

50410

Ordinance No.

Providing for the laying off, opening, extending and establishing of 9th Ave. N. W., bet. W. 52d St. and W. 54th St. and certain parts of certain other streets and avenues; providing for the condemnation, appropriation, taking and damaging of land, etc. xxx

*1/27/26
1/28/26
1/29/26
1/30/26
2/1/26
2/2/26
2/3/26
2/4/26
St*

Council Bill No. 40184

INTRODUCED: DEC 9 1925	BY: STREETS & SEWERS
REFERRED: DEC 21 1925	TO: STREETS & SEWERS
REPORTED: FEB 8 1926	VETO:
SECOND READING: FEB 9 1926	PUBLISHED:
THIRD READING: FEB 9 1926	VETO SUSTAINED:
ADOPTED: FEB 8 1926	PASSED OVER VETO:
PRESENTED TO MAYOR: FEB 9 1926	APPROVED: FEB 11 1926
FILED: FEB 11 1926	PUBLISHED: FEB 11 1926
PREPARED BY: Vol. 42 Page 7	BY: MCK

*11319 - Council of all ward
116150 - Report on Council on compensation roll*

50416

ORDINANCE NO. _____

AN ORDINANCE Providing for the laying off, opening, extending and establishing of 9th Avenue Northwest, between West 52d Street and West 54th Street, and of West 53d Street, from 8th Avenue Northwest to 9th Avenue Northwest; providing for the condemnation, appropriation, taking and damaging of land and other property necessary for the laying off, opening, extending and establishing of the above avenue and street, and for the establishing of the grades, and for the necessary slopes for cuts and fills upon the property abutting upon said avenue and on West 53d Street, from 8th Avenue Northwest to 11th Avenue Northwest; and providing that the entire cost of such improvement shall be paid by special assessment on the property specially benefited, in the manner provided by law.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That 9th Avenue Northwest, between West 52d Street and West 54th Street; and West 53d Street, from 8th Avenue Northwest to 9th Avenue Northwest, be, and the same are hereby opened, extended and established as public streets and highways over and across the following lots, blocks or tracts of land, to-wit:

- UNPLATTED -

That portion of the northeast quarter ($\frac{1}{4}$) of the southwest quarter ($\frac{1}{4}$) of Section twelve (12), township twenty-five (25) north, range 3 East W.M., described as follows: beginning at a point on the east margin of 9th Avenue Northwest, as now established, said point being distant one hundred (100) feet north of the north margin of West 52d Street, as now established; thence north $0^{\circ}2'8''$ west along said east margin produced a distance of one hundred and sixty-eight one-hundredths (100.68) feet; thence north $88^{\circ}45'57''$ east a distance of five hundred thirty-one and seventy-one one-hundredths (531.71) feet to intersection with the west margin of 8th Avenue Northwest, as now established; thence north along said west margin a distance of sixty-six and two one-hundredths (66.02) feet; thence south $88^{\circ}45'57''$ west a distance of five hundred thirty-one and seventy-five one-hundredths (531.75) feet to an intersection with the east margin produced north of 9th Avenue Northwest, as now established; thence north $0^{\circ}2'8''$ west along said east margin a distance of two hundred and fifty-three one-hundredths (200.53) feet; thence westerly along the south margin of West 54th Street as now established a distance of sixty-six and one one-hundredth (66.01) feet to an intersection with the west margin produced north of 9th Avenue Northwest as now established; thence south $0^{\circ}2'8''$ east along said west margin a distance

Prepared at request of

At Law Committee

92150

of three hundred sixty-five and ninety one-hundredths (365.90) feet; thence east along a straight line a distance of sixty-six (66) feet to the point of beginning.

Section 2. That the curb grades of said avenue and street be, and the same are hereby, established at the following elevations above City Datum, to-wit:

On 9th Avenue Northwest:

At the north margin of West 52d Street, at existing elevations,

East curb	39.25 feet
West curb	39.05 feet

At the south margin of West 53d Street,

East curb	43.32 feet
West curb	43.07 feet

At the north margin of West 53d Street,

East curb	44.65 feet
West curb	44.40 feet

At the south margin of West 54th Street, at elevations conforming with the existing grade on West 54th Street,

East curb	48.66 feet
West curb	48.41 feet

On West 53d Street:

At the west margin of 8th Avenue Northwest, at elevations conforming with the existing grade on 8th Avenue Northwest,

North curb	49.10 feet
South curb	48.50 feet

At the east margin of 9th Avenue Northwest,

North curb	44.55 feet
South curb	43.90 feet

At the west margin of 9th Avenue Northwest,

43.80	North curb	43.80 feet
	South curb	43.15 feet

At the east margin of 11th Avenue Northwest, at elevations conforming with the existing grade on 11th Avenue Northwest,

32.40	North curb	32.40 feet
31.60	South curb	31.60 feet

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

Section 3. That in the grading of the above named avenue and street, the city shall acquire the right in the case of a cut to remove the lateral support abutting on said avenue and street. In every case the right to remove said 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, and in the case of fills, the right shall be acquired to extend and maintain upon the abutting real 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, 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.

Section 4. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Section 1 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 of said avenue and street, in conformity with the grades established in Section 2 hereof, and in the construction of the necessary slopes for cuts and fills upon the real property abutting upon said avenue and street, as set forth in Section 3 hereof, are hereby condemned, appropriated, taken and damaged for the public use for such purpose , and said lands, rights, 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 5. 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 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, 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 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 8 day of FEBRUARY 1926 and signed by me in open session in authentication of its passage this 8 day of FEBRUARY 1926 Berta K. Landes

Approved by me this 11 day of FEBRUARY 1926 Christ Brown Mayor.

Filed by me this 11 day of FEBRUARY 1926 Attest: [Signature] City Controller and Ex-Officio City Clerk.

[SEAL] Published FEB By [Signature] Deputy Clerk. By [Signature] City Comptroller and Ex-Officio City Clerk. By [Signature] Deputy Clerk.