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6-24-49

ORDINANCE NO. 78110

AN ORDINANCE relating to the acquisition of right of way for 26th Avenue South and other streets and avenues, as contemplated by Ordinance No. 60444; repealing said Ordinance; Providing for the dismissal of Eminent Domain proceedings, and for payment of costs appertaining thereto; abandoning any unexpended balances of rights of way appropriations made by Ordinances numbered 69512, 69608, 70292, 71026, 71294, and 74886; and ratifying and confirming all actions taken, pursuant to said ordinances.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Ordinance No. 60444 entitled:

"AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of 26th Avenue South from Rainier Avenue to Plum Street, of a diagonal street from 26th Avenue South and Plum Street to Holgate Street and 27th Avenue South, of 27th Avenue South between Holgate Street and Jackson Street, of Temple Place between the intersection of 27th Avenue South with Jackson Street and East Cherry Street, of 28th Avenue North from East Harrison Street to Boyer Avenue as extended, and of Boyer Avenue from 28th Avenue North as extended to 24th Avenue North; providing for the establishing of the curb grades of said avenues, street and place; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor and for the making of the necessary slopes for cuts and fills upon the property abutting on said avenues, street and place; providing for the condemnation, appropriation and taking of land and other property in fee simple for general municipal purposes; and providing that the entire cost of such improvement shall be paid by special assessment upon the property specially benefited, in the manner provided by law, except as herein otherwise provided,"

be and the same is hereby repealed.

Section 2. That all actions heretofore taken pursuant to the provisions of said Ordinance No. 60444 are hereby ratified and confirmed.

Section 3. That the Corporation Counsel be and he is hereby authorized and directed to secure the proper court order dismissing the eminent domain proceedings initiated in King County Superior Court under Cause No. 245115 pursuant to said Ordinance 60444, and that the costs taxable against the City of Seattle in said proceedings to the date of such dismissal shall be paid from the Judgment Fund of the City of Seattle.

(To be used for all Ordinances except Emergency.)

Section 4. That all unexpended balances of appropriations made from the General Road and Bridge Fund by Ordinances numbered 69512 and 69608 be and the same are hereby abandoned.

Section 5. That all unexpended balances of appropriations made from the City Street Fund by Ordinances numbered 70292, 71026, 71294, and 74886 be and the same are hereby abandoned.

Section 6. That all expenditures heretofore made under authority of said Ordinances numbered 69512, 69608, 70292, 71026, 71294, and 74886 be and the same are 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 the City Council the 5 day of July, 1949

and signed by me in open session in authentication of its passage this 5 day of July, 1949

David Lenior

President of the City Council.

Approved by me this 7 day of July, 1949

Wm. F. Dwyer

Mayor.

Filed by me this 7 day of July, 1949

Attest: N. C. Thomas

City Comptroller and Ex-Officio City Clerk.

(SEAL)

By John B. Kellum

Deputy Clerk.

Published

City Comptroller and Ex-Officio City Clerk.

By

Deputy Clerk.

SM L&M CO. 3-44