

Ordinance No. 1975

Providing for the laying off, etc. of Fairview Ave. and Fairview Ave. North, from Virginia St. to Valley St. and certain parts of certain other streets and avenues; for the changing and establishing of curb grades; for condemnation etc. for slopes for cuts and fills; and providing that the entire cost of such improvement be paid by assessment upon property specially benefited.

Council Bill No. 48051

INTRODUCED: OCT 25 1926	BY: SHEPHERD & SEWERS
REFERRED:	TO:
REFERRED:	
REPORTED: NOV 7 - 1926	VETO:
SECOND READING: NOV 7 - 1926	PUBLISHED:
THIRD READING:	VETO SUSTAINED:
SIGNED:	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED: NOV 9 - 1926
FILED:	PUBLISHED: NOV 16 1926
ENGROSSED:	BY: mck
VOL. B 2 PAGE 19	
COMPARED BY:	AND

118220 = Contract as
118508 - award
12-4-22 - Report C. on confirmation road

Ordinance No. 1073

Providing for the laying off, etc. of Fairview Ave. and Fairview Ave. North, from Virginia St. to Valley St. and certain parts of certain other streets and avenues; for the changing and establishing of curb grades; for condemnation etc. for slopes for cuts and fills; and providing that the entire cost of such improvement be paid by assessment upon property specially benefited.

Council Bill No. 42081

INTRODUCED: OCT 25 1920	BY: SHERTS & CLEWIS
REFERRED:	TO:
REFERRED:	
REPORTED: NOV 1 1920	VETO:
SECOND READING: NOV 4 1920	PUBLISHED:
THIRD READING:	VETO SUSTAINED:
SIGNED:	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED: NOV 9 1920
FILED: NOV 11 1920	PUBLISHED: NOV 16 1920
ENGROSSED: VOL. 5 PAGE 19	BY: mck
COMPARED BY:	AND:

Form L. 5M 6-24. L&HC Co 9147

118220 - Sherbert
118508 - Sherbert
120492 - Sherbert

Ordinance No. 51975

Providing for the laying off, etc. of Fairview Ave. and Fairview Ave. North, from Virginia St. to Valley St. and certain parts of certain other streets and avenues; for the changing and establishing of curb grades; for condemnation etc. for slopes for cuts and fills, and providing that the entire cost of such improvement be paid by assessment upon property specially benefited.

Council Bill No. 42051

INTRODUCED: <i>NOV 9 - 1908</i>	BY: <i>SINCE & SWEENEY</i>
REFERRED:	TO:
REFERRED:	
REPORTED: <i>NOV 9 - 1908</i>	VETO:
SECOND READING: <i>NOV 10 - 1908</i>	PUBLISHED:
THIRD READING:	VETO SUSTAINED:
SIGNED:	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED: <i>NOV 9 - 1908</i>
FILED:	PUBLISHED: <i>NOV 16 1908</i>
ENGROSSED:	BY: <i>mck</i>
VOL. <i>B 2</i> PAGE <i>19</i>	
COMPARED BY:	
AND	

*118290 - District
118508 - Council
120499 - Report & on - in - formation etc*

REPRODUCED FROM BEST AVAILABLE DOCUMENT

50375

ORDINANCE NO. 51975

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of Fairview Avenue and Fairview Avenue North, from Virginia Street to Valley Street, and of John Street between Boren Avenue North and Fairview Avenue North; providing for the changing and establishing of the curbs and grades of said Fairview Avenue and Fairview Avenue North, and of said John Street, and of Harrison Street and Republican Street, each, between Boren Avenue North and Fairview Avenue North; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor and for the necessary slopes for cuts and fills upon the property abutting on said avenue and streets; 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.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Fairview Avenue and Fairview Avenue North, from Virginia Street to Valley Street, and John Street, between Boren Avenue North and Fairview Avenue North, be, and the same are hereby laid off, opened, extended and established as public streets and highways over and across the following lots, blocks or tracts of land, to-wit:

In the Plat of the 2d Addition to the Town (Now City) of Seattle, as laid off by the Heirs of Sarah A. Bell, Deceased (Volume 1, of Plats, Page 121).

That portion of Lots eleven (11) and twelve (12) Block forty (40) described as follows: Beginning at a point on the northeasterly line of said lot eleven (11), said point being distant thirty-three and forty-seven one-hundredths (33.47) feet southeasterly from the most northerly corner of said lot eleven (11); thence, continuing southeasterly along the northeasterly line of said lots eleven (11) and twelve (12) a distance of twenty-seven and ninety-eight one-hundredths (27.98) feet to an intersection with the west margin of Fairview Avenue, as established by Ordinance No. 21766; thence southerly along said west margin a distance of one hundred five and sixty-nine one-hundredths (105.69) feet to a point on the northwesterly margin of Virginia Street; thence southwesterly along said northwesterly margin a distance of thirty-four and seventy-three one-hundredths (34.73) feet to the most southerly corner of said lot twelve (12); thence northwesterly along the southwesterly line of said lot twelve (12) a distance of forty-one one-hundredths (41.1) feet; thence northeasterly and northerly along the east

a curve to the left having a uniform radius of seventy-nine and three one-hundredths (79.03) feet a distance of forty-nine and eight one-hundredths (49.08) feet to a point of tangency on a line twenty-one (21) feet west from and parallel with the west margin of Fairview Avenue, as established by Ordinance No. 21766; thence north along said parallel line a distance of one hundred and ninety-two one-hundredths (100.92) feet to the point of beginning.

That portion of Lots three (3) and four (4), Block fifty-three (53), described as follows: Beginning at a point on the north line of said lot four (4), said point being distant one hundred thirty-six and fourteen one-hundredths (136.14) feet east from the most westerly corner of said lot four (4); thence east along the north margin of said lot four (4) a distance of twenty-one (21) feet to an intersection with the west margin of Fairview Avenue, as established by Ordinance No. 21766; thence south along said west margin a distance of one hundred thirty-one and seven-eighths (131.78) feet to a point on the southeasterly line of said lot three (3); thence southwesterly along said southeasterly line a distance of three and eighty-one one-hundredths (3.81) feet to the most southerly corner of said lot three (3); thence northwesterly along the southwesterly line of said lot three (3) a distance of twenty-four and sixty-two one-hundredths (24.62) feet; thence north along a line twenty-one (21) feet west from and parallel with the west margin of Fairview Avenue as established by Ordinance No. 21766 a distance of one hundred eighteen and fifty-seven one-hundredths (118.57) feet to the point of beginning.

- Unplatted -

The easterly twenty-one (21) feet of that portion of Government Lot seven (7) Section thirty (30) Township twenty-five (25) North Range four (4) East W.M. which lies west of Fairview Avenue North, as now established, and between Denny Way and Thomas Street;

Also that portion of said Government Lot 7 lying westerly of said Fairview Avenue North which lies within the extension of John Street, as platted in Gangloff's Addition to the City of Seattle (Volume 3 of Plats, page 50), extended easterly across said portion of Government Lot seven (7), except the easterly twenty-one (21) feet thereof;

Also that portion of Government Lot 7 Section Thirty (30) Township twenty-five (25) North Range three (3) East W.M. described as follows: Beginning at the intersection of the west margin of Fairview Avenue North, as now established with the north margin of Thomas Street, as deeded to the City of Seattle, Ordinance No. 49885; thence north 0°13'52" west along the west margin of said Fairview Avenue North a distance of ninety-six and seventy-nine one-hundredths (96.79) feet; thence north 89°42'22" west a distance of twenty-one (21) feet; thence south along a line twenty-one (21) feet west from and parallel with the west margin of said Fairview Avenue North a distance of ninety-six and seventy-eight one-hundredths (96.78) feet to a point on the north mar-

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gin of said Thomas Street; thence east along said north margin a distance of twenty-one (21) feet to the point of beginning.

In D. T. Denny's 5th Addition to North Seattle, (Now a portion of the City of Seattle), (Volume 1 of Plats, page 202).

The easterly twenty-one (21) feet of Lots one (1) to four (4) inclusive, Block One hundred nine (109);

Also the easterly twenty-one (21) feet of an un-numbered lot in said block one hundred nine (109) which lies south of lot four (4) block one hundred nine (109).

In D. T. Denny's 1st Addition to North Seattle (now a portion of the City of Seattle), (Volume 1 of Plats, page 79).

The east twenty-one (21) feet of Lots one (1) to six (6) inclusive, Block one hundred eight (108);

The east twenty-one (21) feet of lots one (1) to seven (7) inclusive, block one hundred seven (107);

The east twenty-one (21) feet of Lots one (1) to six (6) inclusive, Block one hundred six (106).

Section 2. That the curb grades of Fairview Avenue and Fairview Avenue North, from Virginia Street to Valley Street, and of John Street, Harrison Street and Republican Street, each between Boren Avenue^{North} and Fairview Avenue North, be and the same are hereby changed and established at the following elevations above City Datum, to-wit:

On Fairview Avenue and Fairview Avenue North, as widened herein.

On the easterly side of said Fairview Avenue and Fairview Avenue North, all curbs are established at existing elevations.

Opposite a point one hundred and ninety-two one-hundredths (100.92) feet south from the intersection of west margin of Fairview Avenue as established herein with the southwesterly margin of Boren Avenue, at an elevation conforming with the established grade on Virginia Street,

West curb 122.60 feet

Opposite the intersection of the west margin of Fairview Avenue, as established herein, with the southwesterly margin of Boren Avenue,

West curb 124.75 feet

Opposite the intersection of the west margin of Fairview Avenue, as established herein, with the northeasterly margin of Boren Avenue,

West curb 123.75 feet

At the south margin of Denny Way,

West curb 121.60 feet

At the north margin of Denny Way,

West curb 121.29 feet

At the south margin of John Street, as established herein,

West curb 115.10 feet

At the north margin of John Street, as established herein,

West curb 113.94 feet

At the south margin of Thomas Street,

West curb 97.65 feet

At the north margin of Thomas Street,

West curb 94.85 feet

At the south margin of Harrison Street,

West curb 79.15 feet

At the north margin of Harrison Street,

West curb 76.34 feet

At the south margin of Republican Street,

West curb 60.88 feet

At the north margin of Republican Street,

West curb 58.15 feet

At the south margin of Mercer Street,

West curb 39.90 feet

At the north margin of Mercer Street,

West curb 37.32 feet

At the south margin of Valley Street, at an elevation conforming with the existing grade on Valley Street;

West curb 22.30 feet.

On John Street, as established herein.

At a point approximately one hundred fifty-two (152) feet east of the east margin of Boren Avenue North, at existing elevations,

North curb	116.30 feet
South curb	116.75 feet

At the west margin of Fairview Avenue North as widened herein,

North curb	114.25 feet
South curb	115.08 feet

On Harrison Street.

At a point approximately one hundred forty (140) feet east of the east margin of Boren Avenue North, at existing elevations,

North curb	65.72 feet
South curb	67.06 feet

At the west margin of Fairview Avenue North, as widened herein,

North curb	76.34 feet
South curb	78.27 feet

On Republican Street.

At a point approximately one hundred forty (140) feet east of the east margin of Boren Avenue North, at existing elevations,

North curb	45.04 feet
South curb	46.08 feet

At the west margin of Fairview Avenue North, as widened herein,

North curb	58.15 feet
South curb	60.10 feet

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

Section 3. That in the grading and regrading of the above named avenue and streets, the city shall acquire the right in the case of a cut to remove the lateral support abutting on said avenue and streets. 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 streets, 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 streets.

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 and regrading of said avenue and streets 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 streets, 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 be used for all Ordinances except Emergency.)

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.

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 1st day of NOVEMBER 1926 and signed by me in open session in authentication of its passage this 1st day of NOVEMBER 1926
President of the City Council.

Approved by me this 9 day of 1926
Debra J. Landis Mayor.

Filed by me this 9 day of 1926

(SEAL)

Attest: A. N. Carratt
City Comptroller and Ex-Officio City Clerk.
By: M. Stueck
Deputy Clerk.

Published NOV 1 1926
A. N. Carratt
City Comptroller and Ex-Officio City Clerk.
By: M. Stueck
Deputy Clerk.