

Ordinance No. 97100 97166

AN ORDINANCE providing for the laying off, opening, widening and establishing of 6TH AVENUE SOUTH \*, of SOUTH CHARLESTOWN STREET \*, of DIAGONAL AVENUE SOUTH\*, ALL AT existing grade; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; providing for the acquisition of the right to construct slopes for cuts and fills on certain abutting properties; and providing for payment therefor.

10-15-68 - para

Council Bill No. 88705

INTRODUCED: OCT 14 1968	BY: Streets & Sewers
REFERRED: OCT 14 1968	TO: Streets & Sewers
REFERRED:	
REPORTED: OCT 21 1968	SECOND READING: OCT 21 1968
THIRD READING: OCT 21 1968	SIGNED: OCT 21 1968
PRESENTED TO MAYOR: OCT 21 1968	APPROVED: OCT 23 1968
RETD. TO CITY CLERK OCT 23 1968	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL. PAGE	

117

ORDINANCE

AN ORDINANCE providing for the laying off, opening, widening and establishing of 6TH AVENUE SOUTH between South Spokane Street and South Dakota Street, of DIAGONAL AVENUE SOUTH in the vicinity of 6th Avenue South, of SOUTH CHARLESTOWN STREET between Diagonal Avenue South and Airport Way South, ALL AT existing grade; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; providing for the acquisition of the right to construct slopes for cuts and fills on certain abutting property; and providing for payment therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that 6th Avenue South be and the same is hereby laid off, opened, widened and established over and across the following described property in King County, Washington, to-wit:

Portion of Lot 29, Block 271, Seattle Tide Lands, lying northeasterly of a line described as follows:

Beginning at a point on the easterly line of said lot distant 6 feet southerly of the northeast corner of said lot; thence northwesterly to a point on the northerly line of said lot distant 14 feet westerly of said northeast corner; ALSO,

Portion of Lots 1 and 2, Block 263, Seattle Tide Lands, described as follows:

Beginning at a point on the west line of said Lot 1, 25.78 feet south of the northwest corner of said Lot 1 as platted; thence south  $69^{\circ}31'38''$  east a distance of 79.24 feet to a point of curvature; thence northwesterly, westerly and southwesterly along the arc of a curve to the left having a radius of 55 feet an arc distance of 106.05 feet to a point of tangency in the west line of said Lot 2; thence north along the west line of Lots 1 and 2 a distance of 79.24 feet to the point of beginning.

Section 2. That public necessity and convenience demand that 6th Avenue South and Diagonal Avenue South between the north line of South Bradford Street and a point approximately 210 feet north of the center line of South Charlestown Street be and the same are hereby laid off, opened, widened and established over and across the following described property in King County, Washington, to-wit:

Portion of Lots 7 through 12, inclusive, Block 265, Seattle Tide Lands, described as follows:

Beginning at a point on the westerly line of said block distant 21.92 feet from the southwesterly corner thereof; thence along the arc of a curve to the right having a radius of 282 feet and an initial radial bearing of north  $89^{\circ}07'32''$  east an arc distance of 159.31 feet to a point of tangency;

thence north  $31^{\circ}29'33''$  east a distance of 79.09 feet to a point in the north line of said block; thence westerly along said north line a distance of 10.04 feet to the northwest corner thereof; thence south  $42^{\circ}05'14''$  west along the northwesterly line of said block a distance of 111.67 feet; thence south  $0^{\circ}52'28''$  east along the westerly line of said block a distance of 136.07 feet to the point of beginning; ALSO,

Portion of Lots 21 through 23, inclusive, Block 271, Seattle Tide Lands, in King County, Washington, described as follows:

Beginning at the most easterly corner of said Lot 22; thence south  $42^{\circ}05'14''$  west along the south-easterly line of said block 102.38 feet; thence north  $31^{\circ}29'33''$  east 67.17 feet to a point of curvature; thence northeasterly along a curve to the left having a radius of 282 feet; an arc distance of 87.67 feet to a point on the easterly line of said block; thence southerly along said easterly line 61.91 feet to the point of beginning.

Section 3. That public necessity and convenience demand that South Charlestown Street between Diagonal Avenue South and Airport Way South be and the same is hereby laid off, opened, widened and established over and across the following described property in King County, Washington, to-wit:

Portion of Lot 1, Block 15, Plan of South Seattle, as recorded in Volume 1 of Plats, page 35, records of King County, Washington, lying southeasterly of a line described as follows:

Beginning at a point on the easterly line of said lot distant 22 feet northerly of the southeast corner of said lot; thence southwesterly to a point on the southerly line of said lot distant 10 feet westerly of said southeast corner; ALSO,

Portion of Lot 6, Block 14, Plan of South Seattle, as recorded in Volume 1 of Plats, page 35, records of King County, Washington, described as follows:

Beginning at the northeast corner of said Lot 6; thence westerly along the northerly line thereof 14.76 feet; thence southeasterly and southerly along the arc of a curve to the right having a radius of 15 feet 23.32 feet to a point of tangency on the easterly line of said lot; thence northerly along said easterly line 14.76 feet to the point of beginning.

Section 4. That in the grading of 6th Avenue South between South Spokane Street and Diagonal Avenue South and between Diagonal Avenue South and South Dakota Street, of 6th Avenue South and Diagonal Avenue South from a point 210 feet north of the center line of South Charlestown Street and the north line of South Bradford

Street, South Charlestown Street between Diagonal Avenue South and Airport Way South in conformity with the existing center line grade, the City shall acquire the right in the case of a cut or fill to remove lateral support of the property abutting upon said streets or avenues and 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 two (2) feet horizontally for each foot of depth of cut or for each foot of elevation of fill for the purpose of providing lateral support for said streets or avenues, reserving unto the abutting property owners respectively the right at any time to replace said cut slopes and to remove said fill slopes upon providing and maintaining other adequate lateral support.

Section 5. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Sections 1 through 3, inclusive, are hereby condemned, appropriated, taken and damaged for the purpose therein enumerated, and that all lands, rights, privileges and other property necessary to be taken, used or damaged in the grading of said streets or avenues in conformity with the existing grades and in the construction of the necessary slopes, cuts or fills upon the real property abutting upon said streets or avenues as set forth in Section 4 hereof, 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 6. That such acquisitions as herein above described are hereby declared to be an addition to the Urban Arterial System as accepted by the Urban Arterial Board and the cost of such acquisitions shall be paid from the Arterial Development Fund or the Urban Arterial Trust Account, or from both.

Section 7. That 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.

(To be used for all Ordinances except Emergency.)

Section 8. That in conducting said condemnation proceedings the Corporation Counsel is hereby authorized to enter into stipulations for the purpose of minimizing damages.

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 by the City Council the 21 day of October, 1968, and signed by me in open session in authentication of its passage this 21 day of October, 1968. *Joseph C. Miller*  
President of the City Council.

Approved by me this 25 day of October, 1968. *[Signature]*  
Mayor.

Filed by me this 25 day of October, 1968. *[Signature]*  
Attest: City Comptroller and City Clerk.

(SEAL)

Published OCT 26 1968

By *W. A. Scrine*  
Deputy Clerk.

AN ORDINANCE providing for the laying off, opening, widening and establishing of 5TH AVENUE SOUTH between South Spokane Street and South Dakota Street of 11-AGONAL AVENUE SOUTH in the vicinity of 6th Avenue South, of SOUTH CHARLESTOWN STREET between Diagonal Avenue South and Airport Way South, ALL AT existing grade; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; providing for the acquisition of the right to construct stones for curbs and fills on certain existing properties; and providing for payment therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that 5th Avenue South be and the same is hereby laid off, opened, widened and established over and across the following described property in King County, Washington, to-wit:

Portion of Lot 29, Block 271, Seattle Tide Lands, 1st 1st 2nd, as a westerly of a line described as follows:

Beginning at a point on the easterly line of said lot distant 2 feet southerly of the northeast corner of said lot; thence northwesterly to a point on the northerly line of said lot distant 14 feet westerly of said northeast corner; ALSO,

Portion of Lots 1 and 2, Block 263, Seattle Tide Lands, described as follows:

Beginning at a point on the west line of said Lot 1, 2a.78 feet south of the northwest corner of said Lot 1 as platted; thence south 63° 31' 35" east a distance of 73.21 feet to a point of curvature; thence northwesterly, westerly and southwesterly along the arc of a curve to the left having a radius of 55 feet an arc distance of 106.05 feet to a point of tangency in the west line of said Lot 2; thence north along the west line of Lots 1 and 2 a distance of 73.21 feet to the point of beginning.

Section 2. That public necessity and convenience demand that 5th Avenue South and Diagonal Avenue South between the north line of South Bradford Street and a point approximately 210 feet north of the center line of South Charlestown Street be and the same are hereby laid off, opened, widened and established over and across the following described property in King County, Washington, to-wit:

Portion of Lots 7 through 12, inclusive, Block 265, Seattle Tide Lands, described as follows:

Beginning at a point on the westerly line of said block distant 21.92 feet from the southwesterly corner thereof; thence along the arc of a curve to the right having a radius of 232 feet and an initial radial bearing of north 89° 07' 32" east an arc distance of 159.31 feet to a point of tangency; thence north 31° 25' 23" east a distance of 79.99 feet to a point in the north line of said block; thence westerly along said north line a distance of 19.64 feet to the northwest corner thereof; thence south 42° 05' 14" west along the northwesterly line of said block a distance of 111.67 feet; thence south 0° 52' 28" east along the westerly line of said block a distance of 136.07 feet to the point of beginning; ALSO,

Portion of Lots 21 through 23, inclusive, Block 271, Seattle Tide Lands, in King County, Washington, described as follows:

Beginning at the most easterly corner of said Lot 22; thence south 42° 05' 14" west along the southeasterly line of said block 102.38 feet; thence north 31° 25' 23" east 67.17 feet to a point of curvature; thence northeasterly along a curve to the left having a radius of 232 feet an arc distance of 86.67 feet to a point on the easterly line of said block; thence southerly along said easterly line 61.91 feet to the point of beginning.

Section 3. That public necessity and convenience demand that South Charlestown Street between Diagonal Avenue South and Airport Way South be and the same is hereby laid off, opened, widened and established over and across the following described property in King County, Washington, to-wit:

Portion of Lot 1, Block 15, Plan of South Seattle, as recorded in Volume 1 of Plats, page 55, records of King County, Washington, lying southeasterly of a line described as follows:

Beginning at a point on the easterly line of said lot distant 22 feet northerly of the southeast corner of said lot; thence southwesterly to a point on the southerly line of said lot distant 10 feet westerly of said southeast corner; ALSO,

Portion of Lot 6, Block 14, Plan of South Seattle, as recorded in Volume 1 of Plats, page 55, records of King County, Washington, described as follows:

Beginning at the northeast corner of said Lot 6; thence westerly along the northerly line thereof 11.76 feet; thence southeasterly and southerly along the arc of a curve to the right having a radius of 15 feet 23.32 feet to a point of tangency on the easterly line of said lot; thence northerly along said easterly line 11.76 feet to the point of beginning.

Section 4. That in the grading of 5th Avenue South between South Spokane Street and Diagonal Avenue South and between South Charlestown Street and South Dakota Street of 5th Avenue South

Affidavit of Publication

STATE OF WASHINGTON, KING COUNTY--SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

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was published on October 20, 1941

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Subscribed and sworn to before me on October 20, 1941

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(Note: RCW 42.28.060 states: "It shall not be necessary for a notary public in certifying an oath to be used in any of the courts in this state, to append an impression of his official seal.")

Portion of Lot 1, Block 15, Plan of South Seattle, as recorded in Volume 1 of Plats, page 35, records of King County, Washington, described as follows:

Beginning at the most easterly corner of said Lot 22; thence south 42° 03' 11" west along the southeasterly line of said block 162.55 feet; thence north 21° 29' 32" east 67.11 feet to a point of curvature; thence northeasterly along a curve to the left having a radius of 582 feet, an arc distance of 26.37 feet to a point on the easterly line of said block; thence southerly along said easterly line 61.31 feet to the point of beginning.

Section 3. That public necessity and convenience demand that South Charlestown Street between Diagonal Avenue South and Airport Way South be and the same is hereby laid off, opened, widened and established over and across the following described property in King County, Washington, to-wit:

Portion of Lot 1, Block 15, Plan of South Seattle, as recorded in Volume 1 of Plats, page 35, records of King County, Washington, lying southeasterly of a line described as follows:

Beginning at a point on the easterly line of said lot distant 22 feet northerly of the southeast corner of said lot; thence southwesterly to a point on the southerly line of said lot distance 10 feet westerly of said southeast corner; ALSO,

Portion of Lot 6, Block 14, Plan of South Seattle, as recorded in Volume 1 of Plats, page 35, records of King County, Washington, described as follows:

Beginning at the northeast corner of said Lot 6; thence westerly along the northerly line thereof 14.76 feet; thence southeasterly and southerly along the arc of a curve to the right having a radius of 15 feet 23.32 feet to a point of tangency on the easterly line of said lot; thence northerly along said easterly line 14.76 feet to the point of beginning.

Section 4. That in the grading of 6th Avenue South between South Spokane Street and Diagonal Avenue South and between Diagonal Avenue South and South Dakota Street, of 6th Avenue South and Diagonal Avenue South from a point 210 feet north of the center line of South Charlestown Street and the north line of South Bradford Street, South Charlestown Street between Diagonal Avenue South and Airport Way South in conformity with the existing center line grade, the City shall acquire the right in the case of a cut or fill to remove lateral support of the property abutting upon said streets or avenues and 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 two (2) feet horizontally for each foot of depth of cut or for each foot of elevation of fill for the purpose of providing lateral support for said streets or avenues, reserving unto the abutting property owners respectively the right at any time to replace said cut slopes and to remove said fill slopes upon providing and maintaining other adequate lateral support.

Section 5. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Sections 1 through 3, inclusive, are hereby condemned, appropriated, taken and damaged for the purpose therein enumerated, and that all lands, rights, privileges and other property necessary to be taken, used or damaged in the grading of said streets or avenues in conformity with the existing grades and in the construction of the necessary slopes, cuts or fills upon the real property abutting upon said streets or avenues as set forth in Section 4 hereof, 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 6. That such acquisitions as herein above described are hereby declared to be an addition to the Urban Arterial System as accepted by the Urban Arterial Board and the cost of such acquisitions shall be paid from the Arterial Development Fund or the Urban Arterial Trust Account, or from both.

Section 7. That Corporation Counsel be and he is hereby authorized and directed to locate 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 8. That in conducting said condemnation proceedings the Corporation Counsel is hereby authorized to enter into stipulations for the purpose of minimizing damages.

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 as the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 21st day of October, 1968, and signed by me in open session in authentication of its passage this 21st day of October, 1968.

FLOYD C. MILLER,  
President of the City Council.

Approved by me this 25th day of October, 1968.

J. D. BRAMAN,  
Mayor.

Filed by me this 25th day of October, 1968.

Attest: G. G. BRIDGES,  
City Comptroller and  
City Clerk.

(Seal) By W. A. PERINE,  
Deputy Clerk.

Portion of Lot 8, Block 14,  
Plan of South Seattle, as re-  
corded in Volume 1 of Plats,  
page 35, records of King Coun-  
ty, Washington, described as  
follows:

Beginning at the northeast  
corner of said Lot 8; thence  
westerly along the northerly  
line thereof 14.25 feet to a  
southeasterly and southerly  
along the arc of a curve to the  
right having a radius of 15  
feet 23.32 feet to a point of  
tangency on the westerly line  
of said lot; thence northerly  
along said easterly line 14.76  
feet to the point of beginning.

Section 4. That in the grad-  
ing of 6th Avenue South between  
South Spokane Street and Diago-  
nal Avenue South and between  
Diagonal Avenue South and  
South Dakota Street, of 6th Ave-  
nue South and Diagonal Avenue  
South from a point 210 feet north  
of the center line of South  
Charlestown Street and the north  
line of South Bradford Street,  
South Charlestown Street be-  
tween Diagonal Avenue South  
and Airport Way South in con-  
formity with the existing center  
line grade, the City shall acquire  
the right in the case of cut or  
fill to remove lateral support of  
the property abutting upon said  
streets or avenues and 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 two (2)  
feet horizontally for each foot  
of depth of cut or for each foot  
of elevation of fill for the pur-  
pose of providing lateral support  
for said streets or avenues, re-  
serving unto the abutting prop-  
erty owners respectively the  
right at any time to replace said  
cut slopes and to remove said  
fill slopes upon providing and  
maintaining other adequate lat-  
eral support.

Section 5. That all lands,  
rights, privileges and other prop-  
erty lying within the limits of  
the lots, blocks and tracts of land  
described in Sections 1 through  
3, inclusive, are hereby condem-  
ned, appropriated, taken and dam-  
aged for the purpose therein  
enumerated, and that all lands,  
rights, privileges and other prop-  
erty necessary to be taken, used  
or damaged in the grading of  
said streets or avenues in con-  
formity with the existing grades  
and in the construction of the  
necessary slopes, cuts or fills  
upon the real property abutting  
upon said streets or avenues as  
set forth in Section 4 hereof, are  
hereby condemned, appropriated,  
taken and damaged for the pub-  
lic 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 6. That such acqui-  
sitions as herein above described  
are hereby declared to be an  
addition to the Urban Arterial  
System as accepted by the Urban  
Arterial Board and the cost of  
such acquisitions shall be paid  
from the Arterial Development  
Fund or the Urban Arterial Trust  
Account, or from both.

Section 7. That Corporation  
Council be and he is hereby au-  
thorized and directed to begin  
and prosecute the actions and  
proceedings in the manner pro-  
vided by law to condemn, take,  
damage and appropriate the  
lands and other property neces-  
sary to carry out the provisions  
of this ordinance.

Section 8. That in conducting  
said condemnation proceedings  
the Corporation Council is here-  
by authorized to enter into stipu-  
lations for the purpose of mini-  
mizing damages.

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 by the City Council the  
21st day of October, 1968, and  
signed by me in open session in  
authentication of its passage this  
21st day of October, 1968.

FLOYD C. MILLER,  
President of the City Council.  
Approved by me this 25th day  
of October, 1968.

J. D. BRAMAN,  
Mayor.

Filed by me this 25th day of  
October, 1968.

Attest: C. G. ERLANDSON,  
City Comptroller and  
City Clerk.

(Seal) By W. A. PERINE,  
Deputy Clerk.

Publication ordered by C. G.  
ERLANDSON, Comptroller and  
City Clerk.

Date of official publication in  
the Daily Journal of Commerce,  
Seattle, October 25, 1968.



# The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported  
and Adopted

Your Committee on  
to which was referred

STREETS AND SEWER

C. B. No. 98705,

OCT 21 1968

providing for the laying off, opening, widening and establishing of 6th AVENUE SOUTH between South Spokane Street and South Dakota Street, of DIAGONAL AVENUE SOUTH in the vicinity of 6th Avenue South, of SOUTH CHARLESTOWN STREET between Diagonal Avenue South and Airport Way South, ALL AT existing grade; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; providing for the acquisition of the right to construct slopes for cuts and fills on certain abutting properties; and providing for payment therefor,

RECOMMENDS THAT THE SAME DO PASS.

..... Chairman

..... Chairman

GWL:lm

10-15-68

Committee

Committee



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

J. D. Braman, Mayor

Seattle Transit Building, Room 919  
600 Fourth Avenue, Seattle, Washington 98104

RE: 6th Avenue South, et al,  
Widening

October 9, 1968

Honorable City Council  
Seattle, Washington

Gentlemen:


Attached is a Council Bill providing for the acquisition by condemnation of land and other property necessary for the project titled "6th Avenue South, et al, Widening". The Council Bill provides for the condemnation, appropriation, taking and damaging of land and other property necessary for the widening of portions of 6th Avenue South, Diagonal Avenue South and South Charlestown Street, including the right to construct slopes for cuts and fills on certain abutting properties, all to be accomplished in conformity with the existing center line grades.

This project has been declared to be an addition to the Urban Arterial System as accepted by the Urban Arterial Board and the cost of such acquisition is to be paid from the Arterial Development Fund or the Urban Arterial Trust Account, or from both. Ordinance 97053, recently enacted, created the "Arterial Development Fund" as a depository for the Forward Thrust monies to be used for the arterial street improvements.

The Council Bill has been approved as to form by the Corporation Counsel and we recommend this legislation be passed.

Yours very truly,

ROY W. MORSE  
City Engineer

By   
PHILIP M. BUSWELL  
Principal Assistant City Engineer

HTL:gp  
Att.  
cc: E. W. Ott  
G. Grant Wilcox



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

J. D. Braman, Mayor

Seattle Municipal Building, Room 110  
 600 Fourth Avenue, Seattle, Washington 98104

6th Avenue South, et al,  
 Widening

October 9, 1958

C  
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P  
Y

Honorable City Council  
 Seattle, Washington

Gentlemen:

Attached is a Council Bill providing for the acquisition by condemnation of land and other property necessary for the project titled "6th Avenue South, et al, Widening". The Council Bill provides for the condemnation, appropriation, taking and damaging of land and other property necessary for the widening of portions of 6th Avenue South, Diagonal Avenue South and South Charlestown Street, including the right to construct slopes for cuts and fills on certain abutting properties, all to be accomplished in conformity with the existing center line grades.

This project has been declared to be an addition to the Urban Arterial System as accepted by the Urban Arterial Board and the cost of such acquisition is to be paid from the Arterial Development Fund or the Urban Arterial Trust Account, or from both. Ordinance 97053, recently enacted, created the "Arterial Development Fund" as a depository for the Forward Thrust monies to be used for the arterial street improvements.

The Council Bill has been approved as to form by the Corporation Counsel and we recommend this legislation be passed.

Yours very truly,

ROY W. MORSE  
 City Engineer

sgd. P. K. Buswell

By  
 PHILIP M. BUSWELL  
 Principal Assistant City Engineer

HTL:gp  
 Att.

cc: E. W. Ott  
 G. Grant Wilcox