

Ordinance No. 55699

Providing for the changing and establishing of the curb grades of 4th Avenue South, from Seattle Boulevard to Atlantic Street.

57.

Council Bill No. 45734

INTRODUCED: JUN 2 1926	BY: WALTERS & SEWELL
REFERRED: JUN 2 1926	TO: STREETS & SIDEWALKS
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VOL..... PAGE.....	
COMPARED BY:	AND

124884 award of jury
126536 Report on hearing on bill

2003

Prepared at request of

ORDINANCE No. 55699

AN ORDINANCE providing for the changing and establishing of the curb grades of 4th Avenue South, from Seattle Boulevard to Atlantic Street; providing for the condemnation, appropriation, taking and damaging of land and other property necessary to obtain the right to grade and regrade said Avenue in conformity with the grades established herein, and for making the necessary slopes, cuts and fills on the property abutting upon said Avenue; and providing that the entire cost of said improvement shall be paid by special assessments upon the property specially benefited in the manner provided by law.

That the public necessity and convenience demand that the curb grades of the above named Avenue be changed and established, and that the right be acquired to grade said Avenue in conformity with such established grades; and

WHEREAS, Such improvement will be of special benefit to certain lands, premises and persons of said city; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the curb grades of 4th Avenue South, from Seattle Boulevard to Atlantic Street, be and the same are hereby changed and established at the following elevations above City Datum, to-wit:

Opposite the intersection of the east margin of 4th Avenue South and the southwesterly margin of Seattle Boulevard at a point of curvature of a vertical curve:

East Curb 34.00 feet
West Curb 34.00 feet

At a point 30 feet south of last mentioned point at a point of tangency of a vertical curve:

East Curb 33.25 feet
West Curb 33.25 feet

At a point 425 feet south of the last mentioned point at a point of curvature of a vertical curve:

East Curb 12.00 feet
West Curb 12.00 feet

At a point 30 feet south of the last mentioned point at a point of tangency of a vertical curve:

East Curb 11.21 feet
West Curb 11.21 feet

At the north margin of Connecticut Street:

East Curb 9.48 feet
West Curb 9.48 feet

At the south margin of Connecticut Street:

East Curb 9.48 feet
West Curb 9.48 feet

At the north margin of Atlantic Street at existing elevations:

East Curb	10.80 feet
West Curb	10.80 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 2. That in the grading and regrading of the above named avenue, the City shall acquire the right, in the case of a cut, to remove the lateral support of the real property abutting on said avenue, and 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 foot for each foot of depth of cut; and in case of a fill the right shall be acquired to extend and maintain upon adjoining and 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, reserving unto the abutting owners respectively, the right at any time to remove such slopes upon providing other adequate lateral support for such avenue.

Section 3. That all lands, rights, privileges and other property necessary to be taken, used or damaged in grading and regrading said avenue in conformity with the grades established in Section 1 hereof, and in the construction of the necessary slopes for cuts or fills upon the real property abutting upon said avenue, as provided in Section 2 hereof, are hereby condemned, appropriated, taken and damaged to the public use for such purposes; 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 4. 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 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, 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 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 June, 1928,
and signed by me in open session in authentication of its passage this 16 day of June, 1928 Robt B. Beckett

President.....of the City Council.

Approved by me this 17 day of June, 1928 Frank Edwards
Mayor.

Filed by me this 17 day of June, 1928 P. H. Cornell
Attest
City Comptroller and Ex-Officio City Clerk.

(SEAL)

By Goldstark
Deputy Clerk.

Published JUL 21 1928
City Comptroller and Ex-Officio City Clerk.
By Goldstark
Deputy Clerk.