

**Ordinance No. 59245**

AN ORDINANCE relating to, and providing for, the condemnation of certain lands, property, property rights and privileges for the purpose of improving Lenora Street and Lenora Street produced, from the west margin of Railroad Avenue to the west margin of Armory Way, as established by Ordinance No. 57733, by the construction of a bridge or overhead viaduct, and approaches thereto, as contemplated by Ordinance No. 59130.

*W. H. ...*

**Council Bill No. 49657**

INTRODUCED: APR 7 1930	BY: STREETS & SEWERS
REFERRED: APR 7 1930	TO: STREETS & SEWERS
REFERRED:	
REPORTED: APR 14 1930	VETO:
SECOND READING: APR 14 1930	PUBLISHED:
THIRD READING: APR 14 1930	VETO SUSTAINED:
SIGNED: APR 14 1930	PASSED OVER VETO:
PRESENTED TO MAYOR: APR 14 1930	APPROVED: APR 18 1930
FILED: APR 18 1930	PUBLISHED: APR 21 1930
ENGROSSED: VOL 72 PAGE 192	BY: <i>CM</i> ✓
COMPARED BY:	AND

*194501 - Council of Mayor*

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D. 49657

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APR 21 1930

W ✓

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ORDINANCE NO. 59245

LETTER ATTACHED

AN ORDINANCE relating to, and providing for, the condemnation of certain lands, property, property rights and privileges for the purpose of improving Lenora Street and Lenora Street produced, from the west margin of Railroad Avenue to the west margin of Armory Way, as established by Ordinance No. 57733, by the construction of a bridge or overhead viaduct, and approaches thereto, as contemplated by Ordinance No. 59130.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity demands that certain lands, property, property rights and privileges be condemned, appropriated and taken for a public use, to-wit, the improvement of Lenora Street and Lenora Street produced, from the west margin of Railroad Avenue to the west margin of Armory Way, as established by Ordinance No. 57733, by the construction of a bridge or overhead viaduct forty (40) feet in width over all, to occupy the central portion of Lenora Street between the east margin of Railroad Avenue and the west margin of Elliott Avenue at the grade elevations fixed in Ordinance No. 59130 of the City of Seattle, the purpose of said viaduct being for vehicular and pedestrian travel over the railroad tracks on Railroad Avenue, and the improvement of Lenora Street produced across Armory Way, and from Armory Way to Western Avenue with a temporary grade and roadway upon the same as an approach to said viaduct, at the grade elevations fixed in said Ordinance No. 59130.

Section 2. That the following described lands, property, property rights and privileges, situate in Seattle, King County, Washington, are or may be affected by said improvement, to-wit:

Lots 2, 3, 6, 7, 10 and 11 in Block 31 of A.A. Denny's 6th Addition to the City of Seattle, according to the recorded plat thereof; also Lots 1, 2, 3, 4, 5 and 6, in Block 172-A of Seattle Tide Lands, according to the Plat thereof of record in the office of the Commissioner of Public Lands of the State of Washington, and of the Auditor of King County, Washington; also Lots 2, 3, 6,

(To be used for all Ordinances except Emergency.)

7, 10 and 11 in Block 30 of A. A. Denny's 6th Addition to the City of Seattle, according to the recorded plat thereof of record in the office of the Auditor of King County, Washington; also Lots 1, 2, 3, 4, 5, and 6 in Block 172-B of Seattle Tide Lands, according to the Plat thereof of record in the office of the Commissioner of Public Lands of the State of Washington, and of the Auditor of King County, Washington.

Section 3. That the Corporation Counsel be, and he is hereby, authorized and directed to institute and prosecute the actions and proceedings, in the manner required by law, to condemn, take, damage and appropriate the lands, property, property rights and privileges necessary to carry out the provisions of this ordinance and Ordinance No. 59150.

Section 4. 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 14 day of APRIL, 1930

and signed by me in open session in authentication of its passage this 14 day of APRIL, 1930

*John E. Carroll*  
President of the City Council.

Approved by me this 16 day of APRIL, 1930

*Frank Edwards*  
Mayor.

Filed by me this 16 day of APRIL, 1930

Attest: *A. W. Canoll*  
City Comptroller and Ex-Officio City Clerk.

By: *A. S. Stueck*  
Deputy Clerk.

*A. W. Canoll*  
City Comptroller and Ex-Officio City Clerk.

By: *A. S. Stueck*  
Deputy Clerk.

(SEAL)

Published APR 21 1930

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ASSISTANT CORPORATION COUNSEL

J. ANBLER NEWTON  
THOMAS N. SWALE  
CHARLES L. SMITH  
CAMPBELL C. McCULLOUGH  
EMLYN I. JONES  
WALTER L. BAUMGARTNER  
GLEN E. WILSON  
JOHN E. SANDERS  
EDWARD A. SWIFT, JR.

CITY ATTORNEY  
BRUCE MACDOUGALL

THE CITY OF SEATTLE  
LAW DEPARTMENT

A. C. VAN SOELEN, CORPORATION COUNSEL

April 3, 1930.

CHIEF CLERK

R. B. McCLINTON

SECRETARY

RUTH GRIFFIN

LAW CLERKS

WM. D. COVINGTON

VEIDA S. MORROW

CLAIM AGENT

J. H. DENNIS

RE: Transmittal of Lenora Street viaduct  
condemnation ordinance.

Mr. Oliver T. Erickson  
Chairman, Streets & Sewers Committee  
City Council  
Seattle, Washington

Dear Sir:

In accordance with your request therefor we have prepared, and herewith transmit, proposed ordinance providing for the condemnation of the necessary property and property rights for the purpose of improving Lenora Street by the construction of a viaduct for vehicular and pedestrian travel, between the west margin of Railroad Avenue and the west margin of Armory Way, as established by Ordinance No. 57733, and as contemplated by Ordinance No. 59130, which provides for construction and maintenance therefor by the Port of Seattle. It has been necessary to prepare this ordinance hurriedly, the request having come yesterday, and it is my understanding that your committee desires the ordinance today, and it may be that some property technically affected by this improvement is not included. This, however, does not in any way invalidate the proposed ordinance.

As to the payment of the cost of this improvement, however, your attention is invited to the following provisions of the applicable statute, Sec. 9216, Rem. Comp. Stat., which provides in part as follows:

"When the corporate authorities of any such city shall desire to condemn land or other property, or damage the same for any purpose authorized by this act, such city shall provide therefor by ordinance, and unless such ordinance shall provide that such improvement shall be paid for wholly or in part by special assessment upon property benefited, compensation therefor shall be made from any general funds of such city applicable thereto.

It is my understanding that the cost of this improvement is not to be paid for by special assessment.

Ordinance No. 59130, which accompanied your request, is herewith returned.

Very truly yours,  
*[Signature]*