

Ordinance No. 4228

AN ORDINANCE Providing for the changing and establishing of the curb grades of 9th AVENUE SOUTH, from Massachusetts Street to Diagonal Avenue, and certain parts of certain other streets and avenues.

Council Bill No. 35033

INTRODUCED: JUN 4 1923	BY: STREETS & SEWERS
REFERRED: JUN 4 1923	TO: STREETS & SEWERS
REFERRED:	
REPORTED: JUN 1 1 1923	VETO:
SECOND READING: JUN 1 1 1923	PUBLISHED:
THIRD READING: JUN 1 1 1923	VETO SUSTAINED:
SIGNED: JUN 1 1 1923	PASSED OVER VETO:
PRESENTED TO MAYOR: JUN 1 1 1923	APPROVED: JUN 21 1923
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ENGROSSED:	BY: LAB
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COMPARED BY:	

Form I. 1-17-10M. L. & H. 65075

103897 - Award of Jury
8 54297 - affr for judgments
to be clear for the satisfied judgments
9 54279 - payt unsatisfied judgments into court

ELY-w
6-4-23

JKK

ORDINANCE NO. 40833

AN ORDINANCE Providing for the changing and establishing of the curb grades of

9th AVENUE SOUTH, from Massachusetts Street to Diagonal Avenue;
DIAGONAL AVENUE, from 9th Avenue South to Spokane Street;
6th AVENUE SOUTH, from Holgate Street to Lander Street;
HOLGATE STREET, from 6th Avenue South to the alley east of 9th Avenue South;
LANDER STREET, from 6th Avenue South to 9th Avenue South;
BAY VIEW STREET, from 9th Avenue South to 10th Avenue South;

providing for the condemnation, appropriation, taking and damaging of land, privileges, and other property and property rights necessary for the grading and regrading of said avenues and streets in conformity with the grades established herein, and for cuts and fills upon the property abutting upon said avenues and streets, and specifying the manner of payment of the compensation to be made therefor.

WHEREAS, Public necessity and convenience demand that the curb grades of the above named avenues and streets be changed and established, and that certain lands, privileges, property and property rights necessary for the grading and regrading of said avenues and streets in conformity with such grades as changed and established, be condemned, appropriated, taken or damaged; and

WHEREAS, Such change of grades, condemnation, appropriation, taking and damaging of such lands, privileges, property and property rights for the purposes specified, 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 of:

9th AVENUE SOUTH, from Massachusetts Street to Diagonal Avenue;
DIAGONAL AVENUE, from 9th Avenue South to Spokane Street;
6th AVENUE SOUTH, from Holgate Street to Lander Street;
HOLGATE STREET, from 6th Avenue South to the alley east of 9th Avenue South;
LANDER STREET, from 6th Avenue South to 9th Avenue South;
BAY VIEW STREET, from 9th Avenue South to 10th Avenue South;

be and the same are hereby changed and established to conform with the grades established by Ordinance No. 43146, insofar as the same may apply, at the following elevations above city datum, to-wit:

ON 9th AVENUE SOUTH

At Massachusetts Street:
All curbs 15.00 feet

At Grand Street:
All curbs 15.40 feet

At a point 230 feet north of the north margin
of Holgate Street from the west:
All curbs 15.80 feet

At Holgate Street from the east:
All curbs 15.50 feet

At Holgate Street from the west:
All curbs 15.40 feet

At Plum Street:
All curbs 15.20 feet

At Hill Street:
All curbs 14.50 feet

At Walker Street on the west:
All curbs 14.10 feet

At Walker Street on the east:
All curbs 14.00 feet

At College Street:
All curbs 13.50 feet

At Stacy Street:
All curbs 12.80 feet

At Bay View Street
All curbs 13.20 feet

At Lander Street on the west:
 All curbs 12.40 feet

At Lander Street on the east:
 All curbs 12.50 feet

At a point 330 feet north of the north margin
 of Forest Street on the west:
 All curbs 13.00 feet

At Forest Street:
 All curbs 12.40 feet

At Stevens Street:
 All curbs 12.80 feet

At Hanford Street:
 All curbs 13.60 feet

At Horton Street:
 All curbs 12.80 feet

At Diagonal Avenue:
 All curbs 12.50 feet

ON DIAGONAL AVENUE.

At the north margin of Spokane Street:
 All curbs 10.80 feet

At 8th Avenue South:
 All curbs 11.60 feet

At 9th Avenue South:
 All curbs 12.50 feet

ON 6th AVENUE SOUTH

At the south margin of Holgate Street:
 All curbs 13.80 feet

At Walker Street:
 All curbs 12.50 feet

At Stacy Street:
All curbs 11.30 feet

At a point 330 feet south of the south margin
of Stacy Street:
All curbs 11.95 feet

At Lander Street:
All curbs 11.30 feet

ON HOLGATE STREET

At the east margin of 6th Avenue South:
All curbs 13.80 feet

At 8th Avenue South:
All curbs 14.60 feet

At the west margin of 9th Avenue South:
All curbs 15.40 feet

At the east margin of 9th Avenue South:
All curbs 15.50 feet

At the alley east of 9th Avenue South:
All curbs 16.00 feet

ON LANDER STREET

At 6th Avenue South:
All curbs 11.30 feet

At 7th Avenue South:
All curbs 12.00 feet

At 7th Place South:
All curbs 12.20 feet

At 8th Avenue South:
All curbs 11.90 feet

At the west margin of 9th Avenue South:
All curbs 12.40 feet

ON BAY VIEW STREET

At 9th Avenue South:
All curbs 13.20 feet

north:
At the east margin of 10th Avenue South from the
All curbs 13.60 feet

That the curb gradients shall be of a uniform rate of grade between the elevations established herein.

Section 2. That for the purposes of grading and regrading said avenues and streets in conformity with the grades established in Section 1 hereof, and constructing the necessary slopes for cuts and fills upon lands abutting upon said avenues and streets, all necessary lands, privileges and other property and property rights are hereby condemned, appropriated, taken, or damaged; that in the case of cuts the right is hereby appropriated to remove the lateral support to lands abutting upon said avenues and streets and to carry the slope back into and extending upon such lands at least one foot for each foot of depth of cut; that in the case of fills the right is hereby appropriated to extend and maintain upon abutting and adjoining lands slopes extending one and one-half feet horizontally for each foot of elevation of fill, to afford lateral support for said avenues and streets, reserving unto the abutting property owners respectively the right at any time to remove such slopes, upon providing other adequate lateral support.

Section 3. That the purposes specified in Section 2 hereof are hereby declared to be a public object and a public use; and said lands, privileges, property and

property rights shall be condemned, appropriated, taken or damaged only after just compensation shall have first been made or paid into court for the owners or persons entitled thereto in the manner provided by law.

Section 4. That the Corporation Counsel be, and he is hereby, authorized and directed to begin and prosecute in the manner provided by law the necessary actions or proceedings to condemn, appropriate, take or damage the lands, privileges, property and property rights necessary to carry out the provisions of this Ordinance.

Section 5. That the compensation to be made for lands, privileges, property and property rights condemned, appropriated, taken or damaged as herein provided, together with the accruing costs of the necessary actions or proceedings shall be added to the cost of the labor and material necessary for the grading and regrading of said avenues and streets, as provided for by Ordinance No. 44472, creating Local Improvement District No. 3444, and shall be paid by assessment upon the property specially benefited by such improvement, in the manner provided by law, or from such other funds as the City Council of The City of Seattle may direct.

(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 11 day of JUNE 1913 and signed by me in open session in authentication of its passage this 11 day of JUNE 1913

Approved by me this 11 day of JUNE 1913

Filed by me this 11 day of JUNE 1913

[SEAL]

Published JUN 6 1913

[Signature]
President of the City Council.
[Signature]
Mayor.

Attest: *[Signature]*
City Comptroller and Ex-Officio City Clerk

By: *[Signature]*
Deputy Clerk.

By: *[Signature]*
City Comptroller and Ex-Officio City Clerk.
[Signature]
Deputy Clerk.

10M. 1-17 L.&H. 65003