

the City Engineer shall be dedicated to the public use, including that portion of such sidewalk that shall be on private property. Such sidewalk shall be by the owner of such private property be maintained in a safe and proper manner as by the general law and city ordinances required.

Section 7. An urgency and emergency for the passage of this ordinance is hereby declared to, and does, exist and the same shall take effect and be in force immediately upon its passage.

Passed the City Council November 8, 1965.

NEAL R. FOSSEEN, Mayor.

Attest: A. A. BROWN, City Clerk.

ORDINANCE NO. C18290

An ordinance directing the execution of easements over and across the public right-of-way in the downtown area of Spokane at or near the area between Stevens Street and Howard Street and Main Avenue and declaring an emergency.

WHEREAS, Parkade, Inc., a corporation, is constructing in the City of Spokane in an area on Main Avenue between Stevens Street and Howard Street, a parking garage, and

WHEREAS, the plans and specifications on file with the City Engineer contain plans for, amongst other things, skywalks or overhead walkways whereby over and above the sidewalks and streets of the surrounding area pedestrian traffic may move to office buildings and department stores and other types of buildings, and

WHEREAS, for various reasons, the ramp garage building to be built or constructed will have overhanging eaves extending over the public right-of-way approximately 10 feet, and certain ramps and approaches, and

WHEREAS, Parkade, Inc. will establish various street plantings as a part of public beautifications and suitable lighting where the building is to be constructed and on the skywalks or walkways above noted, and

WHEREAS, such public plantings, skywalks, walkways, ramps, stairways and other matters herein described shall be to the public advantage and benefit, now therefore

The City of Spokane does ordain:

Section 1. That the appropriate city officers are hereby authorized and directed to execute an appropriate instrument granting an easement to Parkade, Inc., a corporation, its successors, designates and assignees, an easement for walkways, skywalks, stairways and ramps for access to and from a garage building to be built upon premises above noted, such skywalks, walkways, stairways and ramps to run over and across, in an elevated manner, the streets, alleys and right-of-ways of the City of Spokane in the geographic area surrounding said building as per plans and specifications on file in the office of the City Engineer of the City of Spokane heretofore filed by said Parkade, Inc., a corporation, and granting to said corporation, its successors, designates, assignees or licensees, the right to construct and maintain such walkways, skywalks, elevated pedestrian walkways, stairways and ramps as per plans and specifications above noted.

Section 2. There is also to be granted to said Parkade, Inc. an easement for the construction and maintenance of extended eaves or roof lines around said ramp garage building as set forth in the plans and specifications for said building and on file as above noted.

Section 3. The easement by this ordinance authorized shall include the right to build, construct and maintain the elevated walkways, skywalks, ramps, stairways and extended eaves above noted, but the walkways, skywalks, stairways and elevated pedestrian ways above noted shall be dedicated to the public use and shall be maintained throughout their life for such use.

Section 4. The lighting of the walkways, elevated pedestrian ways, stairways, skywalks and ramps as in the plans and specifications on file above noted shall be lighted and illuminated in a manner subject to the approval of the Traffic Engineer of the City of Spokane and shall be so designed, built and maintained as to not create traffic or pedestrian hazard.

Section 5. Said easement grant shall provide that the relocation of public facilities in the nature of traffic signals, street lights and public utilities necessitated by the construction of all of the various parts of the parking garage and appurtenances as exemplified by the plans and specifications on file as above noted shall be accomplished to the satisfaction and direction of the Traffic Engineer and the Director of Public Works and Utilities of the City of Spokane without

cost to the City of Spokane, and it shall be provided and understood that all substantial and material changes in the plans and specifications heretofore filed by Parkade, Inc., the petitioner, for the construction above noted, shall be made only with the direction and consent of the City Engineer and the approval of this Council.

Section 6. Such easement instrument shall also provide that the planting of trees and/or shrubs as indicated on the plans and specifications above noted shall be installed and maintained in a manner so as not to interfere with traffic signals, signs, street lights, public utilities or the safe movement of pedestrians and vehicles and that,

The petitioner for the easements herein granted, Parkade, Inc., a corporation, and/or its successors, designates and assignees or those who shall in any way follow it in interest, shall maintain sufficient and adequate public liability insurance for the financial protection of the public and shall at all times maintain the City of Spokane as a co-insured in its liability insurance coverage and shall maintain such insurance coverage so as to be constantly in force and in any event shall hold the City of Spokane free and clear of liability and kept harmless by reason of the building, maintenance and operation of said ramp garage and/or the appurtenant facilities and public ways above noted, and

During the course of construction of said parking garage and all its appurtenances, including the proposed walkways, skywalks, stairways and ramps, Parkade, Inc., and its agents or contractors, shall cause the City of Spokane to be a co-insured in all of its liability insurance coverage and shall further hold the City of Spokane free and clear of liability and kept harmless of all claims or damages in the course of such construction.

Section 7. The easements and permissions under this ordinance to be granted shall be in full force and effect so long as the facilities for which they are granted are operated for the use and purpose for which they have been installed and constructed, but when hereafter such facilities, for which these easements are to be granted shall cease to be used, operated and maintained as aforesaid, then the easements granted shall cease and all the rights of the petitioner, as herein set forth, shall cease as though this ordinance had not been enacted.

Section 8. An urgency and emergency for the passage of this ordinance is hereby declared to, and does, exist and the same shall take effect and be in force immediately upon its passage.

Passed the City Council November 8, 1965.

NEAL R. FOSSEEN, Mayor.

Attest: A. A. BROWN, City Clerk.

ORDINANCE NO. C18291

An ordinance ordering the paving of Normandie Street, in the City of Spokane, from Mansfield Avenue to Carlisle Avenue, establishing a local improvement district therefor, directing the levy of special assessments and providing a method of financing to pay the cost and expense of said improvement.

The City of Spokane does ordain:

Section 1. That Normandie Street, in the City of Spokane, from Mansfield Avenue to Carlisle Avenue, be improved by the paving of the same, and that such other work be done as may be necessary in connection therewith, according to the maps, plans and specifications prepared under the direction of the City Engineer of said City, and on file in the office of the said Engineer, which said maps, plans and specifications are hereby approved and adopted.

Section 2. That the cost of said improvement, including all the necessary and incidental expenses, shall be borne by and assessed against the property included in the local improvement district hereinafter established and described and in accordance with the law. The City of Spokane shall not be liable in any manner for any portion of the cost or expense of said improvement, except as herein provided.

Section 3. That there is hereby established a local improvement district to be designated as "Local Improvement District No. 5650, for Normandie Street Paving," which said district includes all of the lots, tracts and parcels of land and other property found to be specially benefited by said improvement, and described as follows:

Beginning on the center line of Mansfield Avenue equidistant from the east line of Calispel Street and the west