

Ordinance No. 71249

Providing for the laying off, opening, widening, extending and establishing of 4th AVENUE SOUTH from the S. margin of Hinds St. to a point 326' S. thereof; providing for the acquisition, 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 upon said avenue, by purchase and/or condemnation and providing for payment therefor.

*8/26/41 - pass amended
in Secs 1 & 2
by Ord. No. 71453*

Council Bill No. 62426

INTRODUCED: AUG 25 1941	BY STREETS & SEWERS
REFERRED: AUG 25 1941	TO STREETS & SEWERS
REFERRED:	
REPORTED: SEP 2 1941	VETO:
SECOND READING: SEP 2 1941	PUBLISHED:
THIRD READING: SEP 2 1941	VETO SUSTAINED:
SIGNED: SEP 2 1941	PASSED OVER VETO:
PRESENTED TO MAYOR: SEP 3 1941	APPROVED: SEP 4 1941
FILED: SEP 4 1941	PUBLISHED: SEP 9 1941
ENGROSSED:	BY:
VOL. <i>M-2</i> PAGE <i>449</i>	<i>B. D. HV</i>
COMPARED BY:	AND

*173499 - award
C-71831 - Proceeding for payt costs etc.*

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8/26/41 - pass (1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th)

Council Bill No. 62426

INTRODUCED AUG 25 1941	BY STREETS & SEWERS
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SIGNER SEP 2 1941	PASSED OVER VETO:
PRESENTED TO MAYOR: SEP 3 1941	APPROVED: SEP 4 1941
FILED SEP 4 1941	PUBLISHED SEP 9 1941
ENGROSSED:	BY: B. D. [Signature]
VOL. <i>72-2</i> PAGE 448	
COMPILED BY:	AND

M/S

*173498 - award
6-71831 - bonding for freight collect etc*

Amended in Sections ¹⁸² by ordinance No. 71453ORDINANCE NO. 71249

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of 4th AVENUE SOUTH from the south margin of Hinds Street to a point 326 feet south thereof; providing for the acquisition, 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 upon said avenue, by purchase and/or condemnation and providing for payment therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that 4th Avenue South be laid off, opened, widened, extended and established as a public street and highway, from the south margin of Hinds Street to a point three hundred twenty-six (326) feet south thereof.

Section 2. That a public street and highway, to be known as 4th Avenue South, from the south margin of Hinds Street to a point three hundred twenty-six (326) feet south thereof, 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: The west twenty (20) feet of Lots One (1) to Five (5), both inclusive, Block Two Hundred Seventy-two (272), Seattle Tide Lands.

Section 3. That in widening out the above named street, the City shall acquire the right, in the case of fills, 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 street; 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 street.

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 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 widening of said street in conformity with the existing grades and in the construction of the necessary slopes for cuts and fills upon the real property abutting upon said street, 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 acquired, 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 5. That the entire cost of the improvement provided for herein shall be paid from the City Street Fund or such other fund as the City Council may direct.

Section 6. That the City Engineer be and he is hereby authorized and directed to acquire the lands, rights, privileges and other property by purchase and agreement; such lands, rights, privileges and other property to be conveyed to the City of Seattle by warranty deeds, accompanied by an owner's title insurance policy or an agreement, accompanied by a certificate of title; said deeds, agreements, policies and certificates of title to be approved as to form and sufficiency by the Corporation Counsel and as to property description by the City Engineer; and that in the event of failure to so purchase and acquire, the Corporation Counsel be and he is hereby directed to begin and prosecute the actions and proceedings necessary, in the manner provided by law, to condemn, take, damage and appropriate said lands, rights, privileges and other property and to take such other action as may be necessary to carry out the provisions of this ordinance.

(To be used for all Ordinances except Emergency.)

Section 7. 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 2 day of September, 1941,
and signed by me in open session in authentication of its passage this 2 day of
September, 1941 David Linn

Approved by me this 4 day of September, 1941,
Earl Mullikin
Mayor.

Filed by me this 4 day of September, 1941,
Attest: H. O. Shover
City Comptroller and Ex-Officio City Clerk.
By: A. G. Eilandson
Deputy Clerk.

(SEAL)

Published SEP 9 1941

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