

e No. 1881

An Ordinance establishing the grade of Pike Street and east Pike Street, between Seventh Avenue and Boylston Avenue, and improving by re-grading and constructing eight foot side-walks thereon.

Engrossed Bill
Council Bill No. 2166

INTRODUCED: FEB 28 1906	BY: WILSON BY REQUEST
REFERRED: FEB 28 1906	TO:
REPORTED: MAR 7 - 1906	COMPARED by <i>Watson & Harada.</i>
SECOND READING: MAR 7 - 1906	
THIRD READING:	
FINAL PASSAGE: MAR 7 - 1906	SIGNED:
PRESENTED TO MAYOR: MAR 8 - 1906	APPROVED:
FILED:	PUBLISHED:
ENROBSED: VOL. 191	BY: <i>(Signature)</i>
FOLIO: 536	
COMPARED BY:	FILE NO. 13304

ORDINANCE NO. _____.

AN ordinance establishing the grade of Pike Street and East Pike Street in the City of Seattle, from Seventh Avenue to Boylston Avenue, providing for the improvement of said Pike Street and East Pike Street in the City of Seattle from Seventh Avenue to Boylston Avenue by re-grading the same to the grade herein established, and constructing sidewalks on both sides thereof, and providing for the payment therefor by the mode of "Payment by Bonds," as provided by an act of the Legislature of the State of Washington, entitled "An act authorizing the issuance and sale of bonds by cities, to pay for local improvements, providing for the payment thereof and declaring an emergency," approved March 14, 1899, and Ordinance No. 5693 of said City, approved December 6, 1899, and the city charter as now in force, authorizing and directing proceedings to ascertain the damages occasioned by such change of grade, and repealing all ordinances or parts of ordinances in conflict with Section 1 hereof.

WHEREAS, there has been presented to the Board of Public Works a written petition for the improvement of Pike Street and East Pike Street in the City of Seattle from Seventh Avenue to Boylston Avenue setting forth the nature of the improvement as hereinafter described, and that the same is to be paid for by the mode of five year bonds, and the fact that the signers of said petition are the owners of property to be benefited to the aggregate amount of the majority of the assessment to be levied for such improvement, according to the transfer books in the office of the County Auditor of King County, and are also the owners of a majority of the frontage on the street within the district to be affected by the change of grade herein provided, and setting forth that said signers desire said street to be improved, and payment to be made therefor under and by virtue of

Ordinance No. 5693, the charter of the City of Seattle, and the laws of the State of Washington; and

WHEREAS, the Board of Public Works has found the facts set forth in said petition to be true, and has caused an estimate of the cost of said improvement to be made and certified to by the City Engineer, and has transmitted the said petition, together with all papers and information in its possession, and the certificate of the City Engineer touching said improvement, with the estimated cost thereof, and its recommendation that the prayer of said petition be granted, to the City Council, and said petition and said matters are now before the City Council; and

WHEREAS, neither the estimated or actual cost of the improvement herein ordered to be done and chargeable as a lien against the property exceeds one-quarter of the total assessed valuation of the lots or parcels of land contained in the assessment district hereby established, as the same appears upon the last annual assessment roll made for the levying of taxes for municipal purposes; and

WHEREAS, the public interest and convenience require that said Pike Street and East Pike Street in the City of Seattle be improved in the manner hereinafter ordered from Seventh Avenue to Boylston Avenue, Now, Therefore,

BE IT ORDAINED, by the City of Seattle, as follows:--

Section 1. That the grade of Pike Street and East Pike Street in the City of Seattle from Seventh Avenue to Boylston Avenue be, and the same is hereby established at the following elevations above City Datum, to-wit:--

at the west margin of Seventh Avenue,	134 feet
at the east margin of Seventh Avenue	136 feet

at the west margin of Eighth Avenue	148.50 feet
at the east margin of Eighth Avenue,	150.00 feet
at the west margin of Ninth Avenue,	162.50 feet
at the east margin of Ninth Avenue	164 feet
at the west margin of Terry Avenue	181.50 feet
at the east margin of Terry Avenue	188 feet
at the west margin of Boren Avenue	203.50 feet
at the east margin of Boren Avenue	208 feet
at the west margin of Minor Avenue	225.50 feet
at the east margin of Minor Avenue	227 feet
at the west margin of Bellevue Avenue	239.50 feet
at the east margin of Bellevue Avenue,	241 feet
at the west margin of Summit Avenue	258.70 feet
at the east margin of Summit Avenue	261.50 feet
at the west margin of Belmont Avenue	271 feet
at the east margin of Belmont Avenue	272.50 feet
at the west margin of Boylston Avenue	277.70 feet
at the east margin of Boylston Avenue	278.10 feet

Section 2. That Pike Street and east Pike Street in the City of Seattle be improved from Seventh Avenue to Boylston Avenue, by re-grading the same to the grade established by Section 1 of this ordinance, and constructing sidewalks eight (8) feet in width on both sides thereof throughout the whole length of said improvement, with proper crosswalks across intersecting streets, said improvement to be made according to the plans and specifications prepared under the direction of the City Engineer and on file in the office of the department of Public Works ; and that assessments be levied and collected upon all lots and parcels of land benefited by said improvement to defray the cost and expense thereof, and local im-

provement district bonds be issued as hereinafter provided, and said assessments shall become a first lien upon all the property liable therefor and for the payment of said local improvement district bonds, as hereinafter provided.

Section 3. That there is hereby established a local improvement district to be designated as "Local Improvement District No. 5001," which said district is described as follows: "All the property abutting, adjacent or proximate to Pike Street and East Pike Street between Seventh Avenue and Boylston Avenue to such distance back from the marginal lines thereof as prescribed by the City Charter."

The property included within said local improvement district and none other, shall be deemed to be, and shall be the property specially benefited by said improvement; and the total cost and expense of the improvement herein ordered, including all necessary incidental expenses, except such as shall be paid for by the General Fund, shall be defrayed by the collection of special assessments upon the property included in said local improvement district, which assessments shall be made upon said property in all respects as provided by said Ordinance No. 5693, and said act of the Legislature, and together with interest to accrue upon the respective sums so assessed, shall be collected as therein provided.

Section 4. That the mode of making payment for said local improvement shall be by the mode of "Payment by Bonds," as provided by an act of the Legislature of the State of Washington, entitled, "An act authorizing the issuance and sale of bonds by cities to pay for local improvements, providing for the payment thereof and declaring an emergency," approved March 14, 1899, and under the provisions of Ordinance No. 5693 of said City, approved December 6, 1899.

Section 5. Said improvement shall be made under the supervision of the Board of Public Works, which said Board is hereby ordered to proceed with said improvement as soon as the bonds of said local improvement district shall have been issued, and the said improvement shall not be begun until said bonds are negotiated and sold, unless the contract for said improvement shall provide for the delivery of said bonds to the contractor in payment therefor; provided if the contract for said improvement shall be so made that the contractor constructing the same shall accept the bonds in payment thereof, the improvement may be commenced immediately after the execution of the contract; provided that if the contract for said improvement does not provide for the delivery of the bonds to the contractor, said bonds shall be negotiated before said improvement shall be commenced, and if the bonds be not negotiated and the contract for said improvement shall provide that said bonds shall be delivered to the contractor in payment for such improvement, the Board of Public Works shall provide for the delivery of any portion of such bonds during the progress of the work as in its judgment it may deem safe and proper.

Section 6. Provisions shall be made by ordinance for the issuance of bonds of said local improvement district for the whole estimated cost of said improvement, less the amounts assessed against lands of the United States, the State University, the County of King, the City of Seattle or any school district, and less the amount paid upon the assessment prior to the time for the issuance of the bonds, and for their delivery to the contractor constructing the improvement in payment thereof, or their negotiation and sale, and less the amount to be paid by the city from the general fund. Said bonds shall be payable in five (5) equal annual installments, and shall bear interest at the rate of seven (7) per cent. per annum, payable

annually upon all unpaid installments of said bonds.

Section 7. The Corporation Counsel is hereby authorized and directed, immediately after the taking effect of this ordinance, to proceed in the name of the city, and in accordance with law, to have ascertained the damages, if any, to all lands and property abutting on said Pike Street and east Pike Street opposite the points where changes of grade in said street have been made by Section 1 of this ordinance, and to all property damaged by said change of grade and that said damages, when ascertained, be paid from the general Fund of the City of Seattle.

Section 8. All ordinances and parts of Ordinances in conflict with Section 1 of this ordinance are hereby repealed.

Sec. 7. This ordinance shall take effect and be in force 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 7th day of March 1902 and signed by me in open session in authentication of its passage this 7th day of March 1902

[Signature]
President of the City Council.

Approved by me this 13th day of March 1902

[Signature]
Mayor.

Filed by me this 13th day of March 1902

Attest: *[Signature]*
City Comptroller and ex officio City Clerk.

By *[Signature]*
Deputy Clerk.

Published this 14th day of March 1902

[Signature]
City Comptroller and ex officio City Clerk.

By *[Signature]*
Deputy Clerk.