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**Ordinance No. 107455**

AN ORDINANCE vacating a portion of WEST ARMORY WAY, as initiated by Resolution No. 25558.

*6-28-78 Pan*

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

**Council Bill No. 99483**

INTRODUCED: <b>JUN 19 1978</b>	<b>EXECUTIVE REQUEST</b>
REFERRED: <b>JUN 19 1978</b>	TO: <b>TRANSPORTATION</b>
REFERRED:	
REFERRED:	
REPORTED: <b>JUL 3 1978</b>	SECOND READING: <b>JUL 3 1978</b>
THIRD READING: <b>JUL 3 1978</b>	SIGNED: <b>JUL 3 1978</b>
PRESENTED TO MAYOR: <b>JUL 5 1978</b>	APPROVED: <b>JUL 11 1978</b>
RETD. TO CITY CLERK: <b>JUL 11 1978</b>	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

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ORDINANCE 107455

AN ORDINANCE vacating a portion of WEST ARMORY WAY, as initiated by Resolution No. 25558.

WHEREAS, the City Council, by Resolution No. 25558, has initiated a proceeding for the vacation of PORTION OF WEST ARMORY WAY described as follows: beginning at the intersection of the west line of 15th Avenue West, as established by Ordinance 88352, and the northeasterly line of West Armory Way (formerly known as West Lawton Way); thence north 40°26'28" west along said northeasterly line, 140.69 feet to the west line of Lot 20, Block 176, Gilman's Addition, as recorded in Volume 5 of Plats, pages 93 and 93-1/2, Records of King County, Washington; thence south 0°08'22" east along said west line and the production south thereof, 146.36 feet to the northeasterly line of West Armory Way, as established by United States Condemnation Cause 890; thence south 40°26'28" east along the production southeasterly of said northeasterly line, 86.19 feet to a point of curvature; thence south-easterly, easterly, northeasterly and northerly along a curve to the left, having a radius of 20 feet, a distance of 48.76 feet to a point of tangency on the production south of said west line of 15th Avenue West; thence north 0°08'22" west along said produced line, 91.86 feet to the beginning; reserving to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above described property in the reasonable original grading of the street abutting upon said property after said vacation; and further, reserving to the City of Seattle the right to reconstruct, maintain and operate any existing overhead or underground utilities in said street until the beneficiaries of said vacation arrange with the owner or owners thereof for their removal; and

WHEREAS, at the hearing on said resolution on the 11th day of January, 1978, said resolution was duly granted by the City Council; and

WHEREAS, Ordinance No. 96020, as amended, restrains the City from collecting one-half the appraised value of the property to be vacated when such vacation, or any part thereof, has been requested by City departments, other municipal corporations or state or federal governmental agencies or by nonprofit institutions of higher education accredited by a recognized accrediting agency and requiring regular attendance by students in classes conducted at the institution; and

WHEREAS, the City of Seattle's Building Department requested the vacation of portion of West Armory Way, no appraisal was made and no payment was required for such vacation; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

PORTION OF WEST ARMORY WAY described as follows: beginning at the intersection of the west line of 15th Avenue West, as established by Ordinance 88352, and the northeasterly line of West Armory Way (formerly known as West Lawton Way); thence north 40°26'28" west along said northeasterly line, 140.69 feet to the west line of Lot 20, Block 176, Gilman's Addition, as recorded in Volume 5 of Plats, pages 93 and 93-1/2, Records of King County, Washington; thence south 0°08'22" east along said west line and the production south thereof, 146.36 feet to the northeasterly line of West Armory Way, as established by United States Condemnation Cause 890; thence

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be and the same is hereby vacated, reserving to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above described property in the reasonable original grading of the street abutting upon said property after said vacation; and further, reserving to the City of Seattle the right to reconstruct, maintain and operate any existing overhead or underground utilities in said street until the beneficiaries of said vacation arrange with the owner or owners thereof for their removal.

(To be used for all Ordinances except Emergency.)

Section 2.... 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 3 day of July, 1978,  
and signed by me in open session in authentication of its passage this 3 day of July, 1978.

*Phyllis Lamphere*  
President of the City Council.

Approved by me this 11 day of July, 1978.

*Charles Royer*  
Mayor.

Filed by me this 11 day of July, 1978.

Attest: *E. L. King*  
City Comptroller and City Clerk.

(SEAL)

Published .....

*Wayne Angerme*  
Deputy Clerk.

June 20, 1978

Andrea Houser Durfee  
Recording Secretary  
Magnolia Community Club  
Post Office Box 99164  
Seattle, Washington 98199

Dear Ms. Durfee:

Thank you for your letter of May 24, 1978, in which you forwarded the Magnolia Community Club's unanimous support for the partial vacation of West Armory Way off 15th Avenue West.

On June 28, the Council's Transportation Committee will consider Council Bill 99483, which authorizes the vacation of this portion of West Armory Way. This meeting will begin at 9:30 a.m. in the City Council Chamber. You or a representative from the Magnolia Community Club are welcome to attend and listen to the Committee discussion.

Your letter has been attached to Council Bill 99483 so that it will remain a part of the permanent record.

Again, thank you for taking the time to forward the Magnolia Community Club's position on this street vacation.

Sincerely,

JEANETTE WILLIAMS  
City Councilmember  
Seattle City Council

JW/lmg

**Your  
Seattle**

**Department of Buildings**

**William J. Justen, P.E. Acting Superintendent**

**Charles Royer, Mayor**



**Ms. Andrea Houser Durfee  
Recording Secretary  
Magnolia Community Club  
P. O. Box 99164  
Seattle, Washington 98199**

**Dear Ms. Durfee:**

**This is to acknowledge receipt of your letter of May 24, 1978,  
concerning the partial street vacation of West Armour Way off  
15th Avenue West.**

**With copy of this letter I am forwarding your communication to  
the Board of Public Works for appropriate action.**

**Very truly yours,**

**WILLIAM J. JUSTEN, P.E.  
Acting Superintendent of Buildings**

**cdl**

**cc: Ms. Betty McFarlane, Executive Secretary  
Board of Public Works**

**Mayor Royer  
Councilmember Jeanette Williams  
Mr. Scott Smith, President, Magnolia Community Club**

RECEIVED

MAY 24 1978



P. O. Box 99164  
Seattle, Washington 98199

May 24, 1978

Mr. William J. Justen, P.E.  
Acting Superintendent of Buildings  
Seattle Department of Buildings  
503 Municipal Building  
Seattle, Washington 98104

Dear Mr. Justen:

The Trustees of the Magnolia Community Club voted unanimously at its regular monthly meeting on May 23, 1978 to approve the partial street vacation of West Armour Way off 15th Avenue West.

This letter should be considered as an official document of the Magnolia Community Club and will become a part of the minutes of said meeting.

Yours truly,

A handwritten signature in cursive script that reads "Andrea Holser Durfee".

ANDREA HOLSER DURFEE  
Recording Secretary

cc: Mayor Charles Royer  
Seattle Councilwoman Jeanette Williams  
Scott Smith, President, Magnolia Community Club

Seattle  
Department of Buildings

William Justen, P.E., Acting Superintendent

~~William J. Kelly, P.E., Superintendent~~  
John Hoyer, Mayor



May 17, 1978

Re: Street Vacation  
Portion of West Armory Way

Mr. Scott Smith, President  
Magnolia Community Club  
2919 - 26th Avenue West  
Seattle, Washington 98199

Dear Mr. Smith:

The tentative agreement reached at our May 11 meeting regarding the proposed West Armory Way partial street vacation now requires formal action by the Magnolia Community Club. As you know, the City Council has required concurrence by your organization as a condition of passage of the final legislation vacating the portion of street.

Based on the discussion with you, representatives of Northwest Center for the Retarded and staff of both Parks and Building Departments of the City, it appears the misunderstanding over possible loss of access has been cleared up. It continues to be our intention that any action taken at this time should not create an island of land which would be a barrier to more intensive future access needs. I believe our ownership maps and vacation sketches discussed at last week's meeting make this amply clear. The vacation as proposed will only legalize a physical situation already existing which does not block more intensive use and improvement of West Armory Way west of 15th Avenue West.

To facilitate passage of the enabling ordinance by the City Council we ask that action to concur be taken by the appropriate authorized officers of the Magnolia Community Club as soon as possible. If this action is in the form of a resolution, a copy should be enclosed along with a copy of the minutes of the meeting at which such resolution is adopted and returned to the address below. In the event the minutes are the only official record, they will be entirely satisfactory. Should you or members of the organization have further questions or need clarification for your meeting, please contact W. S. McMillan at 625-2556.

Very truly yours,

  
WILLIAM J. JUSTEN, P.E.  
Acting Superintendent of Buildings

WSM:sv

cc: John Chapman  
Dorothy McCormick  
Jeanette Williams

6.00

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ORDINANCE 107455

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WHEREAS, at the hearing on said resolution on the 11th day of January, 1978, said resolution was duly granted by the City Council; and

WHEREAS, Ordinance No. 96020, as amended, restrains the City from collecting one-half the appraised value of the property to be vacated when such vacation, or any part thereof, has been requested by City departments, other municipal corporations or state or federal governmental agencies or by nonprofit institutions of higher education accredited by a recognized accrediting agency and requiring regular attendance by students in classes conducted at the institution; and

WHEREAS, the City of Seattle's Building Department requested the vacation of portion of West Armory Way, no appraisal was made and no payment was required for such vacation; Now, Therefore,

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and signed by me in open session in authentication of its passage this 3 day of July, 1978.

*Phyllis Lamphere*  
President of the City Council.

Approved by me this 11 day of July, 1978.

*Charles Royer*  
Mayor.

Filed by me this 11 day of July, 1978.

Attest: *E. L. King*  
City Controller and City Clerk.

(SEAL)

Published.....

*Wayne Angerme*  
Deputy Clerk.



*Returns*

FILED for Record at Request of  
E. L. KIDD, CITY COMPTROLLER  
101 SEATTLE MUNICIPAL BUILDING  
SEATTLE, WA 98104

7807140614

STATE OF WASHINGTON )  
COUNTY OF KING ) SS  
CITY OF SEATTLE )

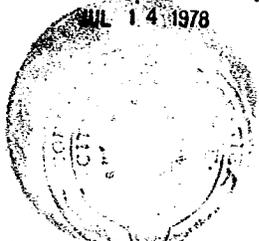
I, E. L. KIDD, Comptroller and City Clerk of the City of Seattle, do hereby certify that the within and foregoing is a true and correct copy of the original instrument as the same appears on file, and of record in this department

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of The City of Seattle, this

MAY 14 1978

E. L. KIDD  
Comptroller and City Clerk

By: *Lanalyston*  
Deputy Clerk



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and the same is hereby vacated, reserving to the City of Seattle the right to make all necessary slopes for cuts or fills upon the above described property in the reasonable original grading of the street abutting upon said property after said vacation; and further, reserving to the City of Seattle the right to reconstruct, maintain and operate any existing overhead or underground utilities in said street until the beneficiaries of said vacation arrange with the owner or owners thereof for their removal.

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Passed by the City Council the 3rd day of July, 1978, and signed by me in open session in authentication of its passage this 3rd day of July, 1978.

PHYLLIS LAMPHERE,  
President of the City Council.

Approved by me this 11th day of July, 1978.

CHARLES ROYER,  
Mayor.

Filed by me this 11th day of July, 1978.

Attest: E. L. KIDD,  
City Comptroller and  
City Clerk.

By: WAYNE ANGEVINE,  
(Seal) Deputy Clerk.

Publication ordered by E. L. KIDD, Comptroller and City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, July 14, 1978. (C-558)

C-508

## 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 .....  
..... **Ordinance No. 107455** .....

.....  
was published on **July 14, 1978** .....

*[Handwritten Signature]*

.....  
Subscribed and sworn to before me on

**July 14, 1978**

*[Handwritten Signature]*

.....  
Notary Public for the State of Washington,  
residing in Seattle.

# The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported  
and Adopted

Your Committee on

TRANSPORTATION

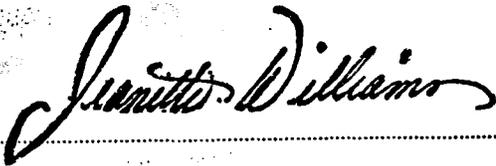
AUG 3 1978

to which was referred

C.B. 99483

Vacating a portion of WEST ARMORY WAY, as initiated by  
Resolution No. 25558.

RECOMMEND THAT THE SAME DO PASS



TRANS.  
Chairman

Chairman

Committee

Committee