

Ordinance No. 01340

Providing for the laying off,
opening, widening, extending and
establishing of Eastlake Avenue
between Fuhrman Avenue and East
40th Street * * * * *

Council Bill No. 01337

INTRODUCED: JUN 22 1931	BY: STREETS & SEWER
REFERRED: JUN 22	TO: STREETS & SEWER
REFERRED:	
REPORTED: JUN 29 1931	VETO:
SECOND READING: JUN 29 1931	PUBLISHED:
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SIGNED: JUN	PASSED OVER VETO:
PRESENTED TO MAYOR: JUN 29 1931	APPROVED: JUN 29 1931
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COMPARED BY:	AND

Ordinance No. 51340

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COMPARED BY:	AND

Form I. 5M. 6-29 McCann

ELY/M
6-19-31

ORDINANCE NO. 61346

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of Eastlake Avenue between Fuhrman Avenue and East 40th Street; providing for the changing and establishing of the curb grades of the lower roadways on both sides of the present existing bridge on said Eastlake Avenue between said limits; providing for the acquisition and purchase or condemnation, appropriation, taking and damaging of land and other property necessary therefor, and for the making of the necessary slopes and fills upon the property abutting upon said avenue and providing that the entire cost of such improvement shall be paid from the General Fund of the City of Seattle, or from such other fund as the City Council of said city may direct, all in the manner provided by law.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that Eastlake Avenue between Fuhrman Avenue and East 40th Street be laid off, opened, widened, extended and established as a public street and highway and that the curb grades for lower roadways on both sides of the existing bridge on said avenues be established and that slope rights be acquired therefor.

Section 2. That Eastlake Avenue between Fuhrman Avenue and East 40th Street 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 and tracts of land, to-wit:

IN DENNY-FUHRMAN ADDITION TO THE CITY OF SEATTLE
Recorded in Volume 7 of Plats, Page 34

That portion of Lots 1 and 2, Block 42 lying northwesterly of a line 32.50 feet southwesterly from and parallel with the southeasterly margin of Eastlake Avenue as platted in said addition

The southeasterly 32½ feet of Lot 1, Block 45.

The southeasterly 32½ feet of that tract of land lying between the northeasterly margin of Lots 1, 2 and 3, Block 45 and the shore line of Lake Union and northwesterly of the northwesterly margin of Eastlake Avenue as platted in said addition.

That portion of a tract of land lying between the southeasterly margin of Eastlake Avenue as platted in Denny-Fuhrman Addition and a line 32.50 feet southeasterly therefrom and parallel thereto and between the northeasterly margin of the alley as platted in Block 42, said Denny-Fuhrman Addition and the shore line of Lake Union.

In the LAKE UNION SHORE LANDS

That portion of Lots 12, 13, 14, 15, 16 and 17, Block 24, lying between the southeasterly margin of Eastlake Avenue as established by Ordinance No. 37483 and a line 40 feet southeasterly therefrom and parallel thereto.

In BROOKLYN ADDITION to the City of Seattle,
recorded in Volume 7 of Plats, Page 32

That portion of Lots 57, 58, 59 and 60, Block 38, lying between the southeasterly margin of Eastlake Avenue as established by Ordinance No. 37483 and a line 40 feet southeasterly therefrom and parallel thereto.

In BROOKLYN SUPPLEMENTAL ADDITION to the City
of Seattle, recorded in Volume 9 of Plats,
Page 20

That portion of Lots 1, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32, Block D, lying between the southeasterly margin of Eastlake Avenue as established by Ordinance No. 37483 and a line 40 feet southeasterly therefrom and parallel thereto.

That portion of the Northern Pacific Railway Company's right of way lying between the northwesterly margin of Eastlake Avenue established by Ordinance 37483, and a line drawn from a point on the southwesterly margin of said right of way, said point being distant 22.62 feet northwesterly from the intersection of said southwesterly margin with the northwesterly margin of said Eastlake Avenue to a point on the northeasterly line of said right of way, said point being distant 7.15 feet northwesterly from the intersection of said northeasterly line with the northwesterly margin of said Eastlake Avenue.

That portion of the Northern Pacific Railway Company's right of way lying between the southeasterly margin of Eastlake Avenue as established by ordinance 37483 and a line 40 feet southeasterly therefrom and parallel thereto.

Section 3. That the curb grades of a lower roadway at the east of the present existing bridge on said Eastlake Avenue between Fuhrman Avenue and East 40th Street, and of a lower

roadway to the west of said existing bridge between Fuhrman Avenue and Northlake Avenue, be and the same are hereby established at the following elevations above city datum, to-wit:

On the LOWER ROADWAY to the east of the existing Bridge on said Eastlake Avenue

At the northeasterly margin of Fuhrman Avenue at elevations conforming with the existing grades on Fuhrman Avenue

Easterly Curb 51.00 feet

At a point approximately 15 feet northeasterly from the last mentioned point

Easterly Curb 49.50 feet

Opposite the intersection of the easterly margin of Eastlake Avenue as established in Section 2 hereof and the southwesterly margin of the alley as platted in Block 42, Denny-Fuhrman Addition

Easterly Curb 23.20 feet

Opposite the intersection of the easterly margin of Eastlake Avenue as established in Section 2 hereof, and a line 8 feet northeasterly therefrom and parallel with the northeasterly margin of the alley as platted in Block 42, Denny-Fuhrman Addition

Easterly Curb 20.60 feet

At a point approximately 22 feet northeasterly from the last mentioned point

Easterly Curb 14.50 feet

At the shore line of Lake Union

Easterly Curb 14.00 feet

Shore Lands At the south boundry line of Block 24, Lake Union

Easterly Curb 14.00 feet

At the southwesterly margin of Northlake Avenue, at elevations conforming with the existing grade on Northlake Avenue

Easterly Curb 24.50 feet

At the northwesterly margin of Northlake Avenue, at elevations conforming with the existing grade on Northlake Avenue

Easterly Curb 25.00 feet

At the southwesterly margin of East Pacific Street
Easterly Curb 53.50 feet

On the LOWER ROADWAY westerly of the existing bridge
on Eastlake Avenue

At the northeasterly margin of Fuhrman Avenue at
elevations conforming with the existing grade on Fuhrman
Avenue

Westerly Curb 49.00 feet

At a point approximately 153 feet northeasterly
therefrom

Westerly Curb 14.50 feet

At the Shore Line of Lake Union

Westerly Curb 14.00 feet

At the south boundary line of Block 24, Lake Union
Shore Lands

Westerly Curb 14.00

At the southwesterly margin of Northlake Avenue at an
elevation conforming with the existing grade on Northlake
Avenue

Westerly Curb 24.00 feet

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

Section 4. That in the grading of the lower roadways
described in Section 3 hereof, the City shall acquire the right,
in the case of a cut to remove the lateral support of the property
abutting on said lower roadways. In every case the right to
remove said lateral support shall include the right to carry the
supports back into and extending upon the abutting real property
at least one foot (1') 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 feet ($1\frac{1}{2}'$) for each foot of elevation of fill, for the purpose of acquiring lateral support for said lower roadways, reserving unto abutting property owners respectively the right at any time to remove such slopes upon providing and maintaining other adequate lateral support for said lower roadways.

Section 5. That all lands, rights and privileges and other property lying within the limits of the lots, blocks and tracts of land described in Section 2 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 and regrading of the lower roadways described in Section 3 hereof and in conformity with the grades therein set forth and in the construction of the necessary slopes for cuts and fills upon the real property abutting on said lower roadways as set forth in Section 4 hereof, are hereby condemned, appropriated, taken and damaged for the public use for such purposes, said lands, rights and privileges and other property are to be taken, damaged and appropriated only after just compensation has been made or paid into Court for the owner thereof in the manner provided by law.

Section 6. That the entire cost of the improvement provided for herein shall be paid from the General Fund of the City of Seattle, or from such other fund as the City Council of the City of Seattle may direct.

Section 7. That the City Engineer be and he is hereby authorized and directed to acquire the above land, together with the right to grade said lower roadways to the grades established

herein and the slope rights herefor, by purchase and agreement,
and in case of a failure to so purchase and acquire, that the
Corporation Counsel be and he is hereby 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.

(To be used for all Ordinances except Emergency.)

Section 5. 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 29 day of JUNE, 1931,
and signed by me in open session in authentication of its passage this 29 day of
JUNE, 1931. *Robert Harlan*
President of the City Council.

Approved by me this 7 day of JULY, 1931.
Frank Edwards
Mayor.

Filed by me this 7 day of JULY, 1931.
Attest: *Frank Edwards*
City Comptroller and Ex-Officio City Clerk.

(SEAL)

Published JUL 1 1931

By: *Frank Edwards*
Deputy Clerk.
By: *Frank Edwards*
City Comptroller and Ex-Officio City Clerk.
By: *Frank Edwards*
Deputy Clerk.