

Ordinance No. 96105

AN ORDINANCE providing for the laying off, opening, widening, and establishing of Denny Way in the vicinity of 5th Avenue North and Cedar Street; providing for the condemnation appropriation taking and damaging of land and other property necessary therefor; and providing for payment from the General Fund.

9-12-67- Pass

Council Bill No. 87637

INTRODUCED: SEP 11 1967	BY: Streets & Sewers
REFERRED: SEP 11 1967	TO: Streets & Sewers
REFERRED:	
REPORTED: SEP 18 1967	SECOND READING: SEP 18 1967
THIRD READING: SEP 18 1967	SIGNED: SEP 18 1967
PRESENTED TO MAYOR: SEP 18 1967	APPROVED: SEP 20 1967
RETD. TO CITY CLERK: SEP 20 1967	PUBLISHED: SEP 23 1967
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL..... PAGE.....	

WCA

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9-12-67 - Pads

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NCA

PUB ✓
BLDG. (BC) ✓
ENG.
B. O.
A. C. ✓
S. E.
C. O.
LIGHT

ORDINANCE NO. 96105

AN ORDINANCE providing for the laying off, opening, widening, and establishing of Denny Way in the vicinity of 5th Avenue North and Cedar Street; providing for the condemnation appropriation taking and damaging of land and other property necessary therefor; and providing for payment from the General Fund.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that Denny Way be, and the same is, hereby layed off, opened, widened, and established over and across the following described property in King County, Washington, to-wit:

Portion of Lot 7, Block 59, D. T. Denny's Park Addition to North Seattle as recorded in Volume 2 of plats, page 46, Records of King County, Washington, described as follows: Beginning at the southwest corner of said lot; thence north along the west line of said lot a distance of 6.00 feet; thence south 88°58'42" east, parallel with the south line of said lot, a distance of 36.57 feet; thence south 28°22'08" east, a distance of 6.89 feet to a point on said south line; thence north 88°58'42" west along said south line a distance of 40.0 feet to the beginning.

Section 2. That all lands, rights, privileges, and other property lying within the limits of the lots, blocks and tracts of land described in Section 1 hereof are hereby condemned, appropriated, taken and damaged for the purposes herein enumerated and that all lands, rights, privileges, and other property necessary to be taken, used, or damaged in the grading and regrading of said street in conformity with existing grades are hereby condemned, appropriated, taken, and damaged for the public use for such purposes and all such 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.

Section 3. That the entire cost of the improvement provided for by this ordinance shall be paid from the General Fund.

(To be used for all Ordinances except Emergency.)

Section 4. 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.

Section 5. That in conducting said condemnation proceedings, the Corporation Counsel is hereby authorized to enter into stipulations for the purpose of minimizing damages.

Section 6. That any act pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

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 by the City Council the 18 day of September, 1967, and signed by me in open session in authentication of its passage this 18 day of September, 1967. Clarence H. Massart

President of the City Council.

Approved by me this 20 day of September, 1967. J. D. Haman

Mayor.

Filed by me this 20 day of September, 1967.

Attest:

C. H. Glendonson
City Comptroller and City Clerk.

(SEAL)

Published SEP 23 1967

By W. A. Berne
Deputy Clerk.



CITY OF SEATTLE
DEPARTMENT OF ENGINEERING
ROY W. MORSE, CITY ENGINEER
MEMBER, BOARD OF PUBLIC WORKS

J. D. Braman, Mayor

910 Seattle Municipal Building, Seattle, Washington 98104

Re: Monorail (C.O. 93917)

September 11, 1967

Honorable City Council
Seattle, Washington

Gentlemen:


Under City of Seattle Ordinance 93917 the City is authorized to acquire by condemnation such property rights as may be necessary for an existing monorail system, including the terminal access thereto and an aerial easement at the corner of 5th Avenue North and Denny Way.

As a part of the monorail construction the location of a column at 5th Avenue North and Denny Way has usurped the entire legal sidewalk area. As a matter of negotiation the City was granted the temporary right to use a portion of the property, over which the above mentioned aerial easement traverses, for sidewalk purposes. The location of the existing building makes such use permissive; however, future private construction could remove the rights now enjoyed by the City.

We have prepared a Council Bill, which has been approved as to form by the Corporation Counsel, providing for the condemnation of street rights necessary for the continued existence of the concrete walk. Because this legislation is made necessary by the monorail construction, the Council Bill provides that the entire cost of the improvement shall be paid from the General Fund. We recommend that this Council Bill be passed.

Yours very truly,

ROY W. MORSE
City Engineer

By 
PHILIP M. BUSWELL
Principal Assistant City Engineer

LCW:gp
Enc.





CITY OF SEATTLE

J. D. Braman, Mayor

DEPARTMENT OF ENGINEERING

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MEMBER, BOARD OF PUBLIC WORKS

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Yours very truly,

ROY W. MORSE
City Engineer

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PHILIP M. BUSWELL
Principal Assistant City Engineer

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THE CITY OF SEATTLE
LAW DEPARTMENT
10TH FLOOR SEATTLE MUNICIPAL BUILDING
A. L. NEWBOULD, CORPORATION COUNSEL

September 7, 1967

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 11 1967	
FBI - SEATTLE	
COMMUNICATION	

RECEIVED
LAW DEPT

Mr. Roy W. Morse
City Engineer
Seattle

Dear Sir:

You have transmitted and request that we approve as to form a Council Bill providing for the condemnation of "property necessary for the construction of a sidewalk on Denny Way in the vicinity of Fifth Avenue North and Cedar Street."

We have examined the proposed bill and approve the same as to legal form.

Yours very truly,

A. L. NEWBOULD
Corporation Counsel

By
G. GRANT WILCOX
Assistant

GGW:w
Encl. -

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

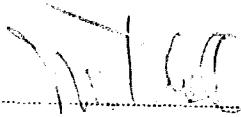
Your Committee on STREETS AND SEWERS

SEP 18 1967

to which was referred C. B. No. 87637

Providing for the laying off, opening, widening, and establishing of Denny Way in the vicinity of 5th Avenue North and Cedar Street; providing for the condemnation appropriation taking and damaging of land and other property necessary therefor; and providing for payment from the General Fund.

RECOMMENDS THAT THE SAME DO PASS



S&S
Chairman

Chairman

Committee

Committee