

**Seattle City Clerk's Office**

**Comptroller File**

**199367**

FILE NO. 199307

Petition

OF

Arline M. Chorberg

For vacation of portion of  
5th Avenue North.

*101.748 - set hearing  
11/19/48 - who?*

RES. NO. July 15, 1948.

FILED

W. C. THOMAS  
CITY COMPTROLLER AND CITY CLERK

*W. C. Thomas*  
DEPUTY

ACTION OF THE COUNCIL

REFERRED	JUL 19 1948	TO	STREETS & SEWERS
REFERRED		TO	
REPORTED		REPORT ADOPTED	
REPORTED		REPORT ADOPTED	
REF. FOR ORD.		C. B. ORD.	
	NOV 15 1948	DISPOSITION	GRANTED

REPORT OF COMMITTEE

Mt. President:

Your \_\_\_\_\_ Streets and Sewers \_\_\_\_\_ Committee

to which was referred the within \_\_\_\_\_ Petition \_\_\_\_\_

would respectfully report that we have considered the same and respectfully recommend that \_\_\_\_\_

same be granted.

*Rockwell*

CHAIRMAN

CHAIRMAN

Nov, 18<sup>th</sup> 1948

On re proposed vacation  
of E 15' of 5<sup>th</sup> Ave N.

Phil: - The 15' strip, proposed to be vacated,  
fronts on Howe St, and at the south  
line of Howe St, it is on the street  
grade, giving the adjoining 40' a better  
loc. hold for a building which must  
front on Howe St. The westerly few  
feet of said strip slopes gradually to the  
south and then drops off into the ravine.  
The following is the assessed value  
of the segregated portions of Lots 7 to 10.

W 40' of 7 to 10

1. E 40.5 of - 290..
2. W 80.5 of 7 to 10 - 390.
3. E 39.5 of 7 to 10 - 160.

The assessor tells me that the assessed  
value was based on a front foot value  
of ~~30~~, based on Howe St. frontage.

I believe this is reasonable, which  
would give the 15' strip a value of  
\$450.00

E. J. H.

# Seattle Real Estate Board

(INCORPORATED)



## CERTIFICATE of APPRAISAL

R. W. Finke, City Engineer  
City of Seattle

No. 10-216 404 County-City Building  
Seattle 4, Wash.

Seattle, November 16, 19 48

*This is to Certify that the Undersigned Members of the*

### Seattle Real Estate Board Appraisal Committee

have carefully examined, considered and appraised the following described property, situate in the County of King, State of Washington:

Property comprising a portion of 5th Avenue North, which is sought to be vacated on petition of Aline M. Cherberg, File No. 199367. See enclosed blueprint.

In consideration of the above facts this Official Appraisalment is issued by the

### Seattle Real Estate Board

The fair market value of said property as of the 16th day of November, 19 48, is as follows:

Land value SEVEN HUNDRED FIFTY AND NO/100 Dollars (\$750.00)

Value of Improvements ----- Dollars (\$ NIL)

Total value SEVEN HUNDRED FIFTY AND NO/100 Dollars (\$ 750.00)

IN WITNESS WHEREOF, The Seal of the Board and the signatures of its officers are hereto affixed.

### SEATTLE REAL ESTATE BOARD

(SEAL)



APPRaisal  
COMMITTEE

James A. Hannon, President

Jan Parlush ♀, Executive Secretary

H. S. Edwards  
Acting Chairman Appraisal Committee

H. S. Edwards  
Scott J. Johnson



# Seattle Real Estate Board, Inc.

AN ASSOCIATION OF REALTORS  
MEMBER WASHINGTON ASSOCIATION OF REALTORS

## OFFICERS

JAMES A. GANNON  
President  
H. E. McCREERY  
First Vice-President  
ELZIE B. COX  
Second Vice-President  
GUY E. STEVENS  
Secretary-Treasurer  
PEYSER, BAILEY & CARTANO  
Legal Counsel

LON FORBUSH, Executive Vice-Pras.  
TELEPHONE MAIN 7221  
1502-1411 FOURTH AVE. BLDG.  
SEATTLE 1, WASHINGTON

## DIRECTORS

ELZIE B. COX  
FRED W. DARNELL  
LESLIE W. EASTMAN  
JAMES A. GANNON  
H. E. McCREERY  
KENNETH J. MORFORD  
JOHN PECK  
E. J. RILEY  
GUY E. STEVENS

November 16, 1948

R. W. Finke, City Engineer  
City of Seattle  
404 County-City Bldg.  
Seattle 4, Wash.



Dear Mr. Finke:

Supplementing our Certificate of Appraisal No. 10-216, we wish to submit the following additional information:

DESCRIPTION: Property comprising a portion of 5th Ave. N., which is sought to be vacated on petition of Aline M. Cherberg, File No. 199367.

LOCATION: See enclosed blueprint.

SIZE OF PROPERTY: 15' x 100'

TOPOGRAPHY: Level

ZONING: Second residence

VACANT

CHARACTER OF NEIGHBORHOOD: Good - Residence and brick first class apartment bldgs.

GENERAL COMMENT: The 15' here applied for is but a small section of very desirable view building property. If property abutting this 15' strip was undesirable the appraisal would be quite different.

APPRAISAL: Land value: \$750.00; Value of improvements: NIL:  
TOTAL VALUATION AS OF NOVEMBER 16, 1948: SEVEN HUNDRED FIFTY AND NO/100 DOLLARS (\$750.00).

Yours very truly,

SEATTLE REAL ESTATE BOARD

H. D. Edwards, Acting Chairman  
APPRAISAL COMMITTEE

HDE/ms

*Consult a Realtor*

THE CITY OF SEATTLE  
DEPARTMENT OF ENGINEERING

R. W. FINKE, CITY ENGINEER  
MEMBER, BOARD OF PUBLIC WORKS

In Re:

November 24, 1948

Mrs. Arline Cherberg  
3501 - 21st Avenue West  
Seattle, Washington

Dear Madam:

Referring to your verbal protest as to the amount of the appraisal made by the Real Estate Board for the property in 5th Avenue North, which you asked to be vacated under Comptroller's File No. 199367, wish to advise that in accordance with our agreement, we have had a separate appraisal made by our right of way engineer, Mr. E. F. Hughes.

Mr. Hughes' appraisal of this property which was made without knowledge of the Real Estate Board's appraisal, is \$450.00.

Mr. Darnell of John Davis and Company, who ordinarily passes on any objections to the Board's appraisal, is in New York City and will not be back for several weeks. In view of these circumstances, the Streets and Sewers Committee has agreed to accept Mr. Hughes' appraisal of the property and has directed the Engineering Department to notify you accordingly.

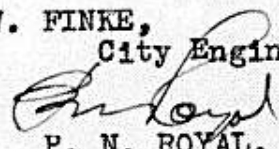
You are therefore advised that the amount you are now required to pay for this vacation is \$225.00 less the \$30.00 previously paid for the appraisal, or a net amount of \$195.00.

The ordinance providing for the vacation will be introduced in the City Council upon receipt by the undersigned of this sum. Please make your check payable to H. L. Collier, City Treasurer.

The date heretofore fixed for making this payment is still effective.

Yours very truly,

R. W. FINKE,  
City Engineer

By   
P. N. ROYAL,  
Supervising Sr. Engineer

46  
P.N.R.:HK



CP 199367

September 29, 1948

Hon. Board of Public Works  
Seattle, Washington

Gentlemen:

We are returning herewith City Comptroller's File No. 199367, being the petition of Arline M. Cherberg, et al., for the vacation of the east 15 feet of 5th Avenue North from Howe Street to a point 100 feet south thereof.

The petitioner owns a 40 by 100 foot lot abutting on the area sought to be vacated. Only the north half of the lot can be used, as the south half lies in a steep ravine. The addition of 15 feet of the street to the usable portion of the lot would permit the construction of a dwelling.

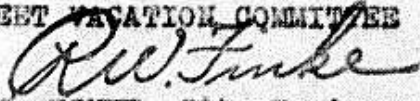
This section of 5th Avenue North is contiguous to Queen Anne Drive, which swings around the head of a deep ravine between Blaine and Howe Streets. 5th Avenue North and Queen Anne Drive come together at this point, resulting in a width of approximately 200 feet. A small portion of this area is occupied by a City Light substation. There are no utilities or other improvements in the area sought to be vacated.

The petitioners on May 27 made application to the Board of Public Works for a permit to use the 15 feet in question, the Board at that time suggesting a vacation would be in order.

We can not see where the City's interests would be adversely affected by the vacation, and it is recommended that the petition be granted.

Very truly yours,

STREET VACATION COMMITTEE

  
R. W. FINKE, City Engineer

E. R. HOFFMAN  
Superintendent of Lighting

CGW:vs  
Enc  
cc Light Dept.

CF 199367

September 29, 1948

Hon. Board of Public Works  
Seattle, Washington

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The petitioner owns a 40 by 100 foot lot abutting on the area sought to be vacated. Only the north half of the lot can be used, as the south half lies in a steep ravine. The addition of 15 feet of the street to the usable portion of the lot would permit the construction of a dwelling.

This section of 5th Avenue North is contiguous to Queen Anne Drive, which swings around the head of a deep ravine between Blaine and Howe Streets. 5th Avenue North and Queen Anne Drive come together at this point, resulting in a width of approximately 200 feet. A small portion of this area is occupied by a City Light substation. There are no utilities or other improvements in the area sought to be vacated.

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Very truly yours,

STREET VACATION COMMITTEE

  
R. W. FINKE, City Engineer

E. R. HOFFMAN  
Superintendent of Lighting

CGW:vs  
Enc  
cc Light Dept.

# THE CITY OF SEATTLE

DEPARTMENT OF PUBLIC WORKS  
509 COUNTY-CITY BUILDING

E. G. HENRY, SECRETARY  
MAIN 6000 - LOCAL 435

Sept. 30, 1948

Re: COUNCIL FILE #199367  
Petition of Arline M. Cherberg  
for vacation of portion of  
5th Avenue North.

Honorable Streets & Sewers Committee  
Seattle City Council

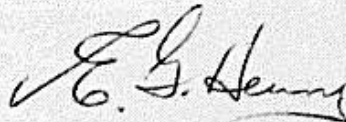
Gentlemen:

Herewith returned the above Council File together with copy of report of our Street Vacation Committee therein, dated September 29, 1948.

The Board of Public Works at today's meeting concurred in this report and in accordance therewith recommend that the petition be granted.

Respectfully yours,

BOARD OF PUBLIC WORKS



E. G. Henry - Sec'y

CC: City Engineer  
Supt of Light  
Mr. Will

Sept. 30, 1948

Re: COUNCIL FILE #199367  
Petition of Arline M. Cherberg  
for vacation of portion of  
5th Avenue North.

Honorable Streets & Sewers Committee  
Seattle City Council

Gentlemen:

Herewith returned the above Council File together with  
copy of report of our Street Vacation Committee therein, dated  
September 29, 1948.

The Board of Public Works at today's meeting concurred  
in this report and in accordance therewith recommend that the  
petition be granted.

Respectfully yours,

BOARD OF PUBLIC WORKS

E. G. Henry - Sec'y

CC: City Engineer  
Supt of Light  
Mr. Will

July 19, 1948

Board of Public Works  
City of Seattle

Gentlemen:

I am forwarding herewith File No. 199367, being petition of Arline M. Sherberg for vacation of portion of 5th Avenue North, with the request that you return same, together with your report and recommendation in duplicate.

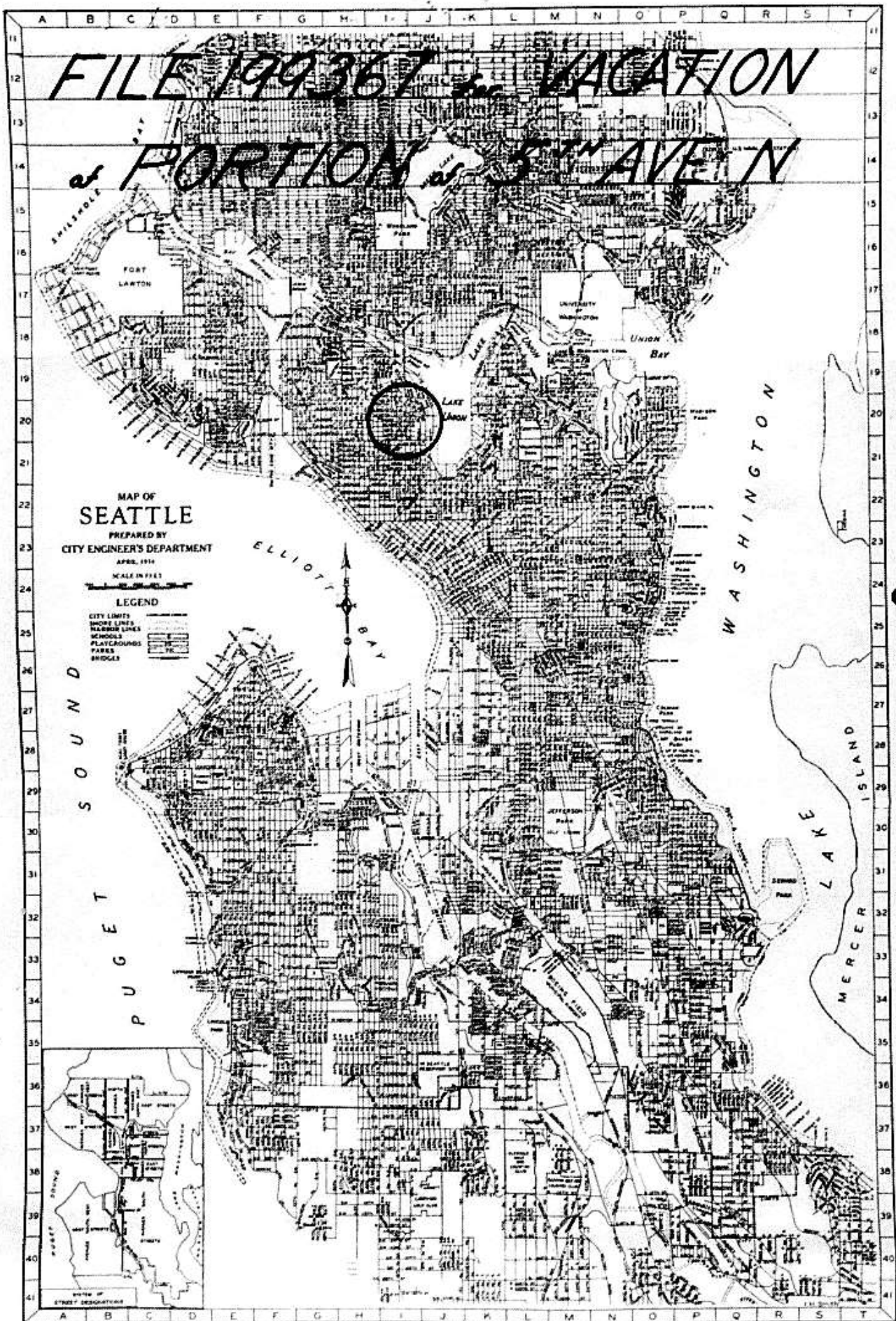
Yours very truly,

Alfred E. Rochester

ej

Att.

FILE 199367 VACATION  
PORTION of 5<sup>th</sup> AVE N



27 copies  
mailed Oct 21

CITY OF SEATTLE

MEMORANDUM OF PROPOSED STREET VACATION

Notice is hereby given that the petition of Arline M. Cherberg, et al. (City Comptroller's File No. 199367) for the vacation of

That portion of the east 15 feet of 5th Avenue North lying between the south line of Howe Street and the westerly extension of the south line of Lot 7, Block 77, Public Benefit Supplemental Plat of Collins Addition.

will be considered by the STREETS AND SEWERS COMMITTEE in the Council Chambers of the County-City Building, on

TUESDAY, NOVEMBER 9, 1948 at 2:00 O'CLOCK, P.M.

at which time petitions for and protests against such vacation will be heard.

For further information, call at the office of the City Engineer, 404 County-City Building.

STREETS AND SEWERS COMMITTEE

File 199367  
for Vacation of  
5th Ave N

	Add	Lot	Block
Mrs Cherberg 3501 21st Ave W	Public	789,10	77
E G Foster 509 Howe St	Benefit	7890	77
J A Cherberg 1719 2nd Ave N	Suppl & Collins	78910	77
Allan MacLean 521 Howe St	"	1-6	77
Albert L La Pierre 1630 4th Ave	"	5	77
Darwin E Ostrom, Securities Mfg Co	"	11-14	77
John R Moore 1502 Taylor Ave	"	8-9-11	78
Loyde C Sunde 210 W 73rd St	"	6,7,8	78
Wilhelm Madsen 1809 Bigelow Ave N	"	1-5	78
G.M. Austin 1906 " " "	"	15-20	67
Maye R Wonder 467 Newton	"	11-14	67
Theresa Keating 1902 Bigelow Ave N	"	1-5	67
✓ Catherine M Hunter	"	910	79
John S York 1716 1/2 Bigelow N	"	78,13,14	79
William Madsen 1859 Bigelow Ave N	"	910	79
Victor R Graves 1712 " " "	"	15,16	79
✓ Dorothy G Bover	"	11-20	79
Alfred C Petrich 2835 42nd W	Collins Add	1	68
J W Kilstrom 1906 5th Ave N	"	2	68
Firlawn Corp 1912 " " "	"	3	68
Gladys Simms 1918 5th Ave N	"	4	68
Ralph D Hodges Jr 1922 5th Ave N	"	5	68
George E Mayer 911 Taylor	"	7	68
✓ La Verne Kendall	"	7,8	69
1800 Taylor Ave Inc.	"	1-10	76
Childrens Orthopedic Hospital	"	1-10	81
2212 1st N			

File 199367

	Add	Lot	BLK
OE Welden Jr 1729 E Queen Anne Dr	Collins AU	75	80
Moyse Ormstrom 1722 " " " "	"	75	80
Louis Krambatt 1715 Taylor	"	67	80
Lake Union Golf Co	"	67	80
Tony Zanassi Woodinville, Wash	"	790	80

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION providing for the hearing on the petition of Arline M. Cherberg, for the vacation of portion of 5th Avenue North.

WHEREAS there has been filed with the City Council the petition of Arline M. Cherberg, (City Comptroller's File No. 199367), asking for the vacation of that portion of the east 15 feet of 5th Avenue North lying between the south line of Howe Street and the westerly extension of the south line of Lot 7, Block 77, Public Benefit Supplemental Plat of Collins Addition, which petition is signed by the owners of more than two-thirds of the property abutting on the portion of street therein sought to be vacated; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE:

That Monday, the 8th day of November, 1948, at the hour of 2:00 o'clock, P. M., in the City Council Chambers in the County City Building, Seattle, be and the same is hereby fixed as the time and place when and where said petition will be heard, and the City Clerk is directed to give due notice of such hearing in the manner provided by law.

ADOPTED by the City Council the 11th day of October, 1948 and signed by me in open session in authentication of its adoption this 11th day of October, 1948.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 1948.

\_\_\_\_\_  
City Comptroller and ex-officio  
City Clerk

By \_\_\_\_\_  
Deputy Clerk

all OK except minor  
minor says why?  
OK/RWT

REPORT ON PETITION

Sept 16, 1948

File No. 199367

Improvement of Vacation of Portion of 5th Ave N

From \_\_\_\_\_ to \_\_\_\_\_

By Vacation

Total Frontage 200 Lin. Ft. Total Area \_\_\_\_\_ Sq. Ft.  
% of Frontage \_\_\_\_\_ % of Area \_\_\_\_\_

Valid Signatures 100%  
Incomplete Signatures  
Invalid Signatures  
King County -

\_\_\_\_\_ % Limit of Assessment . . . . . \$ \_\_\_\_\_  
Maximum Rate , . . . . . \$ \_\_\_\_\_  
Approximate Rate for this Improvement . . . . . \$ \_\_\_\_\_

Worked by H W Farber

Approved by ASM

*ak*

July 22, 1948

Re: Council File #199367  
Petition of ARLINE M. CHERBERG  
for vacation of portion of  
5th AVENUE NORTH

Mr. Ralph W. Finke, City Engineer  
Chairman, Street Vacation Committee

Gentlemen:

The attached file was before the Board of  
Public Works today and referred to your committee for  
report and recommendation.

Respectfully yours,  
BOARD OF PUBLIC WORKS

E. G. Henry - Secy

CC: Supt of Light  
Mr. Will

July 19, 1948

Board of Public Works  
City of Seattle

Gentlemen:

I am forwarding herewith File No. 199367, being petition of Arline M. Cherberg for vacation of portion of 5th Avenue North, with the request that you return same, together with your report and recommendation in duplicate.

Yours very truly,

Alfred R. Rochester

ej

Att.

Circulated by Mrs. Cherberg  
3501 - 21st Avenue West - Ga. 2586

TO THE HONORABLE CITY COUNCIL OF THE CITY OF SEATTLE:

We, the undersigned, being the owners of more than two-thirds of the property abutting on that portion of

5th AVENUE NORTH

herein sought to be vacated, petition your Honorable Body to vacate:

That portion of the east 15 feet of 5th Avenue North lying between the south line of Howe Street and the westerly extension of the south line of Lot 7, Block 77, Public Benefit Supplemental Plat of *Collins addition*

OWNER	DESCRIPTION OF PROPERTY
✓ Lloyd C Lunde	Block 78 Lot 6-7+8
✓ Doris C Moore	Block 78 - Lots 9-11
✓ John R Moore	Block 78 Lot 7-10
✓ Florence A Lunde	Block 78 - Lot 6-7+8
✓ Arlene M. Cherberg	} w 40' of lots 7, 8, 9, & 10 Blk 77 Collins Public Benefit Supp Plat.
✓ James J. Cherberg	

STATE OF WASHINGTON)  
County of \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 194\_\_\_\_,  
before me personally appeared \_\_\_\_\_

\_\_\_\_\_ to me known to be  
the \_\_\_\_\_

of the corporation that executed the within and foregoing instrument,  
and acknowledged the said instrument to be the free and voluntary act  
and deed of said corporation, for the uses and purposes therein men-  
tioned, and each on oath stated that he was authorized to execute  
said instrument and that the seal affixed is the corporate seal of  
said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
my official seal the day and year first above written.

Notary Public in and for the State of \_\_\_\_\_  
residing at \_\_\_\_\_

STATE OF WASHINGTON)  
County of \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_ A.D. ,194\_\_\_\_,  
before me personally appeared \_\_\_\_\_

\_\_\_\_\_ to me known to be the  
\_\_\_\_\_

of the corporation that executed the within and foregoing instrument,  
and acknowledged the said instrument to be the free and voluntary act  
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said instrument and that the seal affixed is the corporate seal of  
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IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
my official seal the day and year first above written.

Notary Public in and for the State of \_\_\_\_\_  
residing at \_\_\_\_\_

INSTRUCTIONS TO PETITIONERS

PLEASE READ CAREFULLY

Strict observance of the following rules and suggestions in securing signatures will save trouble and result in less delay in forwarding the work.

In the case of Local Improvement petitions, the signatures of owners of abutting property alone are not sufficient. All property between the street margin and the middle of the block must be considered. However, Vacation petitions require only the signatures of the owners of the property abutting on the street or alley desired to be vacated.

The petition must be signed by the owner of the property as it appears of record in the office of the County Auditor. As a rule, it is best to secure the signature of both husband and wife. The names must be signed as they appear of record in the deed. The following signature is incorrect:

Mr. and Mrs. J. C. James.

They should sign as follows:

Mary A. James, and

J. C. James, or John C. James,

depending on the way the deed is recorded.

A husband or wife can not sign on behalf of the other spouse unless granted a recorded authority to do so as his or her attorney-in-fact. Evidence of such fraudulent signature will result in the signature being discarded.

The signature of a person who holds a deed that has not been recorded is of no value.

If the party who signs the petition is buying on a contract it will be necessary to have the signature of the fee owner: that is, the person, firm, or corporation from whom he is purchasing. It is not necessary to secure the signature of a mortgagee.

All property owned by a company or corporation must be signed by the duly authorized officer or officers, and the seal of the corporation must be attached. Both signatures and seal **MUST BE ACKNOWLEDGED BEFORE A NOTARY.** (See back of petition for acknowledgment.)

If the property stands in the name of a deceased person, or any person for whom a guardian has been appointed, the signature of the executor, administrator, or guardian, as the case may be, will be held equal to the signature of the owner of the property.

The signature of the agent or a tenant will not be accepted unless he has power of attorney from the owner.

The signature of an owner by his attorney-in-fact will be accepted, provided such power of attorney is recorded in the County Auditor's office.

Be sure to insert the lot and block number and the name of the addition after the signature. Do not give house number instead of lot and block.



STATE OF WASHINGTON)  
County of \_\_\_\_\_ ) ss.

On this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 194,  
before me personally appeared \_\_\_\_\_

\_\_\_\_\_ to me known to be  
the \_\_\_\_\_

of the corporation that executed the within and foregoing instrument,  
and acknowledged the said instrument to be the free and voluntary act  
and deed of said corporation, for the uses and purposes therein men-  
tioned, and each on oath stated that he was authorized to execute  
said instrument and that the seal affixed is the corporate seal of  
said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
my official seal the day and year first above written.

\_\_\_\_\_  
Notary Public in and for the State of \_\_\_\_\_  
residing at \_\_\_\_\_

STATE OF WASHINGTON)  
County of King ) ss.

On this 14 day of July A.D. 1948,  
before me personally appeared Arthur M. Cherberg and

James J. Cherberg to me known to be the  
Individuals

*ok*  
~~of the corporation that executed the within and foregoing instrument,  
and acknowledged the said instrument to be the free and voluntary act  
and deed of said corporation, for the uses and purposes therein men-  
tioned, and each on oath stated that he was authorized to execute  
said instrument and that the seal affixed is the corporate seal of  
said corporation.~~

IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
my official seal the day and year first above written.

Charles R. Carey  
Notary Public in and for the State of Wash  
residing at \_\_\_\_\_

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Be sure to insert the lot and block number and the name of the addition after the signature. Do not give house number instead of lot and block.