

# Ordinance No. 99556

AN ORDINANCE providing for the laying off, opening, widening, and establishing of MERIDIAN AVENUE NORTH between North 103rd Street and North Northgate Way and the southerly side of North Northgate Way between Burke Avenue North and Carlise Avenue North at existing center line grade; providing for the condemnation, appropriation, taking, and damaging of land and other property necessary therefor; including property or property rights necessary for cut and fill slopes; and providing for payment therefor.

12-22-70 - pass

COMPTROLLER

FILE NUMBER \_\_\_\_\_

# Council Bill No. 91143

INTRODUCED DEC 21 1970	BY Streets & Sewer
READ DEC 21 1970	TO Streets & Sewer
REPORT	
REPORT	
REPORT DEC 28 1970	SECOND READING DEC 28 1970
FINAL READING DEC 28 1970	FINAL READING DEC 28 1970
REPORT TO COUNCIL DEC 28 1970	APPROVED DEC 30 1970
SENT TO CITY CLERK DEC 30 1970	PUBLISHED JAN 2 1971
VOTES OF MAYOR	VOTE FORWARDED
PASSED OVER VETO	VETO OVERRIDDEN

CW

Unanimous Vote  
YES..... NO .....

SEE BACK COVER

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

- Ord. 99652 RE TO BLDG DEPT, AUTH SUPT. OF BLDGS TO ENTER INTO INTERIM SHORT TERM LEASES OF OF PROPERTIES ACQUIRED BY CITY FOR No. ADMINISTRATIVE CENTER SITE.
- Ord 100924 ACCEPTING CONDEMNATION AWARDS RE PARCELS 6, 17, 10, 11 & 13; & PROVIDING PAYMENT.
- Ord 101087 ACCEPTING CONDEMNATION AWARD RE WEST 10' OF THAT PORTION OF  $\frac{1}{2}$  OF  $\frac{1}{2}$  OF  $\frac{1}{2}$  OF  $\frac{1}{2}$  OF  $\frac{1}{2}$  OF SEC 29-26-4, EXCEPT ROAD, ETC.
- Ord 101165 ACCEPTING A CONDEMNATION AWARD IN PORTION OF LTS 5, 7 & 8, B,5, LINDSLEY'S MINERAL SPRINGS. PLAT.

EX ✓

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

ORDINANCE 99556

AN ORDINANCE providing for the laying off, opening, widening, and establishing of MERIDIAN AVENUE NORTH between North 103rd Street and North Northgate Way and the southerly side of North Northgate Way between Burke Avenue North and Corliss Avenue North at existing center line grade; providing for the condemnation, appropriation, taking, and damaging of land and other property necessary therefor, including property or property rights necessary for cut and fill slopes; and providing for payment therefor;

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that Meridian Avenue North and North Northgate Way each be and the same is hereby laid off, opened, widened and established over and across the following described abutting properties, in King County, Washington, to-wit:

Portion of the northwest quarter of the southwest quarter of the southwest quarter of Section 29, Township 26 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the center lines of North 107th Street and Meridian Avenue North; thence north  $00^{\circ}26'29''$  east, along the center line of Meridian Avenue North, 30.01 feet; thence south  $88^{\circ}17'19''$  east, along the production westerly of the north margin of North 107th Street as established by deed recorded under King County Auditor's File No. 2493816, 30.01 feet to the true point of beginning; thence north  $00^{\circ}26'29''$  east, along the east margin of Meridian Avenue North as established by deed recorded under King County Auditor's File No. 382636, 594.91 feet to a point on a curve to the right having a radius of 447.42 feet from which point the radial center bears south  $08^{\circ}03'02''$  east; thence easterly along said curve 75.82 feet to a point of tangency, said curve being the southerly margin of North Northgate Way as established by S.C. No. 144182; thence south  $88^{\circ}20'28''$  east 50.43 feet; thence south  $00^{\circ}26'29''$  west 8.00 feet; thence north  $88^{\circ}20'28''$  west 62.99 feet to a point of curvature; thence westerly along a curve to the left having a radius of 48 feet, 76.42 feet to a point of tangency; thence south  $00^{\circ}26'29''$  west 534.53 feet to a point of curvature; thence southerly and easterly along a curve to the left having a radius of 10 feet, 15.49 feet to a point of tangency on said north margin of North 107th Street; thence north  $88^{\circ}17'19''$  west, along said north margin, 23.78 feet to the true point of beginning; ALSO,

LINDSLEY'S MINERAL SPRINGS PLAT, according to plat thereof recorded in Volume 5 of Plats, page 30, Records of King County, Washington,

Block 5:

Portion of Lots 4 through 12, excluding Lot 6, described as follows: Beginning at the intersection of the center lines of North 107th Street and Meridian Avenue North; thence north  $00^{\circ}26'29''$  east, along the center line of Meridian Avenue North, 28.01 feet; thence north  $88^{\circ}44'07''$  west, along the production of the north margin of North

107th Street according to plat, 32.38 feet to the true point of beginning; thence continuing north  $88^{\circ}44'07''$  west along said north margin, 13.78 feet to a point of curvature; thence easterly along a curve to the left having a radius of 10 feet, 15.86 feet to a point of tangency; thence north  $00^{\circ}26'29''$  east 544.52 feet to a point of curvature; thence northerly and westerly along a curve to the left having a radius of 13 feet, 24.93 feet to a point of compound curve; thence southwesterly along a curve to the left having a radius of 439.43 feet, 330.42 feet to a point of tangency; thence south  $27^{\circ}28'08''$  west 54.60 feet; thence north  $88^{\circ}43'29''$  west 8.92 feet to the southeasterly margin of North Northgate Way, as established by S.C. No. 144182; thence north  $27^{\circ}28'08''$  east, along said southeasterly margin, 58.53 feet to a point of curvature; thence continuing along said southeasterly margin northeasterly, along a curve to the right having a radius of 447.43 feet, 363.96 feet to a point on a curve from which the radial center bears south  $15^{\circ}55'28''$  east, said point being the intersection of said southeasterly margin with the west margin of Meridian Avenue North, as established by Ordinance 91249; thence south  $00^{\circ}26'29''$  west, along said west margin, 157.09 feet; thence south  $88^{\circ}45'09''$  east 4.66 feet; thence south  $00^{\circ}26'29''$  west, along the west margin of Meridian Avenue North according to plat, 425.94 feet to the true point of beginning; ALSO,

Portion of the southeast quarter of the southeast quarter of the southeast quarter of Section 30, Township 26 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the center lines of North 107th Street and Meridian Avenue North; thence south  $00^{\circ}26'29''$  west, along the center line of Meridian Avenue North, 30.00 feet; thence north  $88^{\circ}44'07''$  west, along the production of the south margin of North 107th Street, as established by deed recorded under King County Auditor's File No. 2461319, 30.00 feet to the true point of beginning; thence south  $00^{\circ}26'29''$  west, along the west margin of Meridian Avenue North, as established by deed recorded under King County Auditor's File No. 239560, 601.68 feet; thence north  $88^{\circ}45'44''$  west along the north margin of North 105th Street as established by deed recorded under King County Auditor's File No. 2727509, 20.14 feet to a point of curvature; thence easterly and northerly along a curve to the left, having a radius of 10 feet, 15.85 feet to a point of tangency; thence north  $00^{\circ}26'29''$  east 391.40 feet to an angle point; thence north  $01^{\circ}35'12''$  east 190.07 feet to a point of curvature; thence northerly and westerly along a curve to the left having a radius of 10 feet, 15.76 feet to a point of tangency on said south margin of North 107th Street; thence south  $88^{\circ}44'07''$  east, along said south margin, 16.06 feet to the true point of beginning; ALSO,

PLAT OF EDWARD SCHILDT FIRST ADDITION TO NORTHGATE, according to plat thereof recorded in Volume 48 of Plats, page 10, Records of King County, Washington:

Beginning at the intersection of the production of the south margin of North 106th Street and the center line of Meridian Avenue North; thence south  $88^{\circ}15'40''$  east, along the production of the south margin of North 106th Street as platted, 30.01 feet; thence north  $00^{\circ}26'29''$  east, along the production of the east margin of Meridian Avenue North, as established by deed recorded under King County Auditor's File No. 382636, 30.01 feet to the true point of beginning;

thence continuing north 00°26'29" east along said east margin, 60.82 feet; thence south 88°17'10" east, along the north line of Lot 1 of said plat, 10.00 feet; thence south 00°26'29" west 60.83 feet to a point on the north margin of North 106th Street according to plat; thence north 88°15'40" west, along said north margin, 10.00 feet to the true point of beginning; ALSO,

Portion of the northwest quarter of the southwest quarter of the southwest quarter of the southwest quarter of Section 29, Township 26 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the center lines of North 107th Street and Meridian Avenue North; thence south 00°26'29" west, along the center line of Meridian Avenue North, 30.01 feet; thence south 88°17'19" east, along the production of the south margin of North 107th Street, as established by deed recorded under King County Auditor's File No. 2493814, 30.01 feet to the true point of beginning; thence south 00°26'29" west, along the east margin of Meridian Avenue North, as established by deed recorded under King County Auditor's File No. 382636, 209.96 feet; thence south 88°17'10" east, along the north line of Lot 1, Edward Schildt First Addition to Northgate, 10.00 feet; thence north 00°26'29" east 10.17 feet to an angle point; thence north 01°35'20" east 189.71 feet to a point of curvature; thence northerly and easterly along a curve to the rights having a radius of 10 feet, 15.73 feet to a point of tangency on said south margin of North 107th Street; thence north 88°17'19" west, along said south margin, 24.02 feet to the true point of beginning; ALSO,

Portion of the west half of the south half of the south half of the southwest quarter of the southwest quarter of Section 29, Township 26 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the production of the south margin of North 106th Street and the center line of Meridian Avenue North; thence south 88°15'40" east, along the production of the south margin of North 106th Street as platted, 30.01 feet to the true point of beginning; thence south 00°26'29" west, along the east margin of Meridian Avenue North, as established by deed recorded under King County Auditor's File No. 382636, 330.90 feet; thence south 88°15'06" east 10.00 feet; thence north 00°26'29" east 330.90 feet to said south margin; thence north 88°15'40" west, along said south margin, 10.00 feet to the true point of beginning; ALSO,

Portion of the west half of the north half of the northwest quarter of the northwest quarter of Section 32, Township 26 North, in Range 4 East, W.M., described as follows:

Beginning at the intersection of the center lines of North 103rd Street from the west and Meridian Avenue North; thence south 88°15'44" east, along the production westerly of the north margin of North 103rd Street as platted, 30.01 feet to the true point of beginning; thence north 00°32'57" east, along the easterly margin of Meridian Avenue North, as established by deed recorded under King County Auditor's File No. 382636, 662.77 feet; thence south 88°15'06" east 10.00 feet; thence south 00°32'57" west 662.77 feet to said north margin; thence north 88°15'44" west, along said north margin, 10.00 feet to the true point of beginning; ALSO,

PLAT OF MERIDIAN AVENUE ACRES, according to plat thereof recorded in Volume 24 of Plats, page 50, Records of King County, Washington;

Portion of Lots 1 through 7 described as follows: Beginning at the intersection of the center lines of North 103rd Street from the west and Meridian Avenue North; thence north  $88^{\circ}42'46''$  west, along the center line of North 103rd Street, 30.00 feet; thence north  $00^{\circ}32'57''$  east, along the production of the west margin, of Meridian Avenue North as platted, 30.00 feet to the true point of beginning; thence continuing north  $00^{\circ}32'57''$  east along said west margin, 602.75 feet to the south margin of North 105th Street as platted; thence north  $88^{\circ}45'44''$  west, along said south margin, 19.88 feet to a point of curvature; thence easterly and southerly along a curve to the right having a radius of 10 feet, 15.59 feet to a point of tangency; thence south  $00^{\circ}32'57''$  west 577.66 feet to a point of curvature; thence southerly and westerly along a curve to the right having a radius of 15 feet, 23.76 feet to a point of tangency on the north margin of North 103rd Street as platted; thence south  $88^{\circ}42'46''$  east, along said north margin, 25.20 feet to the true point of beginning;

Section 2. That in the grading of Meridian Avenue North between North 103rd Street and North Northgate Way, and North Northgate Way between Burke Avenue North and Corliss Avenue North in conformity with existing center line grades, the City shall acquire the rights in the case of a cut or fill to remove the lateral support of the property abutting upon said streets, and in every case the rights to remove said lateral support shall include the right to carry the slopes back into and extending upon the abutting real property two 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, reserving unto the abutting property owner, respectively, the right at any time to replace said cut slopes and remove said fill slopes upon providing and maintaining other adequate lateral support.

Section 3. That all lands, rights, privileges and other property lying within the limits of the lots and blocks and tracts of land described in Section 1 are hereby condemned, appropriated, taken and damaged for the purpose therein enumerated; that all lands, rights, privileges, and other properties necessary to be taken, used or damaged in the grading of said streets in conformity with the existing center line grade, and in the construction of the necessary slopes for cuts and fills upon the real property abutting said streets as set forth in Section 2 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 4. Such acquisitions as are 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 acquisition shall be paid from the Arterial Development Fund, the Urban Arterial Trust Account, or from both, or from such other general funds of the City of Seattle as may be designated by ordinance.

Section 5. That the Corporation Counsel be and he is hereby authorized and directed to begin and prosecute the actions and the proceedings in the manner provided by law to condemn, take, damage, and appropriate the land and other property necessary to carry out the provisions of this ordinance.

Section 6. That in conducting said condemnation proceedings, the Corporation Counsel is hereby authorized to enter into stipulations for the purpose of minimizing damages.

(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 by the City Council the 28 day of December, 1970  
and signed by me in open session in authentication of its passage this 28 day of  
December, 1970.

*[Signature]*  
President PRO TEM of the City Council.

Approved by me this 30 day of December, 1970  
*[Signature]*  
Acting Mayor.

Filed by me this 30 day of December, 1970.

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

(SEAL) JAN 2 1971  
Published .....

By *[Signature]*  
Deputy Clerk.



# The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported

and Adopted

DEC 28 1970

Your Committee on **STREETS AND SEWERS**

to which was referred Council Bill No. 91143

an ordinance providing for the laying off, opening, widening, and establishing of Meridian Avenue North between North 103rd Street and North Northgate Way and the southerly side of North Northgate Way between Burke Avenue North and Corliss Avenue North at existing center line grade; providing for the condemnation, appropriation, taking, and damaging of land and other property necessary therefor, including property or property rights necessary for cut and fill slopes; and providing for payment therefor;

RECOMMENDS THAT THE SAME DO PASS.

Chairman



S & S  
Chairman

Dec 17 4 18 PM '70

*S + S Finance*

*G. M. F.*



**OFFICE OF THE MAYOR—CITY OF SEATTLE**

**Wes Uhlman, Mayor**

December 15, 1970

The City Council  
The City of Seattle

Honorable Members:

The attached proposed council bill which was prepared by the City Engineer provides for the acquisition by condemnation of certain property and property rights in connection with the Meridian Avenue North, et al, widening project. Previous legislation authorized the City Engineer to obtain the necessary appraisals attendant to the acquisition of right-of-way.

We, in accord with the Department of Community Development, Program Development Division, recommend that favorable consideration be given to the proposed council bill, as requested by the City Engineer.

Sincerely,

Wes Uhlman  
Mayor

by

*George D. Smith*  
George D. Smith  
Budget Director

Att.  
GDS/MT/gm  
cc City Engineer  
Mayor's Office

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

Wes Uhlman, Mayor

Seattle Municipal Building, Room 910  
600 Fourth Avenue, Seattle, Washington 98104

Re: Meridian Avenue North,  
et al, Widening, Etc.

December 3, 1970

Honorable City Council  
Seattle, Washington

Gentlemen:

VIA WES UHLMAN

We transmit herewith for your acceptance a council bill providing for the acquisition by condemnation of certain property and property rights necessary for the project entitled, "Meridian Avenue North, et al, Widening, Etc." The council bill provides for the condemnation, appropriation, taking and damaging of land and other property necessary therefor including property or property rights necessary for cut and fill slopes on certain abutting property, and provides for payment therefor.

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 shall be paid from the Arterial Development Fund or from the Urban Arterial Trust Account, or from both, or from such general funds of the City of Seattle as may be provided by law.

The council bill has been approved as to form by the Corporation Counsel and we recommend that this legislation be passed.

Yours very truly,

ROY W. MORSE, P.E.  
City Engineer

By   
PHILIP M. BUSWELL, P.E.  
Principal Assistant City Engineer

DLT:gp  
Att.

CC: Wes Uhlman



25 west along  
of Meridian Avenue North,  
30.00 feet; thence north 83° 44'  
07" west, along the production  
of the south margin of North  
107th Street, as established by  
deed recorded under King  
County Auditor's File No.  
2481319, 30.00 feet to the true  
point of beginning; thence  
south 00° 28' 23" west, along  
the west margin of Meridian  
Avenue North, as established  
by deed recorded under King  
County Auditor's File No.  
233590, 601.63 feet; thence north  
83° 45' 44" west, along the  
north margin of North 106th  
Street as established by deed  
recorded under King County  
Auditor's File No. 375709, 20.14  
feet to a point of curvature;  
thence easterly and northerly  
along a curve to the left, hav-  
ing a radius of 10 feet, 15.85  
feet to a point of tangency;  
thence north 00° 28' 23" east  
130.47 feet to a point of curva-  
ture; thence northerly and  
westerly along a curve to the  
left having a radius of 10 feet,  
15.78 feet to a point of tan-  
gency on said south margin of  
North 107th Street; thence  
south 33° 44' 07" east, along  
said south margin, 16.06 feet to  
the true point of beginning;  
ALSO.

**PLAT OF EDWARD  
SCHILDT FIRST ADDITION  
TO NORTHGATE, according to  
plat thereof recorded in Vol-  
ume 48 of Plats, page 10, Rec-  
ords of King County, Wash-  
ington:**

Beginning at the intersection  
of the production of the south  
margin of North 104th Street  
and the center line of Meridian  
Avenue North; thence south  
38° 15' 40" east, along the pro-  
duction of the south margin of  
North 104th Street, as platted,  
26.81 feet; thence north 83° 25'  
25" east, along the production  
of the east margin of Meridian  
Avenue North, as established  
by deed recorded under King  
County Auditor's File No.  
332328, 30.91 feet to the true  
point of beginning; thence con-  
tinuing north 60° 26' 23" east  
along said east margin, 60.82  
feet; thence south 83° 17' 10"  
east, along the north line of  
Lot 1 of said plat, 10.00 feet;  
thence south 00° 28' 23" west  
60.82 feet to a point on the  
north margin of North 104th  
Street according to plat; thence  
north 83° 17' 10" east, along  
said north margin, 10.00 feet to  
the true point of beginning;  
ALSO.

Portion of the northwest  
quarter of the southwest quar-  
ter of the southwest quarter of  
Section 29, Township 26 North,  
Range 4 East, W. M., described  
as follows:

Beginning at the intersection  
of the center lines of North  
107th Street and Meridian Ave-  
nue North; thence south 00° 28'  
23" west, along the center line  
of Meridian Avenue North,  
12.81 feet; thence south 83° 17'  
10" east, along the production  
of the south margin of North  
107th Street, as established by  
deed recorded under King  
County Auditor's File No.  
305514, 30.00 feet to the true  
point of beginning; thence  
south 00° 28' 23" west, along  
the west margin of Meridian  
Avenue North, as established  
by deed recorded under King  
County Auditor's File No.  
182814, 30.94 feet; thence south  
83° 17' 10" east, along the north  
line of Lot 1, Edward Schildt  
First Addition to Northgate,  
10.00 feet; thence north 00° 28'  
23" east, 13.17 feet to an angle  
point; thence north 01° 35' 26"  
east, 103.71 feet to a point of  
curvature; thence northerly  
and westerly along a curve to  
the right, having a radius of  
10 feet, 15.78 feet to a point of  
tangency on said south margin  
of North 107th Street; thence  
north 83° 17' 10" west, along  
said south margin, 10.00 feet to  
the true point of beginning;  
ALSO.

Portion of the west half of  
the south half of the south half  
of the southwest quarter of the  
southwest quarter of Section  
29, Township 26 North, Range  
4 East, W. M., described as fol-  
lows:

Beginning at the intersection  
of the production of the south  
margin of North 104th Street  
and the center line of Meridian  
Avenue North; thence south  
38° 15' 40" east, along the pro-  
duction of the south margin of  
North 104th Street, as platted,  
26.81 feet to the true point of  
beginning; thence south 60°  
26' 23" west, along the east  
margin of Meridian Avenue  
North, as established by deed  
recorded under King County  
Auditor's File No. 332328, 30.90  
feet; thence south 83° 18' 04"  
east, 10.00 feet; thence south  
83° 18' 04" east, 10.00 feet to  
said south margin; thence  
north 38° 15' 40" west, along  
said south margin, 10.00 feet to  
the true point of beginning;  
ALSO.

Portion of the west half of  
the north half of the northwest  
quarter of the northwest quar-  
ter of Section 22, Township 26  
North, in Range 4 East, W. M.,  
described as follows:

Beginning at the intersection  
of the center lines of North  
103rd Street from the west and  
Meridian Avenue North; thence  
south 83° 15' 44" east, along the  
production westerly of the  
north margin of North 103rd  
Street, as platted, 30.01 feet to  
the true point of beginning;  
thence north 00° 32' 57" east,  
along the easterly margin of  
Meridian Avenue North, as es-  
tablished by deed recorded un-  
der King County Auditor's File  
No. 182814, 42.77 feet; thence  
south 83° 15' 44" east, 10.00 feet;  
thence south 00° 32' 57" west,  
52.77 feet to said north mar-  
gin; thence north 83° 15' 44"  
west, along said north margin,  
10.00 feet to the true point of  
beginning; ALSO.

**PLAT OF MERIDIAN AVE-  
NUE ACRES, according to plat  
thereof recorded in Volume 24  
of Plats, page 10, Records of  
King County, Washington:**

Portions of Lots 1 through 7

North 163rd Street as plat-  
tence north 88° 45' 44" west  
along said south margin, 13.53  
feet to a point of curvature;  
thence easterly and southerly  
along a curve to the right hav-  
ing a radius of 18 feet, 15.53  
feet to a point of tangency;  
thence south 50° 12' 57" west  
177.85 feet to a point of curva-  
ture; thence southerly and  
westerly along a curve to the  
right having a radius of 15  
feet, 23.76 feet to a point of  
tangency on the north margin  
of North 163rd Street as plat-  
ted; thence south 33° 45' 45"  
east along said north margin,  
25.26 feet to the true point of  
beginning.

Section 2. That in the grading  
of Meridian Avenue North be-  
tween North 163rd Street and  
North Northgate Way, and North  
Northgate Way between Burke  
Avenue North and Corlies Avenue

shall acquire the rights in the  
case of a cut or fill to remove  
the lateral support of the prop-  
erty abutting upon said streets.  
And in every case the rights to  
remove said lateral support shall  
include the right to carry the  
slopes back into and extending  
upon the abutting real property  
two feet horizontally for each  
foot of depth of cut or for each  
foot of elevation of fill for the  
purpose of providing lateral sup-  
port for said streets, reserving  
unto the abutting property own-  
er, respectively, the right at any  
time to replace said cut slopes  
and remove said fill slopes upon  
provision and maintaining other  
adequate lateral support.

Section 3. That all lands,  
rights, privileges and other prop-  
erty lying within the limits of  
the lots and blocks and tracts of  
land described in Section 1 are  
herby condemned, appropriated,  
taken and damaged for the pur-  
pose therein enumerated; that all  
lands, rights, privileges and  
other properties necessary to be  
taken used or damaged in the  
grading of said streets in con-  
formity with the existing center  
line grade, and in the construc-  
tion of the necessary slopes for  
cuts and fills upon the real prop-  
erty abutting said streets as set  
forth in Section 2 hereof are  
herby 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 man-  
ner provided by law.

Section 4. Such acquisitions as  
are herein above described are  
herby declared to be an addi-  
tion to the Urban Arterial Sys-  
tem as accepted by the Urban  
Arterial Board, and the cost of  
such acquisition shall be paid  
from the Arterial Development  
Fund, the Urban Arterial Trust  
Account, or from both, or from  
such other general funds of the  
City of Seattle as may be desig-  
nated by ordinance.

Section 5. That the Corporation  
Council be and he is hereby au-  
thorized and directed to begin  
and prosecute the actions and the  
proceedings in the manner pro-  
vided by law to condemn, take,  
damage, and appropriate the land  
and other property necessary to  
carry out the provisions of this  
ordinance.

Section 6. That in conducting  
land condemnation proceedings,  
the Corporation Council is here-  
by authorized to enter into stipu-  
lations for the purpose of mini-  
mizing damages.

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  
28th day of December, 1978, and  
signed by me in open session in  
authentication of its passage this  
28th day of December, 1978.

**SAM SMITH,**  
President pro tem. of the  
City Council.

Approved by me this 30th day  
of December, 1978.

**CHARLES M. CARROLL,**  
Acting Mayor.

Filed by me this 30th day of  
December, 1978.

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

(Seal) By **J. F. FENTON,**  
Deputy Clerk.

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

Date of Official Publication in  
the Daily Journal of Commerce,  
Seattle, January 2, 1979.