

Ordinance No. 56947

Providing for the laying off, opening, widening, extending and establishing of 47th AVENUE SOUTH-WEST, from west Spokane Street to West Hanford Street; *****

Council Bill No. 47260

INTRODUCED: JAN 28 1929	BY: STREETS & SEWERS
REFERRED: JAN 28 1929	TO: STREETS & SEWERS
REFERRED:	
REPORTED: FEB 4 1929	VETO:
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PRESENTED TO MAYOR:	APPROVED:
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ENGROSSED: VOL. 2 PAGE 200	BY: CM
COMPARED BY:	
AND	

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1-22-29

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ORDINANCE NO. 56947

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of 47th Avenue Southwest, from West Spokane Street to West Hanford Street; Providing for the establishing of the curb grades of said avenue; Providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor and for the making of the necessary slopes for cuts and fills upon the property abutting on said avenue; 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 avenue be laid off, opened, widened, extended and established as a public street and highway and that the curb grades of the same be established and

WHEREAS, such an 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 47th Avenue Southwest, from West Spokane Street to West Hanford Street, be, and the same is, hereby laid off, opened, widened, extended and established as a public street and high way over and across the following lots, blocks, or tracts of land, to-wit:

IN WEST SEATTLE FIVE ACRE TRACTS NUMBER 4, as recorded in Volume 2 of Plats, Page 78.

The east Thirty (30) feet of Tract 92, except portion deeded for West Hanford Street, Ordinance Number 51362.

The east Thirty (30) feet of Tract 107.

IN WEST SEATTLE 5 ACRE TRACTS NUMBER 5, as recorded in Volume 2 of Plats, Page 79.

The west Thirty (30) feet of Tract 148, except portion deeded for West Spokane Street, Ordinance Number 38163.

The west Thirty (30) feet of Tract 149.

The west Thirty (30) feet of Tract 150.

Section 2. That the curb grades of 47th Avenue Southwest, from West Spokane Street to West Hanford Street, be, and the same are, hereby established at the following elevations above City Datum, to-wit:

At the north margin of West Spokane Street, as established by deed, Ordinance Number 38163:

East Curb	292.50 feet
West Curb	291.70 feet

At a point one hundred sixty-three (163) feet north of the last mentioned point, at the point of curvature of a vertical curve:

East Curb	284.45 feet
West Curb	283.85 feet

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

East Curb	280.25 feet
West Curb	279.75 feet

At the south margin of West Hinds Street, at existing elevations:

East Curb	279.44 feet
West Curb	278.94 feet

At the north margin of West Hinds Street, at existing elevations:

East Curb	278.80 feet
West Curb	278.30 feet

At a point sixty (60) feet north of the north margin of West Hinds Street, at a point of curvature of a vertical curve:

East Curb	275.60 feet
West Curb	275.35 feet

At a point one hundred twenty (120) feet north of the last mentioned point, at the point of tangency of a vertical curve:

East Curb	272.10 feet
West Curb	272.10 feet

At the south margin of West Hanford Street:

East Curb	270.00 feet
West Curb	270.00 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 avenue the City shall acquire the right in the case of a cut to remove the lateral support of the property abutting on said avenue. 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, reserving unto the abutting property owners, respectively, the right at any time to remove such slopes upon providing and maintaining other adequate lateral support for said avenue.

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 avenue 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, 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 three 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 4 day of FEBRUARY, 1929, and signed by me in open session in authentication of its passage this 4 day of FEBRUARY, 1929. *John E. Gower* President of the City Council.

Approved by me this 6 day of FEBRUARY, 1929. *Frank Edwards* Mayor.

Filed by me this 6 day of FEBRUARY, 1929. Attest: *A. W. Carroll* City Comptroller and Ex-Officio City Clerk.

(SEAL)

By: *Chas. Sturck* Deputy Clerk.

Published FEB 11 1929. Attest: *A. W. Carroll* City Comptroller and Ex-Officio City Clerk. By: *Chas. Sturck* Deputy Clerk.