

Ordinance No. 78800

AN ORDINANCE providing for the xxx widening, xxx of 11th Avenue West, from West Newell Street to West Ray Street; providing for the establishing of the curb gradesxxxproviding for thexxxtaking and damaging of land and other property necessary therefor; and for xxxslopes for cuts and fills on the property abutting xxx; and providing that the entire cost shall be paid by special assessment xxx; and providing for the xxx taking of land xxx for General Municipal Purposes and for the payment therefor from the General Fund.

FILE NO 22633

3-19-50 - passed
Council Bill No. 70134

INTRODUCED MAR 13 1950	STREETS & SEWERS
REFERRED: MAR 13 1950	STREETS & SEWERS FINANCE
REFERRED:	
REPORTED: MAR 20 1950	VETO:
SECOND READING: MAR 20 1950	PUBLISHED:
THIRD READING: MAR 20 1950	VETO SUSTAINED:
SIGNED: MAR 20 1950	PASSED OVER VETO:
PRESENTED TO MAYOR: MAR 21 1950	APPROVED: MAR 22 1950
FILED: MAR 22 1950	PUBLISHED: MAR 25 1950
ENGROSSED:	BY:
VOL <i>P-2</i> PAGE <i>252</i>	<i>m. D. ✓</i>
COMPARED BY:	
	AND

Post Office

0-80357-acceptly awards etc. P-218000-Recor. Comm. & Rem. in re m. l.

AMENDMENTS
(SEE INSIDE OF BACK COVER)

0-80358 - accepting awards etc. P^{te} 218600 - Recon. Eminent Domain as well.

Coop Buswell

AMENDMENTS

(SEE INSIDE OF BACK COVER)

- 0-81336 - Creates P^{te} D 6024 - etc
- Res 16183 - Date of issuance of Bond
- 0-89592 - Auth. sale of L. 5, except W 30', Block 2. to Bart J. Boswell.
- 0-89605 - Provides for sale & conveyance of E 20' of L. 2, B. 2 to Glenn P. Reed.

ORDINANCE NO. 78800

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of 11th Avenue West, from West Newell Street to West Ray Street; providing for the establishing of the curb grades of said 11th Avenue West between said streets; providing for the condemnation, appropriation, taking and paving of land and other property necessary therefor; and for the making of the necessary slopes for cuts and fills on the property abutting on said portion of 11th Avenue West; and providing that the entire cost of said street improvement shall be paid by special assessment upon the property especially benefited in the manner provided by law; and providing for the condemnation, appropriation and taking of land in fee simple for general municipal purposes and for the payment therefor from the General Fund.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that 11th Avenue West, from West Newell Street to West Ray Street be laid off, opened, widened, extended and established as a public street and highway, and that the curb grades of the east side of said portion of said street be established.

Section 2. That 11th Avenue West, from West Newell Street to West Ray 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 and blocks of land, to-wit:

In SEATTLE and MONTANA RAILWAY ADDITION, as platted in Volume 5 of King County Plats at Page 25.

All of Lot 1, the west 5 feet of Lot 2, the west 5 feet of Lot 23 and all of Lot 24, as platted in Block 1; also

Lot 1, the west 5 feet of Lot 2 and the west 30 feet of Lot 5, as platted in Block 2, said Addition.

Section 3. That the following tracts or parcels of land and appurtenances thereunto belonging be and the same are hereby condemned, appropriated and taken in fee simple for general municipal purposes, to-wit:

In SEATTLE AND MONTANA RAILWAY ADDITION as platted in Volume 5 of King County Plats at Page 25.

The east 20 feet of Lot 2 and the east 20 feet of Lot 23 as platted in Block 1 of said addition; also

The east 20 feet of Lot 2, and the east 20 feet of the west 50 feet of Lot 5 as platted in Block 2, said addition;

and that said lands and appurtenances there to belonging are to be condemned, taken and appropriated only after just compensation has been made or paid into court for the owners thereof in the manner provided by law.

Section 4. That the curb grades of the easterly one-half of 11th Avenue West as laid out, opened, widened, extended and established in accordance with Section 2 of this ordinance be and the same are hereby established conformably to the curb grades now existing on the westerly side of 11th Avenue West as now established between West Newell Street and West Ray Street.

Section 5. That in the grading of the easterly side of 11th Avenue West, from West Newell Street to West Ray Street, the City shall acquire the right in the case of a cut to remove the lateral support of the property abutting on said street. 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 (1½) 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 said slopes upon providing and maintaining other adequate lateral support for said street.

Section 6. That all lands, rights, privileges and other property lying within the limits of the lots and blocks 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 of said street in conformity with the aforesaid existing grades described in Section 4 hereof 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 5 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 the court for the owners thereof in the manner provided by law.

Section 7. That the entire cost of the street improvement provided for herein shall be paid by special assessment upon the property especially benefited in the manner provided by law, provided, however, that the property taken in fee simple for general municipal purposes as provided for in Section 3 hereof shall be paid for from the General Fund of the City of Seattle.

(To be used for all Ordinances except emergency.)

Section 8. 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 the aforesaid special assessment.

Section 9. 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 20 day of March, 1950, and signed by me in open session in authentication of its passage this 20 day of March, 1950. *David Quinn* President of the City Council.

Approved by me this 22 day of March, 1950. *W.H. Quinn* Mayor.

Filed by me this 22 day of March, 1950. *A. Thomas* City Comptroller and Ex-Officio City Clerk.

By *John B. Bellum* Deputy Clerk.

City Comptroller and Ex-Officio City Clerk.

By _____ Deputy Clerk.

(SEAL)

MAR 25 1950

Published _____