

88.c.51

**Ordinance No. 109821**

AN ORDINANCE providing for the laying off, opening, widening and establishing of portions of Northeast Northgate Way between 1st Avenue Northeast and a point approximately 80 feet east of 15th Avenue Northeast at existing center line grade, all as a part of the "Northeast Northgate Way, et al, Paving, etc." project; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor, including property and property rights necessary for cut and fill slopes on certain abutting properties and providing payment therefor.

COMPTROLLER  
FILE NUMBER

3-11-81 Hbled  
4-8-81 Von

**Council Bill No. 102123**

INTRODUCED	MAR 02 1981	BY	EXECUTIVE REQUEST
REFERRED	MAR 02 1981	TO	TRANSPORTATION
REFERRED			
REFERRED			
APR 03 1981		SECOND READING	APR 13 1981
READ & APPROVED	APR 3 1981	APPROVED	APR 13 1981
PRESENTED TO MAYOR	APR 14 1981	APPROVED	APR 22 1981
SENT TO CITY CLERK	APR 22 1981	PUBLISHED	
VETOED BY MAYOR		VETO FORWARDED	
PASSED OVER VETO		VETO SUSTAINED	

LAW DEPARTMENT

SEE BACK COVER

- Ord. 111269 -Accepts the condemnation award in the matter of the petition of the City of Seattle to acquire by condemnation certain property & property rights required for Northeast Northgate Way, et al, paving, etc.
- Ord. 111323 -Accepts the condemnation award re certain property & property rights required for NE Northgate Way, et al., paving, etc.

ORDINANCE 109821

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AN ORDINANCE providing for the laying off, opening, widening and establishing of portions of Northeast Northgate Way between 1st Avenue Northeast and a point approximately 80 feet east of 15th Avenue Northeast at existing center line grade, all as a part of the "Northeast Northgate Way, et al, Paving, etc." project; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor, including property and property rights necessary for cut and fill slopes on certain abutting properties and providing payment therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public convenience and necessity demand that Northeast Northgate Way be and the same is hereby laid off, opened, widened and established over and across the following described real property in King County, Washington, to-wit:

BROOKWOOD PARK ADDITION (Volume 34 of Plats, Page 45)

That portion of Block 1, described as follows:

Beginning at the northeast corner of Lot 10 said Block 1; thence north 88° 21'31" west along the south margin of Northeast Northgate Way as established by a deed recorded in Volume 1112, page 31, Records of King County, Washington, a distance of 299.58 feet; thence south 0° 32'49" west a distance of 8.00 feet; thence north 88° 21'31" west along the south margin of Northeast Northgate Way as established by Ordinance No. 97039 a distance of 97.73 feet to a point of curve; thence southwesterly on a curve to the left, having a radius of 14.00 feet, an arc distance of 7.58 feet to the east margin of Roosevelt Way Northeast; thence south 88° 21'31" east 95.01 feet; thence south 89° 47'25" east 200.02 feet; thence south 88° 21'31" east 109.39 feet to the east line of said Lot 10; thence northerly along said east line 5.00 feet to the point of beginning; ALSO

That portion of Block 3, described as follows:

Beginning at the northwest corner of said Block 3; thence south 1° 36'55" west along the west line of said Block 5.00 feet; thence south 88° 21'31" east 230.00 feet to the east line of said Block 3; thence north 1° 36'32" east along said east line 5.00 feet; thence north 88° 21'31" west along the north line of said Block 3, a distance of 230.00 feet to the point of beginning; ALSO

That portion of Block 4, described as follows:

Beginning at the northwest corner of said Block 4; thence south 1° 36'32" west along the west line of said Block 5.00 feet; thence south 88° 21'31" east 171.44 feet to the east line of said Block 4; thence north 0° 57'41" east along said east line 5.00 feet; thence north 88° 21'31" west along the north line of said Block 4, a distance of 171.38 feet to the point of beginning; ALSO

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That portion of Block 5, described as follows:

Beginning at the northwest corner of said Block 5, thence south  $0^{\circ}57'41''$  west along the west line of said Block 5.00 feet; thence south  $88^{\circ}21'31''$  east a distance of 255.78 feet to a point of curve; thence easterly and southerly along a curve to the right, having a radius of 13.00 feet, an arc distance of 20.30 feet; thence south  $1^{\circ}05'40''$  west a distance of 42.12 feet; thence south  $88^{\circ}21'31''$  east 5.00 feet to the east line of said Block; thence north  $1^{\circ}05'40''$  east along said east line 57.71 feet to a point of curve; thence northwesterly along a curve to the left, having a radius of 19.50 feet, an arc distance of 6.95 feet; thence north  $88^{\circ}21'31''$  west along the north line of said Block 5, a distance of 269.26 feet to the point of beginning; ALSO

VICTORY HEIGHTS ADDITION (Volume 24 of Plats, Page 22)

That portion of Block 3, described as follows:

Beginning at the northeast corner of Lot 7, said Block 3; thence south  $0^{\circ}51'13''$  west along the east line of said Lot 7, a distance of 5.00 feet; thence north  $88^{\circ}06'06''$  west 67.36 feet to a point of curve; thence westerly and southerly along a curve to the left, having a radius of 13.00 feet, an arc distance of 20.60 feet; thence south  $1^{\circ}05'40''$  west a distance of 67.25 feet; thence north  $88^{\circ}06'10''$  west 5.00 feet to the west line of said Block 3; thence north  $1^{\circ}05'40''$  east along said west line 77.74 feet to a point of curve; thence northeasterly along a curve to the right, having a radius of 19.50 feet, an arc distance of 10.94 feet; thence south  $88^{\circ}06'06''$  east along the north line of said Block 3, 77.83 feet to the point of beginning; ALSO

MUNSON AND CUSTER'S ADDITION TO GREEN LAKE CIRCLE  
(Volume 5 of Plats, Page 88)

That portion of Block 5, described as follows:

Beginning at the intersection of the west line of Lot 13, said Block 5 and the north margin of Northeast Northgate Way as established by Ordinance No. 96568; thence north  $88^{\circ}21'31''$  west along said north margin a distance of 159.99 feet to the true point of beginning; thence continuing north  $88^{\circ}21'31''$  west a distance of 168.77 feet to a point of curve; thence westerly and northerly along a curve to the right, having a radius of 14.00 feet, an arc distance of 21.71 feet; thence north  $0^{\circ}30'17''$  east a distance of 1.02 feet to a point of curve; thence southerly and easterly along a curve to the left, having a radius of 13.00 feet, an arc distance of 20.16 feet; thence south  $88^{\circ}21'31''$  east a distance of 89.79 feet; thence south  $86^{\circ}55'36''$  east 80.03 feet to the true point of beginning; ALSO

Beginning at the northwest corner of Lot 13, said Block 5; thence south  $1^{\circ}14'32''$  west along the west line of said Lot 13 a distance of 96.77 feet to the true point of beginning; thence south  $88^{\circ}21'31''$  east along the north margin of Northeast Northgate Way as established under King County Cause No. 144182, 242.09 feet to the east line of said Block 5; thence north  $1^{\circ}20'58''$  east along said east line 5.00 feet; thence north  $88^{\circ}21'31''$  west a distance of 242.10 feet to the west line of said Lot 13; thence south  $1^{\circ}14'32''$  west along said west line 5.00 feet to the true point of beginning; ALSO

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MEDOVUE ADDITION (Volume 30 of Plats, Page 9)

That portion of Medovue Addition, described as follows:

Beginning at the northwest corner of Lot 31, said Addition; thence south  $1^{\circ}20'58''$  west along the west line of said Lot 31, a distance of 53.55 feet to a point of curve; thence southeasterly along a curve to the left having a radius of 10.00 feet, a distance of 5.19 feet to the true point of beginning having an initial radial bearing of south  $61^{\circ}38'29''$  west; thence continuing along said curve to the left a distance of 10.47 feet; thence south  $88^{\circ}21'31''$  east a distance of 268.85 feet to a point of curve; thence northeasterly along a curve to the left having a radius of 10.00 feet, an arc distance of 10.47 feet; thence north  $88^{\circ}21'31''$  west a distance of 286.17 feet to the true point of beginning; ALSO

Beginning at the northwest corner of Lot 11, said Medovue Addition; thence south  $0^{\circ}55'45''$  west a distance of 53.63 feet to a point of curve; thence southerly and easterly along a curve to the left, having a radius of 10.00 feet, an arc distance of 5.11 feet to the true point of beginning, said true point having an initial radial bearing of south  $61^{\circ}38'29''$  west; thence continuing along said curve to the left, an arc distance of 10.47 feet; thence south  $88^{\circ}21'31''$  east a distance of 200.11 feet to a point of curve; thence easterly and northerly along a curve to the left, having a radius of 63.19 feet, said curve being the westerly margin of 15th Avenue Northeast, an arc distance of 99.89 feet; thence north  $1^{\circ}04'13''$  east 19.76 feet; thence north  $88^{\circ}22'04''$  west 5.00 feet; thence south  $1^{\circ}04'13''$  west 44.44 feet to a point of curve; thence southwesterly along a curve to the right along said westerly margin having a radius of 63.19 feet and an initial radial bearing of south  $65^{\circ}59'02''$  east, an arc distance of 49.28 feet along the westerly margin of 15th Avenue Northeast; thence north  $88^{\circ}21'31''$  west 233.40 feet to the true point of beginning; ALSO

The southeast one-quarter of Section 29, Township 26 North, Range 4 East, W.M. in King County, Washington

That portion of said southeast one-quarter described as follows:

Beginning at the intersection of the south margin of Northeast Northgate Way as established by deed recorded under Auditor's File No. 1047343, with the east margin of 8th Avenue Northeast as established by deed recorded under King County Auditor's File No. 2627871; thence south  $0^{\circ}17'31''$  west along said east margin a distance of 20.24 feet to a point of curve; thence northerly and easterly along a curve to the right, having a radius of 10.00 feet, an arc distance of 15.94 feet; thence south  $88^{\circ}22'46''$  east a distance of 122.07 feet; thence north  $1^{\circ}37'14''$  east 2.00 feet; thence south  $88^{\circ}22'46''$  east a distance of 64.00 feet; thence south  $1^{\circ}37'14''$  west 2.00 feet; thence north  $88^{\circ}22'46''$  east 284.45 feet; thence north  $0^{\circ}32'49''$  east 10.00 feet; thence north  $88^{\circ}22'46''$  west along said south margin a distance of 480.84 feet to the point of beginning; ALSO

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That portion of said southeast one-quarter described as follows:

Beginning at the intersection of the east margin of 5th Avenue Northeast as established by deed recorded in Volume 2911, page 527, Records of King County, Washington, with the south margin of Northeast Northgate Way as established by a deed recorded under King County Auditor's File Number 3980663; thence south  $0^{\circ}01'01''$  east along said east margin a distance of 140.06 feet; thence south  $88^{\circ}22'10''$  east a distance of 8.00 feet; thence north  $0^{\circ}01'01''$  west a distance of 126.68 feet to a point of curve; thence northerly and easterly along a curve to the right having a radius of 13.0 feet, an arc distance of 20.79 feet; thence north  $88^{\circ}22'10''$  west a distance of 21.38 feet along said south margin of Northeast Northgate Way to the point of beginning; ALSO

That portion of said southeast one-quarter described as follows:

Beginning at the intersection of the south margin of Northeast Northgate Way as established by a deed recorded in Volume 1112, page 22, Records of King County, Washington with the west margin of 8th Avenue Northeast as established by a deed recorded in Volume 1475, page 557, Records of King County, Washington; thence north  $88^{\circ}22'10''$  west along said south margin a distance of 355.97 feet; thence south  $0^{\circ}01'01''$  east a distance of 10.00 feet; thence south  $88^{\circ}22'10''$  east a distance of 346.14 feet to a point of curve; thence easterly and southerly along a curve to the right, having a radius of 10.00 feet, an arc distance of 15.47 feet to said west margin; thence north  $0^{\circ}17'31''$  east along said west margin a distance of 19.77 feet to the point of beginning; ALSO

The southwest one-quarter of Section 29, Township 26 North, Range 4 East, W.M., in King County, Washington.

That portion of said southwest one-quarter described as follows:

Beginning at the intersection of the north margin of Northeast Northgate Way and the west margin of 5th Avenue Northeast as they were established by a deed recorded in Volume 2911, page 527, Records of King County, Washington; thence north  $0^{\circ}01'01''$  west along said west margin a distance of 10.30 feet to a point of curve; thence southerly and westerly along a curve to the right, having a radius of 10.00 feet, an arc distance of 16.00 feet to said north margin; thence south  $88^{\circ}20'28''$  east along said north margin 10.30 feet to the point of beginning; ALSO

That portion of said southwest one-quarter described as follows:

Beginning at the intersection of the north margin of Northeast Northgate Way with the west margin of 5th Avenue Northeast as they were established by a deed recorded in Volume 2911, page 527, Records of King County, Washington; thence north  $88^{\circ}20'28''$  west 89.48 feet to the true point of beginning; thence continuing north  $88^{\circ}20'28''$  west 400.00 feet; thence south 10.00 feet to the north margin of Northeast Northgate Way as established by a deed recorded in Volume 1099, page 436, Records of King County, Washington; thence south  $88^{\circ}20'23''$  east, 400.00 feet; thence north  $1^{\circ}04'31''$  east 10.00 feet to the true point of beginning; ALSO

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That portion of said southwest one-quarter described as follows:

Beginning at the intersection of the south margin of Northeast Northgate Way as established by a deed recorded in Volume 2911, page 527 and a deed recorded in Volume 2990, page 183, Records of King County, Washington with the west margin of 5th Avenue Northeast as established by a deed recorded in Volume 2911, page 527, Records of King County, Washington; thence north 88°20'28" west along said south margin 1,239.53 feet to the east margin of 1st Avenue Northeast; thence south 0°12'42" west along said east margin 4.00 feet; thence south 88°20'28" east 37.50 feet; thence south 69°11'10" east 32.00 feet; thence south 88°20'28" east 112.00 feet; thence north 1°39'33" east 12.50 feet; thence south 88°20'28" east 707.68 feet to a point of curve; thence easterly and southerly along a curve to the right having a radius of 15.00 feet, an arc distance of 23.12 feet; thence south 0°01'01" east 273.56 feet; thence south 88°20'28" east 2.00 feet to said west margin of 5th Avenue Northeast; thence north 0°01'01" west along said west margin 290.12 feet to the point of beginning.

The southeast one-quarter of Section 29, Township 26 North, Range 4 East, W.M.

That portion of said southeast one-quarter described as follows:

The south 10.00 feet of the north 132.00 feet of the south 162.00 feet of the east one-half of the northwest one-quarter of said southeast one-quarter; EXCEPT the west 210.00 feet thereof; and EXCEPT the east 233.55 feet thereof; ALSO

That portion of said southeast one-quarter described as follows:

Beginning at the intersection of the north margin of Northeast Northgate Way as established by a deed as recorded in Volume 1112, page 268, Records of King County, Washington with the west margin of 8th Avenue Northeast as established by a deed recorded in Volume 1505, page 176, Records of King County, Washington; thence north 88°22'10" west along said north margin 224.15 feet to the true point of beginning; thence continuing north 88°22'10" west along said north margin a distance of 80.03 feet; thence north 0°06'00" east 10.00 feet; thence south 88°22'10" east 80.03 feet; thence south 0°06'00" west 10.00 feet to the true point of beginning; ALSO

That portion of said southeast one-quarter described as follows:

Beginning at the intersection of the north margin of Northeast Northgate Way with the east margin of 5th Avenue Northeast as they were established by a deed recorded in Volume 2911, page 527, Records of King County, Washington; thence north 0°01'01" west 4.86 feet to a point of curve; thence southerly and easterly along a curve to the left, having a radius of 5.00 feet an arc distance of 7.71 feet to said north margin; thence north 88°22'10" west along said north margin 4.86 feet to the point of beginning;

Section 2. That in the widening of Northeast Northgate Way between 1st Avenue Northeast and 15th Avenue Northeast in conformity with the existing center line grade, the City shall acquire the right in the case of a cut to remove the lateral support of the property abutting upon said street. In every case the right to remove said lateral support shall include the right to carry the slopes back into and extending upon the abutting real property 3 feet horizontally for each foot of depth of cut, and in

1 the case of fills, the right shall be acquired to extend and maintain upon the abutting  
2 real property slopes of 3 feet horizontally for each foot of elevation of fill for the  
3 purpose of providing lateral support for said street, reserving unto the abutting property  
4 owners, respectively, the right at any time to replace said cut slopes and to remove said  
5 fill slopes upon providing and maintaining other adequate lateral support for said street.

6 Section 3. That all lands, rights, privileges and other property lying within the  
7 limits of the lots, blocks and tracts of land described in Sections 1 and 2 hereof are  
8 hereby condemned, appropriated, taken and damaged for the purpose of a public street;  
9 and lands, rights, privileges and other property necessary to be taken, used or damaged  
10 in the grading of Northeast Northgate Way in conformity with the existing center line  
11 grades and in the construction of necessary slopes for cuts or fills on the real property  
12 abutting upon said street, as set forth in Section 2 hereof, are hereby condemned,  
13 appropriated, taken and damaged for the public use of such purpose, and all lands,  
14 rights, privileges and other properties are to be taken, damaged and appropriated only  
15 after just compensation has been made or paid into court for the owners thereof in the  
16 manner provided by law.

17 Section 4. That the entire cost of the improvement provided for by this  
18 ordinance shall be paid from the Arterial Development Fund or from such other general  
19 funds of the City of Seattle as may be provided by law.

20 Section 5. That the City Attorney be and he is hereby authorized and directed  
21 to begin and prosecute the actions and proceedings in the manner provided by law to  
22 condemn, take, damage and appropriate the lands and other property necessary to carry  
23 out the provisions of this ordinance.

24 Section 6. That in conducting said condemnation proceedings, the City Attorney  
25 is hereby authorized to enter into stipulations for the purpose of minimizing damages.  
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(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 13<sup>th</sup> day of April, 1981,  
and signed by me in open session in authentication of its passage this 13<sup>th</sup> day of April, 1981.

President of the City Council.

Approved by me this 22<sup>nd</sup> day of April, 1981.  
Charles Berger  
Mayor.

Filed by me this 22<sup>nd</sup> day of April, 1981.

Attest: Jim Hill  
City Comptroller and City Clerk.

(SEAL)

Published \_\_\_\_\_  
By Theresa Dunbar  
Deputy Clerk.

REC'D OMB FEB 19 1981

Rec'd OMB Feb. 4, 1981

#801883



Seattle  
Engineering Department  
Arthur E. Maronek  
Acting Director of Engineering  
Charles Royer, Mayor

February 18, 1981

Honorable Charles Royer  
Mayor of The City of Seattle  
1200 Municipal Building  
Seattle, Washington 98104

Attention: Office of Management & Budget

RE: Northeast Northgate Way, et al,  
Paving, etc., Project

Dear Mayor Royer:

We transmit for City Council approval a Council bill providing for acquisition by condemnation of real property and property rights necessary for the Northeast Northgate Way, et al, Paving Project. The property is located along Northeast Northgate Way between First Avenue Northeast and a point approximately 80 feet east of Fifteenth Avenue Northeast.

The cost of the property acquisition shall be paid from the Arterial Development Fund or from such other general funds of the City of Seattle as may be provided by law.

Very truly yours,

ARTHUR E. MARONEK  
Acting Director of Engineering

By   
R. R. PARKER  
Assistant Director

RRP/HTL:lh

Attachment  
cc: Law Department  
Connie L. Jensen

Your City, Seattle

FEB 20 1981



*Amended WILCOX  
(Di J. J. 10)*

The Honorable Douglas Jewett  
City Attorney  
City of Seattle

Dear Mr. Jewett:

The Mayor is proposing to the City Council that the enclosed legislation be adopted.

REQUESTING  
DEPARTMENT: Engineering

SUBJECT: Northeast Northgate Way, et al, Paving, etc., Project

Pursuant to the City Council's S.O.P. 100-014, the Executive Department is forwarding this request for legislation directly to your office for review and drafting.

After reviewing this request and drafting appropriate legislation:

- (X) File the legislation with the City Clerk for formal introduction to the City Council as an Executive Request.
- ( ) Do not file with City Council but return the proposed legislation to OMB for our review. Return to \_\_\_\_\_.

Sincerely,

Charles Royer  
Mayor

By

*John Saven*  
John Saven  
Budget Director

*Handwritten notes:*  
I have the  
new form for  
letter 2-12-81

JS/jo/pa

Enclosure

cc: Director of Engineering

ORDINANCE 109821

AN ORDINANCE providing for the laying off, opening, widening and establishing of portions of Northeast Northgate Way between 1st Avenue Northeast and a point approximately 80 feet east of 15th Avenue Northeast at existing center line grade, all as a part of the "Northeast Northgate Way, et al, paving, etc." project; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor, including property, an property rights necessary for cut and fill slopes on certain abutting properties and providing payment therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public convenience and necessity demand that Northeast Northgate Way be and the same is hereby laid off, opened, widened and established over and across the following described real property in King County, Washington, to-wit:

BROOKWOOD PARK ADDITION (Volume 34 of Plats, Page 43)

That portion of Block 1, described as follows:

Beginning at the northeast corner of Lot 10 said Block 1; thence north 88°21'31" west along the south margin of Northeast Northgate Way as established by a deed recorded in Volume 1112, page 31, Records of King County, Washington, a distance of 292.53 feet; thence south 0°22'49" west a distance of 8.00 feet; thence north 88°21'31" west along the south margin of Northeast Northgate Way as established by Ordinance No. 97039 a distance of 87.73 feet to a point of curve; thence southwesterly on a curve to the left, having a radius of 14.00 feet an arc distance of 1.58 feet to the east margin of Roosevelt Way Northeast; thence south 88°21'31" east 95.01 feet; thence south 89°47'25" east 200.00 feet; thence south 88°21'31" east 109.39 feet to the east line of said Lot 10; thence northerly along said east line 5.00 feet to the point of beginning; ALSO

That portion of Block 3, described as follows:

Beginning at the northwest corner of said Block 3; thence south 1°38'55" east along the west line of said Block 3; thence south 88°21'31" east 230.00 feet to the east line of said Block 3; thence north 1°36'37" east along said east line 5.00 feet; thence north 88°21'31" west along the north line of said Block 3, a distance of 230.00 feet to the point of beginning; ALSO

That portion of Block 4, described as follows:

Beginning at the northwest corner of said Block 4; thence south 1°36'37" west along the west line of said Block 4; thence south 88°21'31" east 171.44 feet to the east line of said Block 4; thence north 0°57'41" east along said east line 5.00 feet; thence north 88°21'31" west along the north line of said Block 4, a distance of 171.38 feet to the point of beginning; ALSO

That portion of Block 5, described as follows:

Beginning at the northwest corner of said Block 5; thence south 0°57'41" east along the west line of said Block 5; thence south 88°21'31" east a distance of 255.78 feet to a point of curve; thence easterly and southerly along a curve to the right, having a radius of 13.00 feet, an arc distance of 29.30 feet; thence south 1°05'40" west a distance of 42.12 feet; thence south 88°21'31" east 5.00 feet to the east line of said Block 5; thence north 1°05'40" east along said east line 57.71 feet to a point of curve; thence northwesterly along a curve to the left, having a radius of 19.59 feet, an arc distance of 6.95 feet; thence north 88°21'31" west along the north line of said Block 5, a distance of 289.26 feet to the point of beginning; ALSO

VICTORY HEIGHTS ADDITION (Volume 24 of Plats, Page 22)

That portion of Block 3, described as follows:

Beginning at the northeast corner of Lot 7, said Block 3; thence south 0°51'31" west along the east line of said Lot 7, a distance of 5.00 feet; thence north 88°09'08" west 87.38 feet to a point of curve; thence westerly and southerly along a curve to the left, having a radius of 11.00 feet, an arc distance of 20.83 feet; thence south 1°05'40" west a distance of 87.25 feet; thence north 88°09'10" west 5.00 feet to the west line of said Block 3; thence north 1°05'40" east along said west line 77.74 feet to a point of curve; thence northwesterly along a curve to the right, having a radius of 13.00 feet, an arc distance of 10.84 feet; thence south 88°09'08" east along the north line of said Block 3, 77.83 feet to the point of beginning; ALSO

MUNSON AND CUSTERS ADDITION TO GREEN LAKE CIRCL (Volume 4 of Plats, Page 88)

That portion of Block 5, described as follows:

Beginning at the intersection of the west line of Lot 13, said Block 5 and the north margin of Northeast Northgate Way as established by Ordinance No. 88588; thence north 88°21'31" west along said north margin a distance of 159.98 feet to the true point of beginning; thence continuing north 88°21'31" west a distance of 168.77 feet to a point of curve; thence westerly and northerly along a curve to the right, having a radius of 14.00 feet, an arc distance of 21.71 feet; thence north 0°30'17" east a distance of 1.88 feet to a point of curve; thence southerly and easterly along a curve to the left, having a radius of 13.00 feet, an arc distance of 20.18 feet; thence south 88°21'31" east a distance of 89.79 feet; thence south 88°59'38" east 80.03 feet to the true point of beginning; ALSO

Beginning at the northwest corner of Lot 13, said Block 5; thence south 1°14'32" west along the west line of said Lot 13 a distance of 88.77 feet to the true point of beginning; thence south 88°21'31" east along the north margin of Northeast Northgate Way as established under King County Cause No. 144182, 247.09 feet to the east line of said Block 5; thence north 1°20'58" east along said east line 5.00 feet; thence north 88°21'31" west a distance of 248.18 feet to the west line of said Lot 13; thence south 1°14'32" west along said west line 5.00 feet to the true point of beginning; ALSO

MEDOUVE ADDITION (Volume 30 of Plats, Page 9)

That portion of Medouve Addition, described as follows:

Beginning at the northwest corner of Lot 31, said Addition; thence south 1°20'58" west along the west line of said Lot 31, a distance of 53.53 feet to a point of curve; thence southerly along a curve to the left having a radius of 10.00 feet, a distance of 6.19 feet to the true point of beginning having an initial radial bearing of south 81°39'29" west; thence continuing along said curve to the left a distance of 10.47 feet; thence south 88°21'31" east a distance of 288.85 feet to a point of curve; thence northerly along a curve to the left having a radius of 10.00 feet, an arc distance of 10.47 feet; thence north 88°21'31" west a distance of 286.17 feet to the true point of beginning; ALSO

Beginning at the northwest corner of Lot 11, said Medouve Addition; thence south 0°54'49" west a distance of 53.83 feet to a point of curve; thence southerly and easterly along a curve to the left, having a radius of 19.00 feet, an arc distance of 5.11 feet to the true point of beginning, said true point having an initial radial bearing of south 81°39'29" west; thence continuing along said curve to the left, an arc distance of 10.47 feet; thence south 88°21'31" east a distance of 200.11 feet to a point of curve; thence easterly and northerly along a curve to the left, having a radius of 63.19 feet, said curve being the westerly margin of 15th Avenue Northeast, an arc distance of 89.89 feet; thence north 1°04'14" east 11.16 feet; thence north 88°22'45" west 5.00 feet; thence south 1°04'14" west 44.44 feet to a point of curve; thence southwesterly along a curve to the right along said westerly margin having a radius of 63.19 feet and an initial radial bearing of south 81°39'29" west, an arc distance of 48.28 feet along the westerly margin of 15th Avenue Northeast; thence north 88°21'31" west 233.40 feet to the true point of beginning; ALSO

The southeast one-quarter of Section 29, Township 26 North, Range 4 East, W.M., in King County, Washington

That portion of said southeast one-quarter described as follows:

Beginning at the intersection of the south margin of Northeast Northgate Way as established by deed recorded under Auditor's File No. 1641343, with the east margin of 8th Avenue Northeast as established by deed recorded under King County Auditor's File No. 2627871; thence south 0°27'31" west along said east margin a distance of 90.24 feet to a point of curve; thence northerly and easterly along a curve to the right having a radius of 10.00 feet, an arc distance of 15.94 feet; thence south 88°22'45" east a distance of 122.07 feet; thence north 1°37'14" east 2.00 feet; thence south 88°22'45" east a distance of 84.00 feet; thence south 1°37'14" east 2.00 feet; thence north 88°22'45" east 284.43 feet; thence north 0°32'27" east 10.00 feet; thence north 88°22'45" west along said south margin, a distance of 480.84 feet to the point of beginning; ALSO

That portion of said southeast one-quarter described as follows:

Beginning at the intersection of the east margin of 5th Avenue Northeast as established by deed recorded in Volume 2911, page 527, Records of King County, Washington, with the south margin of Northeast Northgate Way as established by a deed recorded under King County Auditor's File Number 370653; thence south 0°10'10" east along said east margin a distance of 130.08 feet; thence south 88°27'10" east a distance of 8.00 feet; thence north 0°19'10" west a distance of 128.88 feet to a point of curve; thence northerly and easterly along a curve to the right having a radius of 13.00 feet, an arc distance of 20.79 feet; thence north 88°27'10" west a distance of 21.38 feet along said south margin of Northeast Northgate Way to the point of beginning; ALSO

That portion of said southeast one-quarter described as follows:

Beginning at the intersection of the south margin of Northeast Northgate Way as established by a deed recorded in Volume 1113, page 22, Records of King County, Washington with the west margin of 8th Avenue Northeast as established by a deed recorded in Volume 1476, page 537, Records of King County, Washington; thence north 88°27'10" west along said south margin a distance of 355.97 feet; thence south 0°10'10" east a distance of 10.00 feet; thence south 88°27'10" east a distance of 346.14 feet to a point of curve; thence easterly and southerly along a curve to the right, having a radius of 10.00 feet, an arc distance of 13.47 feet to said west margin; thence north 0°17'31" east along said west margin a distance of 19.77 feet to the point of beginning; ALSO

The southwest one-quarter of Section 29, Township 26 North, Range 4 East, W.M., in King County, Washington.

That portion of said southwest one-quarter described as follows:

Beginning at the intersection of the north margin of Northeast Northgate Way and the west margin of 5th Avenue Northeast as they were established by a deed recorded in Volume 2911, page 527, Records of King County, Washington; thence north 0°10'10" west along said west margin a distance of 10.30 feet to a point of curve; thence southerly and westerly along a curve to the right, having a radius of 10.00 feet, an arc distance of 16.00 feet to said north margin; thence south 88°20'28" east along said north margin 10.30 feet to the point of beginning; ALSO

That portion of said southwest one-quarter described as follows:

Beginning at the intersection of the north margin of Northeast Northgate Way with the west margin of 5th Avenue Northeast as they were established by a deed recorded in Volume 2911, page 527, Records of King County, Washington; thence north 88°20'28" west 400.00 feet to the true point of beginning; thence continuing north 88°20'28" west 400.00 feet; thence south 10.00 feet to the north margin of Northeast Northgate Way as established by a deed recorded in Volume 1098, page 436, Records of King County, Washington; thence south 88°20'28" east, 400.00 feet; thence north 1°04'31" east 10.00 feet to the true point of beginning; ALSO

That portion of said southwest one-quarter described as follows:

Beginning at the intersection of the south margin of Northeast Northgate Way as established by a deed recorded in Volume 2911, page 527 and a deed recorded in Volume 2990, page 183, Records of King County, Washington with the west margin of 5th Avenue Northeast as established by a deed recorded in Volume 2911, page 527, Records of King County, Washington; thence north 88°20'28" west along said south margin 1,233.33 feet to the east margin of 1st Avenue Northeast; thence south 88°20'28" west along said east margin 4.50 feet; thence south 88°20'28" east 373.00 feet; thence south 68°11'10" east 32.06 feet; thence south 88°20'28" east 112.00 feet; thence north 1°39'35" east 12.55 feet; thence south 88°20'28" east 707.83 feet to a point of curve; thence easterly and southerly along a curve to the right having a radius of 15.00 feet, an arc distance of 23.12 feet; thence south margin of 5th Avenue Northeast; thence north 0°10'10" east 2.00 feet to said west margin 290.12 feet to the point of beginning.

The southeast one-quarter of Section 29, Township 26 North, Range 4 East, W.M.

That portion of said southeast one-quarter described as follows:

The south 160.00 feet of the north 132.00 feet of the south 162.00 feet of the east one-half of the northwest one-quarter of said southeast one-quarter EXCEPT the west 210.00 feet thereof; and EXCEPT the east 233.03 feet thereof; ALSO

That portion of said southeast one-quarter described as follows:

Beginning at the intersection of the north margin of Northeast Northgate Way as established by a deed recorded in Volume 1112, page 288, Records of King County, Washington with the west margin of 8th Avenue Northeast as established by a deed recorded in Volume 1005, page 118, Records of King County, Washington; thence north 88°21'31" west along said north margin 224.15 feet to the true point of beginning; thence continuing north 88°21'31" west along said north margin a distance of 80.03 feet; thence north 0°08'00" east 10.00 feet; thence south 88°21'31" east 30.03 feet; thence south 0°09'00" west 10.00 feet to the true point of beginning; ALSO

That portion of said southeast one-quarter described as follows:

Beginning at the intersection of the north margin of Northeast Northgate Way with the east margin of 5th Avenue Northeast as they were established by a deed recorded in Volume 2911, page 527, Records of King County, Washington; thence north 0°19'10" west 4.88 feet to a point of curve; thence southerly and easterly along a curve to the left, having a radius of 5.00 feet, an arc distance of 7.71 feet to said north margin; thence north 88°22'10" west along said north margin 4.88 feet to the point of beginning.

Section 2. That in the widening of Northeast Northgate Way between 1st Avenue Northeast and 15th Avenue Northeast in conformity with the existing center line grade, the City shall acquire the right in the case of a cut to remove the lateral support of the property abutting upon said street. In every case the right to remove said lateral support shall include the right to carry the slopes back into and extending upon the abutting real property 3 feet horizontally for each foot of depth of cut, and in the case of fill, the right shall be acquired to extend and maintain upon the abutting real property slopes of a cut horizontally for each foot of elevation of fill for the purpose of providing lateral support for said street, reserving unto the abutting property owners, respectively, the right at any time to replace said cut slopes and to remove said fill slopes upon providing and maintaining other adequate lateral support for said street.

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Section 3. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Sections 1 and 2 hereof are hereby condemned, appropriated, taken and damaged for the purpose of a public street and lands, rights, privileges and other property necessary to be taken, used or damaged in the grading of Northeast Northgate Way in conformity with the existing center line grades and in the construction of necessary slopes for cuts or fills on the real property abutting upon said street, as set forth in Section 2 hereof, are hereby condemned, appropriated, taken and damaged for the public use of such purpose, and all lands, rights, privileges and other properties 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. That the entire cost of the improvement provided for by this ordinance shall be paid from the Arterial Development Fund or from such other general funds of the City of Seattle as may be provided by law.

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

Section 6. That in conducting said condemnation proceedings, the City Attorney is hereby authorized to enter into stipulations for the purpose of minimizing 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 this City Charter.

Passed by the City Council this 13<sup>th</sup> day of April, 1981  
 and signed by me in open session in authentication of its passage this 13<sup>th</sup> day of April, 1981.

Approved by me this 20<sup>th</sup> day of April, 1981.  
 Charles Lorenz Mayor.

Filed by me this 20<sup>th</sup> day of April, 1981.  
 Attest: Jim Hill  
 City Controller and City Clerk.

(SEAL)  
 Published by J. MARCO DUNBAR Deputy Clerk.

Publication ordered by TIM HILL, Comptroller and City Clerk.  
 Date of Official Publication in the Daily Journal of Commerce, Seattle, August 11, 1981. (C-812)

# The City of Seattle - Legislative Department

MR. PRESIDENT:

**TRANSPORTATION**

Date Reported  
and Adopted  
APR 13 1981

Your Committee on

to which was referred

C.B. 102123

Providing for the laying off, opening, widening and establishing of portions of Northeast Northgate Way between 1st Avenue Northeast and a point approximately 80 feet east of 15th Avenue Northeast at existing center line grade, all as a part of the "Northeast Northgate Way, et al, Paving, etc." project; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor, including property and property rights necessary for cut and fill slopes on certain abutting properties and providing payment therefor.

3-11-81 ~~for~~ Hold  
4-8-81 Pass

*Sanette Williams*

Chairman

Chairman

*Transportation*

Committee

Committee

**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. 109821 .....

..... was published on August 11, 1981 .....

..... *B. Blair* .....

Subscribed and sworn to before me on

..... August 11, 1981 .....

..... *Dorothy A. Linn* .....

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