirty-nine one-hundredths (188.39) feet Northeasterly from the most Westerly corner of said lot; thence Northeasterly along said Northwesterly line a distance of Sixty (60) feet; thence South Forty degrees, Thirty-two minutes and Thirty-two seconds East, (S. 40° 32' 32" E.) a distance of One hundred (100) feet to a point on the Southeasterly line of said lot; thence Southwesterly along said Southeasterly line a distance of Sixty (60) feet; thence North Forty degrees, Thirty-two minutes and Thirty-two seconds West (N. 40° 32' 32" W.) a distance of One hundred (100) feet to a point of beginning.

That portion of Lot Five (5), Block One Hundred and Thirty-four (134) described as follows:

Beginning at a point on the Northwestern line of said Lot, said point being a distance of One hundred eighty-seven and Ninety-two one-hundredths (187.92) feet Northeastly from the most Westerly corner of said lot; thence Northeastly along said Northwestern line a distance of Sixty (60) feet; thence South Forty degrees, Thirty-two minutes and Thirty-two seconds East, (S.40°32'32"E.) a distance of Ninety-seven and fifty-three one-hundredths (97.53) feet to a point on the Easterly line of said lot; thence South along the Easterly line of said lot a distance of Three and twenty-eight one-hundredths (3.28) feet to the Southeastly corner of said lot; thence Southwest along the Southeastly line of said lot, a distance of Fifty-seven and eighty-eight one-hundredths (57.88) feet; thence North Forty degrees, Thirty-two minutes and Thirty-two seconds West, (N.40°32'32"W.) a distance of One hundred (100) feet to a point of beginning.

That portion of Lot Six (6), Block One Hundred and Thirty-four (134) described as follows:

Beginning at a point on the Northwestern line of said Lot, said point being a distance of One hundred eighty-six and eighty-two one-hundredths (186.82) feet Northeastly from a most Westerly corner of said lot; thence Northeast along said Northwestern line a distance of Fifty-seven and eighty-eight one-hundredths (57.88) feet to the most Northerly corner of said lot; thence South along the Easterly line of said lot a distance of Eighty-nine and twenty-nine one-hundredths (89.29) feet to a point on the Northeastly line of said lot; thence North Forty degrees, Thirty-two minutes and Thirty-two seconds West, (N.40°32'32"W.) a distance of Sixty-seven and thirty-six one-hundredths (67.36) feet to a point of beginning.

The North Thirteen (13) feet of Lot One (1), Block One Hundred and thirty-six (136). That portion of vacated Seventeenth Avenue West adjoining Lot One (1), Block One Hundred and Thirty-six (136) lying North to a line Thirteen (13) feet South from and parallel with the South margin of West Garfield Street, as platted in Seattle Tide Lands.

Section 2. That the curb grades of Elliott Avenue North as extended through Block One Hundred and Thirty-four (134) and of West Garfield Street from Fifteenth Avenue West to the Easterly line of Smith's Cove Waterway, be and the same are hereby changed and established at the following elevations above City Datum, to-wit:

ON ELLIOTT AVENUE NORTH AS EXTENDED HEREIN.

Opposite a point One hundred thirty-two and sixty-five one-hundredths (132.65) feet, Northwest of North margin of West Galer Street,

Southwest curb - 7.90 feet

Opposite the intersection of the Northeast margin of Elliott Avenue North as established herein and the West margin of Fifteenth Avenue West,

Northeast curb - 7.80 feet

Opposite the intersection of the Northeast margin of Elliott Avenue North as established herein and the South margin of West Garfield Street,

Northeast curb - 7.10 feet

Opposite the intersection of the Southwest margin produced of Elliott Avenue North as established herein and the South margin produced of West Garfield Street, as established herein.

Southwest curb - 6.95 feet

ON WEST GARFIELD STREET, LOWER ROADWAY

Opposite the intersection of the South margin of West Garfield Street and the West margin of Fifteenth Avenue West,

North curb - 7.50 feet
South curb - 7.30 feet
at existing elevations

Opposite the intersection of the South margin of West Garfield Street as established herein and the Northeast margin of Railroad Avenue,

South curb - 6.50 feet

Opposite the intersection of the North margin of West Garfield Street and ~~East~~ margin of Seventeenth Avenue West,

North curb - 6.50 feet

Opposite the intersection of South margin of West Garfield Street as established herein and the Southwest margin of Railroad Avenue,

South curb - 6.50 feet

At the West margin of Seventeenth Avenue West,

North curb - 6.50 feet

At the East margin of Smith's Cove Waterway,

North curb - 6 feet
South curb - 6 feet

Curb elevations on West Garfield Street apply to lower roadways on said Street.

That the curb gradients shall be straight lines between the elevations established herein and in the grading and regrading of the above named avenue and street and approaches thereto, the City 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 the lateral support shall include the right to carry the slopes back into and extending upon the abutting real property at least one (1) foot for each

foot of depth of cut; that in the case of fills the right shall be acquired to extend and maintain upon the abutting property slopes of one and one-half ($1\frac{1}{2}$) feet for each foot of elevation of fill for the purpose of acquiring lateral support for said avenue and street and approaches thereto, reserving unto the abutting property owners respectively, the right at any time to remove such slopes upon providing other adequate lateral support for said avenue and street and approaches thereto.

Section 3. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in section one, hereof, be and the same are hereby condemned, appropriated, taken and damaged for the purpose of public streets and highways, and that all lands, rights, privileges and other property necessary to be taken, used or damaged in the grading and regrading of said avenue and street and approaches thereto, in conformity with the grades established herein, and in the construction of the necessary slopes for cuts and fills upon the real property abutting upon said avenue and street and approaches thereto, are hereby condemned, appropriated, taken and damaged to the public use for such purposes. The said lands, rights and privileges and other property are to be taken, damaged and appropriated only after just compensation has been made or paid into court for the owners in the manner provided by law.

Section 4. That the entire cost of the improvement provided for herein shall be paid by special assessments upon the property specially benefited in the manner provided by law, and that no part shall be paid from the General Fund of the City of Seattle.

Section 5. 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, damage, take and appropriate the lands and other property necessary to carry out the provisions of the Ordinance and also to take the steps necessary to make such special assessments.

(To be used for all Ordinances except Emergency.)

Section 6. 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 16 day of DECEMBER 1918
and signed by me in open session in authentication of its passage this 16 day of
DECEMBER 1918 W. A. Bolton

President of the City Council.

Approved by me this 16 day of DECEMBER 1918
W. A. Bolton Mayor.

Filed by me this 16 day of DECEMBER 1918
W. A. Bolton Mayor.

Attest: W. A. Carroll
City Comptroller and Ex-Officio City Clerk.

[SEAL]

By: W. A. Carroll Deputy Clerk.

Published Dec 31, 1918

City Comptroller and Ex-Officio City Clerk.

By: W. A. Carroll Deputy Clerk.