

Ordinance No. 51565

Providing for the laying off,
etc. of Pearl Street, from 39th
Avenue South to 42d Avenue
South; providing for the con-
demnation etc. and providing
that the entire cost of such
improvement shall be paid by
special assessment.

Council Bill No. 41619

INTRODUCED: 16 1926	BY: STREETS & SEWERS
REFERRED: AUG 16 1926	TO: STREETS & SEWERS
REFERRED:	
REPORTED: AUG 23 1926	VETO:
SECOND READING: AUG 23 1926	PUBLISHED:
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SIGNED: AUG 23 1926	PASSED OVER VETO:
PRESENTED TO MAYOR: AUG 23 1926	APPROVED: AUG 25 1926
FILED: AUG 25 1926	PUBLISHED: AUG 27 1926
ENROLED: VOL. 02 PAGE 469	BY: MCK
COMPAED BY:	

113187 - Award
115054 - Report Council on hearing on bill

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INTRODUCED: 10 1926	BY: STREETS & SEWERS
REFERRED: AUG 14 1928.	TO: STREETS & SEWERS
REPORTED:	BY:
AUG 23 1928	PUBLISHED:
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AUG 25 1928	

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113151 - award
 115054 - Refers Counsel on hearing on all

ELY:C
9-16-26

ORDINANCE NO. 51565

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of PEARL STREET, from 39th Avenue South to 42d Avenue South; providing for the establishing of the curb grades of Pearl Street, from 39th Avenue South to 42d Avenue South; 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 described street and for the establishing of the grades and for the necessary slopes for cuts and fills upon the property abutting upon said street; and providing that the entire cost of such 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 street be laid off, opened, widened, extended, and established as a public street and highway, and that the curb grades of the above named street be established; 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 PEARL STREET, from 39th Avenue South to 42d Avenue South, be and the same is hereby laid off, opened, widened, extended and established as a public street and highway over and across the following lots, blocks or tracts of land, to-wit:

The North ten (10) feet of Tract Ten (10), Morningside Acre Tracts, an Addition to the City of Seattle.

The South thirty (30) feet of Tract Eleven (11), Morningside Acre Tracts, an Addition to the City of Seattle.

The North ten (10) feet of Lots One (1) to Ten (10), inclusive, Turk's Addition to Columbia, now a portion of the City of Seattle.

Section 2. That the curb grades of Pearl Street, from 39th Avenue South to 42d Avenue South, be and the same are hereby established at the following elevations above city datum, to-wit:

At the east margin of 39th Avenue South:

North Curb	108.50 feet
South curb	107.70 feet

At a point thirty-five (35) feet east of the east margin of 39th Avenue South, at the beginning of a vertical curve:

North curb	111.81 feet
South curb	113.28 feet

At a point one hundred sixty (160) feet east of the last mentioned point, at the point of tangency of a vertical curve:

North curb	130.00 feet
South curb	129.50 feet

At a point three hundred sixty-one (361) feet west of the west margin of 42d Avenue South, at the beginning of a vertical curve:

North curb	132.13 feet
South curb	131.63 feet

At a point two hundred (200) feet east of the last mentioned point, at the point of tangency of a vertical curve:

North curb	151.64 feet
South curb	151.14 feet

At a point eighty-three (83) feet west of the west margin of 42d Avenue South, at the beginning of a vertical curve:

North curb	163.44 feet
South curb	162.94 feet

At the west margin of 42d Avenue South at a point of tangency of a vertical curve:

North curb	173.10 feet
South curb	171.70 feet

That the curb gradients shall be of a uniform rate of grade between the elevations established herein except in those cases where they are specified as lying in vertical curves.

Section 3. That in the grading of the above named street the city shall acquire the right in the case of a cut to remove the lateral support abutting on said 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 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 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 a public street and highway; and that all lands, rights, privileges and other property necessary to be taken, used or damaged in the grading of said 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 street as set forth in Section 3 hereof, are hereby condemned, appropriated, taken and damaged for the public use for such purposes; 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 23 day of AUGUST 1926 and signed by me in open session in authentication of its passage this 23 day of AUGUST 1926

J. William Moore
President of the City Council.

Approved by me this 25 day of AUGUST 1926

Leitch J. Landis
Mayor.

Filed by me this 25 day of AUGUST 1926

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

[SEAL]

AUG 27 1926

By *J. W. Carroll* Deputy Clerk.

Published _____
By *J. W. Carroll* City Comptroller and Ex-Officio City Clerk.
W. Stursh Deputy Clerk.