

3/21/39 - 2048

Ordinance No. 69106

Providing for the laying off, opening, widening, extending and establishing of 15th AVENUE NORTH, from East Roy Street to East Thomas Street, as established by condemnation under Ordinance No. 7337; providing for the changing and establishing of the curb grades on the west side of said 15th Avenue North between said limits; providing for the condemnation, appropriation, taking and demaging of lands and other property necessary therefor and for the making of the necessary slopes for cuts and fills upon the property abutting on the west side of said 15th AVENUE NORTH; and providing that the entire cost of such improvement shall be paid by special assessments upon the property specially benefitted ***

Council Bill No. 60182

INTRODUCED: MAR 20 1939	BY: STREETS & SEWERS
REFERRED: MAR 20 1939	TO: STREETS & SEWERS
REFERRED:	
REPORTED: APR 10 1939	VETO:
SECOND READING: APR 10 1939	PUBLISHED:
THIRD READING: APR 10 1939	VETO SUSTAINED:
SIGNED: APR 10 1939	PASSED OVER VETO:
PRESENTED TO MAYOR: APR 11 1939	APPROVED: APR 19 1939
FILED: APR 19 1939	PUBLISHED: APR 25 1939
ENGROSSED: VOL. 2 - PAGE 71-72	BY: B. D. H.
COMPARED BY:	AND

165281 - Report CC on award
166055 - ... Eng. on water award.

3/21/39 2-185

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VOL. 2-2 PAGE 71-72	B. W. H.
COMPARED BY:	AND

165281 - Report CC in record
166055 - City of Seattle record

ORDINANCE NO. 69106

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of 15th AVENUE NORTH, from East Roy Street to East Thomas Street, as established by condemnation under Ordinance No. 7337; providing for the changing and establishing of the curb grades on the west side of said 15th Avenue North between said limits; providing for the condemnation, appropriation, taking and damaging of lands and other property necessary therefor; and for the making of the necessary slopes for cuts and fills upon the property abutting on the west side of said 15th Avenue North; and providing that the entire cost of such improvement shall be paid by special assessments upon the property specially benefited, 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 the above avenue be laid off, opened, widened, extended and established as a public street and highway, and that the curb grades on the west side of the above-named avenue be changed and established.

Section 2. That 15th Avenue North, from East Roy Street to East Thomas Street, as established by condemnation across Block 4 of Williams Addition, in accordance with Ordinance No. 7337, 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 or tracts of land, to-wit:

IN CAPITOL HILL ADDITION TO THE CITY OF SEATTLE, DIVISION NO. 3, recorded in Volume 10 of King County Plats at page 10.

That portion of Block 8, said Addition, lying east of a line distant sixty-five and no one-hundredths (65.00) feet west from and parallel to the east margin of 15th Avenue North as platted in Capitol Hill Addition, Division No. 2 as recorded in Volume 10 of King County Plats, at page 3.

IN HIGHLANDS ADDITION TO THE CITY OF SEATTLE as recorded in Volume 4 of King County Plats at page 27.

Those portions of Blocks 1, 2, 3 and 4, said Addition lying east of a line distant sixty and no one-hundredths (60.00) feet west from and parallel to the east margin of 15th Avenue North as platted in Law's Addition to Seattle, Washington Territory (now a part of the City of Seattle) and recorded in Volume 1 of King County Plats at page 51.

IN WILLIAMS ADDITION TO THE CITY OF SEATTLE,
WASHINGTON TERRITORY, as recorded in Vol. 1
of King County Plats at page 161.

That portion of 15th Avenue North, as vacated by Ordinance No. 30342, adjoining that fractional part of Block 4, said Addition, north of East Thomas Street as condemned by Ordinance No. 7337, and lying east of a line distant sixty and no one-hundredths (60.00) feet west from and parallel to the east margin of 15th Avenue North as platted in D. M. Crane Addition to the City of Seattle, Washington, recorded in Vol. 4 of King County Plats at page 71.

Section 3. That the curb grades of the west side of 15th Avenue North, from East Roy Street to East Thomas Street, as established by Condemnation under Ordinance No. 7337, be and the same are hereby changed and established to the elevations above City datum:

At the intersection with East Roy Street:

Opposite the south margin 423.80 feet

At the intersection with East Mercer Street, on the west:

Opposite the north margin 421.52 feet

Opposite the south margin 421.07 feet

At the intersection with East Republican Street, on the

east:

Opposite the north margin 415.57 feet

At the intersection of East Republican Street, on the west:

Opposite the north margin 415.51 feet

Opposite the south margin 415.36 feet

At the intersection with East Harrison Street on the west:

Opposite the north margin 414.64 feet

Opposite the south margin 414.48 feet

At the intersection of East Thomas Street, on the west:

Opposite the north margin 412.56 feet

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

Section 4. That in the grading and regrading of the above-named 15th Avenue North, the City shall acquire the right in the case of a cut to remove the lateral support of the property abutting on the west side of 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 15th Avenue North, 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 15th Avenue North.

Section 5. That all lands, rights, 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 said 15th Avenue North in conformity with the grades established in Section 3 hereof, and in the construction of the necessary slopes for cuts and fills upon the real property abutting upon said 15th Avenue North, as set forth in Section 4 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 thereof, in the manner provided by law.

(To be used for all Ordinances except Emergency.)

Section 6. 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 7. 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.

Section 8. 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 10 day of April, 1939,
and signed by me in open session in authentication of its passage this 10 day of
April, 1939. *David Levine*

President..... of the City Council
Approved by me this 19 day of April, 1939.
Arthur D. Viny
Mayor.

Filed by me this 19 day of April, 1939.
Attest: *H. O. Shomea*
City Comptroller and Ex-Officio City Clerk.
By: *C. H. Beaudson*
Deputy Clerk.

(SEAL)

Published.....
APR 25 1939

City Comptroller and Ex-Officio City Clerk.
By.....
Deputy Clerk.