

ORDINANCE No.

113984

COUNCIL BILL No.

106732

AN ORDINANCE vacating a portion of University Street, et al, of 9th Avenue, and of the Alley in Block 106, A. A. Henry's Broadway Addition, as initiated by Resolution 23717.

WP

*Law Department,*

# The City of Seattle--Legisla

## REPORT OF COMMITTEE

Honorable President:

Your Committee on

*Transportation*

to which was referred the within Council Bill No. CA 100  
report that we have considered the same and respectfully recom

*Do Not*

### COMPTROLLER FILE No.

|                                     |  |
|-------------------------------------|--|
| Introduced: MAY 9 1988              | By: NO SPONSOR REQUIRED  |
| Referred: MAY 9 1988                | To: <i>Transportation</i>  |
| Referred:                           | To:  |
| Referred:                           | To:  |
| Reported: MAY 31 1988               | Second Reading: MAY 31 1988  |
| Third Reading: MAY 31 1988          | Signed: MAY 31 1988  |
| Presented to Mayor: MAY 31 1988     | Approved: JUN 9 1988   |
| Returned to City Clerk: JUN 10 1988 | Published:   |
| Vetted by Mayor:                    | Veto Published:  |
| Passed over Veto:                   | Veto Sustained: <span style="border: 1px solid black; border-radius: 50%; padding: 2px;">OK</span> |

OMA 5/31/88

*[Signature]*  
Committee Chair

*Law Department*

*TRANS*

*WP*

# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

Honorable President:

Your Committee on *Integration*

to which was referred the within Council Bill No. *CA 106732*  
report that we have considered the same and respectfully recommend that the same:

*No*  
*Pass*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*[Signature]*

Committee Chair

RED

*OMB 5/31/88*

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#28  
C.B.106732

## ORDINANCE

113984

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3 AN ORDINANCE vacating a portion of UNIVERSITY STREET, ET AL, of 9TH AVENUE,  
4 and of THE ALLEY IN BLOCK 106, A. A. DENNY'S BROADWAY ADDITION, as  
5 initiated by Resolution 23717.

6 WHEREAS, the Freeway right-of-way line has been relocated and has affected  
7 the phrases used in the legal description contained within Resolution  
8 23717, the descriptions contained herein have been rewritten to describe  
9 the same identical parcels;

10 WHEREAS, the City Council, by Resolution 23717, has initiated a proceeding for  
11 the vacation of UNIVERSITY STREET from the northeasterly line of 8th  
12 Avenue to the production southeasterly of the northeasterly line of Lot  
13 12, Block 106, A. A. Denny's Broadway Addition, as recorded in Volume 6  
14 of Plats, page 40, Records of King County, Washington; ALSO, PORTION OF  
15 UNIVERSITY STREET, described as follows: Beginning at the intersection  
16 of the center line of said street and the production northwesterly of  
17 the southwesterly line of 8th Avenue; thence southeasterly along said  
18 produced line to the southeasterly line of said street; thence south-  
19 westerly along said southeasterly line 56.35 feet; thence northerly along  
20 a curve to the right having a radius of 1719.86 feet to a point on said  
21 center line, distant, 36.92 feet southwesterly of the point of beginning;  
22 thence northeasterly along said center line to the beginning; ALSO,  
23 8TH AVENUE from a line described as follows: Beginning at the inter-  
24 section of the production northwesterly of the southwesterly line of said  
25 avenue and the center line of University Street; thence northeasterly  
26 along said center line to the center line of said avenue; thence north-  
27 westerly along the last described center line 53.84 feet; thence northerly  
28 to a point on the northeasterly line of said avenue, distant, 68.13 feet  
northwesterly of the northwesterly line of University Street to the pro-  
duction southwesterly of the southeasterly line of Lot 1, Block 105, A. A.  
Denny's Broadway Addition, across said avenue; EXCEPT any portion thereof  
lying above three lateral inclined planes described as follows:

18 Plane #1. Beginning at the production southwesterly of the southeasterly  
19 line of Lot 1, said Block 105, elevation 218.13 feet City  
20 datum and ending at a line 76.71 feet northwesterly of and  
21 parallel with the last described line, elevation of 215.33  
22 feet City datum.

23 Plane #2. Beginning at the last described line above and ending at a line  
24 78.72 feet northwesterly of and parallel with the above  
25 referenced line, elevation of 210.01 feet City datum.

26 Plane #3. Beginning at the last described line in Plane #2 and ending at  
27 a line 22.43 feet northwesterly of and parallel with the last  
28 described line referenced in Plane #2, elevation of 207.83 feet  
City datum.

ALSO, PORTION OF 9TH AVENUE, described as follows: Beginning at the most  
easterly corner of Lot 7, Block 106, A. A. Denny's Broadway Addition;  
thence northwesterly along the northeasterly line of said Block 106,  
189.22 feet; thence north 16°41'38" east 19.24 feet to a line 14 feet  
northeasterly of and parallel with the northeasterly line of said Block  
106; thence southeasterly along said parallel line to the production  
northeasterly of the southeasterly line of said Lot 7; thence southwesterly  
along the last described line, a distance of 14 feet to the point of  
beginning; ALSO, PORTION OF THE ALLEY IN BLOCK 106, A. A. DENNY'S BROAD-  
WAY ADDITION, being that portion of the alley between 8th Avenue and 9th  
Avenue, described as follows: Beginning at a point on the northeasterly

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line of Lot 9, said block, distant, south 30°35'11" east, 17.5 feet from the most northerly corner thereof; thence north 13°33'41" east, 22.97 feet to the northeasterly line of said alley; thence northwesterly along the northeasterly line of said alley 69.78 feet; thence southerly along a curve to the left with a radius of 1659.86 feet; the center of which bears south 78°38'43" east to the southwesterly line of said alley; thence south-easterly along said southwesterly line 68.23 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 any 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, avenues and alley 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 February, 1974, the City Council considered the vacation of the above described street, avenues and alley and determined after being advised of all the facts, that the vacation of the entire portions of said street, avenues and alley was not in the public interest but that said vacation should be granted eliminating therefrom that portion of University Street lying northeasterly of the following described line. Beginning at a point on the northwesterly line of Lot 1, Block 105, A. A. Denny's Broadway Addition, distant, north 59°22'25" east, 17.59 feet from the most westerly corner of said lot, said point being a point on a curve, the center of which bears south 87°38'45" east from said point; thence northerly along said curve to the right, having a radius of 993.00 feet, a distance of 30.89 feet to a point on the southeasterly line of Block 106, said addition, distant, 64.27 feet northeasterly of the most southerly corner thereof, ALSO, portion of 8th Avenue described as follows: Beginning at the most southerly corner of Lot 1, Block 105, A. A. Denny's Broadway Addition, thence north 30°34'50" west along the southwesterly line of said lot, 31.835 feet to a point on a curve, the center of which bears south 89°33'08" east from said point; thence southerly along said curve to the left, having a radius of 998.00 feet, a distance of 36.77 feet to a point on the production southwesterly of the southeasterly line of said lot, distant, 18.37 feet from the most southerly corner thereof; thence northeasterly along said produced line 18.37 feet to the beginning; ALSO, portion of 9th Avenue lying between lines 10 feet and 14 feet north-easterly of and parallel with the southwesterly line of 9th Avenue, from the production northeasterly of the southeasterly line of Lot 7, Block 106, A. A. Denny's Broadway Addition, to a line described as follows: Beginning at a point on the northeasterly line of said Block 106, distant, north 30°35'33" west, 185.01 feet from the most easterly corner of said Lot 7; thence north 24°05'43" east, 17.33 feet to a line 14 feet north-easterly of and parallel with the southwesterly line of said avenue;

WHEREAS, at the request of the Department of Community Development the south-westerly 10 feet of 9th Avenue lying between the productions northeasterly of the southeasterly and northeasterly lines, respectively, of Lot 7, Block 106, A. A. Denny's Broadway Addition, as originally approved, was eliminated from the areas proposed for vacation:

WHEREAS, a department of the City (Building Department) requested the vacation, no appraisal was made and no payment was required for such vacation in accordance with Ordinance 96020, as amended; Now, Therefore,

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE, IT IS DUE TO THE QUALITY OF THE DOCUMENT.

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2 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

3 Section 1. That

4 UNIVERSITY STREET from the northeasterly line of 8th Avenue to a line  
5 described as follows: Beginning at a point on the northwesterly line  
6 of Lot 1, Block 105, A. A. Denny's Broadway Addition, as recorded in  
7 Volume 6 of Plats, page 40, Records of King County, Washington, distant  
8 north 59°22'25" east, 17.59 feet from the most westerly corner of said  
lot, said point being a point on a curve; thence northerly along a  
curve to the right, the center of which bears south 37°38'45" east,  
having a radius of 998.00 feet a distance of 80.89 feet to a point on  
the southeasterly line of Block 106, said addition, distant, 64.27 feet  
northeasterly of the most southerly corner thereof; ALSO,

9 PORTION OF UNIVERSITY STREET, described as follows: Beginning at the  
10 intersection of the center line of said street and the production  
11 northwesterly of the southwesterly line of 8th Avenue; thence north-  
12 easterly along said produced line to the southeasterly line of said  
13 street; thence southwesterly along said southeasterly line 56.35 feet;  
14 thence northerly along a curve to the right having a radius of 1729.39  
15 feet to a point on said center line, distant, 36.92 $\frac{1}{2}$  feet southwesterly  
16 of the beginning; thence northeasterly along said center line to the  
17 beginning; ALSO,

18 3TH AVENUE from a line described as follows: Beginning at the inter-  
19 section of the production northwesterly of the southwesterly line of said  
20 avenue and the center line of University Street; thence northeasterly  
21 along said center line to the center line of said avenue; thence north-  
22 westerly along the last described center line 53.84 feet; thence  
23 northerly to a point on the northeasterly line of said avenue, distant,  
24 68.13 feet northwesterly of the northwesterly line of University Street  
25 to a line described as follows: Beginning at a point on the south-  
26 westerly line of Lot 1, Block 105, A. A. Denny's Broadway Addition,  
27 distant, 31.84 feet from the most southerly corner thereof, said point  
28 being a point on a curve; thence southerly along a curve to the left, the  
center of which bears south 89°33'08" east, having a radius of 998.00  
feet, a distance of 36.77 feet to a point on the production southwesterly  
of the southeasterly line of said Lot 1; thence southwesterly along said  
produced line a distance of 47.63 feet to the southwesterly line of 8th  
Avenue; EXCEPT any portion thereof lying above three lateral inclined  
planes described as follows:

Plane #1. Beginning at the production southwesterly of the southeasterly  
line of Lot 1, said Block 105, elevation 218.13 feet City  
datum and ending at a line 76.71 feet northwesterly of and  
parallel with the last described line, elevation of 215.33  
feet City datum.

Plane #2. Beginning at the last described line above and ending at a line  
78.72 feet northwesterly of and parallel with the above  
referenced line, elevation of 210.01 feet City datum.

Plane #3. Beginning at the last described line in Plane #2 and ending at  
a line 22.43 feet northwesterly of and parallel with the last  
described line referenced in Plane #2, elevation of 207.83 feet  
City datum.

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ALSO, 9TH AVENUE, described as follows: Beginning at the most easterly corner of Lot 6, Block 106, A. A. Denny's Broadway Addition; thence northwesterly along the northeasterly line of said Block 106, 129.22 feet; thence north 16°41'38" east, 19.24 feet to a line 14 feet northeasterly of and parallel to the northeasterly line of said Block 106; thence southeasterly along said parallel line a distance of 7.25 feet; thence south 24°05'43" east, distant, 5.07 feet to a line 10 feet northeasterly of and parallel to the northeasterly line of said Block 106; thence southeasterly along the last described parallel line a distance of 132.09 feet to the production northeasterly of the southeasterly line of said Lot 6; thence southwesterly along the last described line, a distance of 10 feet to the beginning; ALSO,

PORTION OF THE ALLEY IN BLOCK 106, A. A. DENNY'S BROADWAY ADDITION, being that portion of the alley between 8th Avenue and 9th Avenue, described as follows: Beginning at a point on the northeasterly line of Lot 9, said block, distant, south 30°35'11" east, 15.09 feet from the most northerly corner thereof; thence north 14°11'56" east, 22.71 feet to the northeasterly line of said alley; thence northwesterly along the northeasterly line of said alley 67.63 feet; thence southerly along a curve to the left with a radius of 1659.86 feet, the center of which bears south 78°38'43" east, distant 24.10 feet to the southwesterly line of said alley; thence southeasterly along said southwesterly line 65.72 feet to the point of beginning;

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 any 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, avenues and alley until the beneficiaries of said vacation arrange with the owner or owners thereof for their removal.

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(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 31<sup>st</sup> day of May, 1988  
and signed by me in open session in authentication of its passage the 31<sup>st</sup> day of May, 1988.

Approved by me this 9<sup>th</sup> day of June, 1988  
David W. Perry  
Mayor.

Filed by me this 10<sup>th</sup> day of June, 1988.

Attest: Howard J. Brooks  
City Comptroller and City Clerk.

(SEAL)

Published \_\_\_\_\_  
By Margaret Carter  
Deputy Clerk.

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RECEIVED THIS DAY

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C.B.106732

JUN 15 12 13 PM '88  
BY THE DIVISION OF  
RECORDS & ELEVATIONS  
KING COUNTY

88/06/15 #D603 D  
RECD F 9.00  
CASHSL \*\*\*\*\*9.00  
11

ORDINANCE 113984

AN ORDINANCE vacating a portion of UNIVERSITY STREET, ET AL, of 9TH AVENUE, and of THE ALLEY IN BLOCK 106, A. A. DENNY'S BROADWAY ADDITION, as initiated by Resolution 23717.

WHEREAS, the Freeway right-of-way line has been relocated and has affected the phrases used in the legal description contained within Resolution 23717, the descriptions contained herein have been rewritten to describe the same identical parcels;

WHEREAS, the City Council, by Resolution 23717, has initiated a proceeding for the vacation of UNIVERSITY STREET from the northeasterly line of 8th Avenue to the production southeasterly of the northeasterly line of Lot 12, Block 106, A. A. Denny's Broadway Addition, as recorded in Volume 6 of Plats, page 40, Records of King County, Washington; ALSO, PORTION OF UNIVERSITY STREET, described as follows: Beginning at the intersection of the center line of said street and the production northwesterly of the southwesterly line of 8th Avenue; thence southeasterly along said produced line to the southeasterly line of said street; thence southwesterly along said southeasterly line 56.35 feet; thence northerly along a curve to the right having a radius of 1719.86 feet to a point on said center line, distant, 36.92 feet southwesterly of the point of beginning; thence northeasterly along said center line to the beginning; ALSO, 8TH AVENUE from a line described as follows: Beginning at the intersection of the production northwesterly of the southwesterly line of said avenue and the center line of University Street; thence northeasterly along said center line to the center line of said avenue; thence northwesterly along the last described center line 53.84 feet; thence northerly to a point on the northeasterly line of said avenue, distant, 68.13 feet northwesterly of the northwesterly line of University Street to the production southwesterly of the southeasterly line of Lot 1, Block 105, A. A. Denny's Broadway Addition, across said avenue. EXCEPT any portion thereof lying above three lateral inclined planes described as follows:

- Plane #1. Beginning at the production southwesterly of the southeasterly line of Lot 1, said Block 105, elevation 218.13 feet City datum and ending at a line 76.71 feet northwesterly of and parallel with the last described line, elevation of 215.33 feet City datum.
- Plane #2. Beginning at the last described line above and ending at a line 78.72 feet northwesterly of and parallel with the above referenced line, elevation of 210.01 feet City datum.
- Plane #3. Beginning at the last described line in Plane #2 and ending at a line 22.43 feet northwesterly of and parallel with the last described line referenced in Plane #2, elevation of 207.83 feet City datum.

ALSO, PORTION OF 9TH AVENUE, described as follows: Beginning at the most easterly corner of Lot 7, Block 106, A. A. Denny's Broadway Addition; thence northwesterly along the northeasterly line of said Block 106, 189.22 feet; thence north 16°41'38" east 19.24 feet to a line 14 feet northeasterly of and parallel with the northeasterly line of said Block 106; thence southeasterly along said parallel line to the production northeasterly of the southeasterly line of said Lot 7; thence southwesterly along the last described line, a distance of 14 feet to the point of beginning; ALSO, PORTION OF THE ALLEY IN BLOCK 106, A. A. DENNY'S BROADWAY ADDITION, being that portion of the alley between 8th Avenue and 9th Avenue, described as follows: Beginning at a point on the northeasterly

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line of Lot 9, said block, distant, south 30°35'11" east, 17.5 feet from the most northerly corner thereof; thence north 13°33'41" east, 22.97 feet to the northeasterly line of said alley; thence northwesterly along the northeasterly line of said alley 69.78 feet; thence southerly along a curve to the left with a radius of 1659.86 feet; the center of which bears south 78°38'43" east to the southwesterly line of said alley; thence south-easterly along said southwesterly line 68.23 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 any 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, avenues and alley 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 February, 1974, the City Council considered the vacation of the above described street, avenues and alley and determined after being advised of all the facts, that the vacation of the entire portions of said street, avenues and alley was not in the public interest but that said vacation should be granted eliminating therefrom that portion of University Street lying northeasterly of the following described line: Beginning at a point on the northwesterly line of Lot 1, Block 105, A. A. Denny's Broadway Addition, distant, north 59°22'25" east, 17.59 feet from the most westerly corner of said lot, said point being a point on a curve, the center of which bears south 87°38'45" east from said point; thence northerly along said curve to the right, having a radius of 998.00 feet, a distance of 80.89 feet to a point on the southeasterly line of Block 106, said addition, distant, 64.27 feet northeasterly of the most southerly corner thereof, ALSO, portion of 8th Avenue described as follows: Beginning at the most southerly corner of Lot 1, Block 105, A. A. Denny's Broadway Addition, thence north 30°34'50" west along the southwesterly line of said lot, 31.835 feet to a point on a curve, the center of which bears south 89°33'08" east from said point; thence southerly along said curve to the left, having a radius of 998.00 feet, a distance of 36.77 feet to a point on the production southwesterly of the southeasterly line of said lot, distant, 18.37 feet from the most southerly corner thereof; thence northeasterly along said produced line 18.37 feet to the beginning; ALSO, portion of 9th Avenue lying between lines 10 feet and 14 feet north-easterly of and parallel with the southwesterly line of 9th Avenue, from the production northeasterly of the southeasterly line of Lot 7, Block 106, A. A. Denny's Broadway Addition, to a line described as follows: Beginning at a point on the northeasterly line of said Block 106, distant, north 30°35'33" west, 185.01 feet from the most easterly corner of said Lot 7; thence north 24°05'43" east, 17.33 feet to a line 14 feet north-easterly of and parallel with the southwesterly line of said avenue;

WHEREAS, at the request of the Department of Community Development the south-westerly 10 feet of 9th Avenue lying between the productions northeasterly of the southeasterly and northeasterly lines, respectively, of Lot 7, Block 106, A. A. Denny's Broadway Addition, as originally approved, was eliminated from the areas proposed for vacation:

WHEREAS, a department of the City (Building Department) requested the vacation, no appraisal was made and no payment was required for such vacation in accordance with Ordinance 96020, as amended; Now, Therefore,

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE, IT IS DUE TO THE QUALITY OF THE DOCUMENT.

8806150603

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That

UNIVERSITY STREET from the northeasterly line of 8th Avenue to a line described as follows: Beginning at a point on the northwesterly line of Lot 1, Block 105, A. A. Denny's Broadway Addition, as recorded in Volume 6 of Plats, page 40, Records of King County, Washington, distant, north 59°22'25" east, 17.59 feet from the most westerly corner of said lot, said point being a point on a curve; thence northerly along a curve to the right, the center of which bears south 87°38'45" east, having a radius of 998.00 feet a distance of 80.89 feet to a point on the southeasterly line of Block 106, said addition, distant, 64.27 feet northeasterly of the most southerly corner thereof; ALSO,

PORTION OF UNIVERSITY STREET, described as follows: Beginning at the intersection of the center line of said street and the production northwesterly of the southwesterly line of 8th Avenue; thence southeasterly along said produced line to the southeasterly line of said street; thence southwesterly along said southeasterly line 56.35 feet; thence northerly along a curve to the right having a radius of 1729.39 feet to a point on said center line, distant, 36.92± feet southwesterly of the beginning; thence northeasterly along said center line to the beginning; ALSO,

8TH AVENUE from a line described as follows: Beginning at the intersection of the production northwesterly of the southwesterly line of said avenue and the center line of University Street; thence northeasterly along said center line to the center line of said avenue; thence northwesterly along the last described center line 53.84 feet; thence northerly to a point on the northeasterly line of said avenue, distant, 68.13 feet northwesterly of the northwesterly line of University Street to a line described as follows: Beginning at a point on the southwesterly line of Lot 1, Block 105, A. A. Denny's Broadway Addition, distant, 31.84 feet from the most southerly corner thereof, said point being a point on a curve; thence southerly along a curve to the left, the center of which bears south 89°33'08" east, having a radius of 998.00 feet, a distance of 36.77 feet to a point on the production southwesterly of the southeasterly line of said Lot 1; thence southwesterly along said produced line a distance of 47.63 feet to the southwesterly line of 8th Avenue; EXCEPT any portion thereof lying above three lateral inclined planes described as follows:

- Plane #1. Beginning at the production southwesterly of the southeasterly line of Lot 1, said Block 105, elevation 218.13 feet City datum and ending at a line 76.71 feet northwesterly of and parallel with the last described line, elevation of 215.33 feet City datum.
- Plane #2. Beginning at the last described line above and ending at a line 78.72 feet northwesterly of and parallel with the above referenced line, elevation of 210.01 feet City datum.
- Plane #3. Beginning at the last described line in Plane #2 and ending at a line 22.43 feet northwesterly of and parallel with the last described line referenced in Plane #2, elevation of 207.83 feet City datum.

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ALSO, 9TH AVENUE, described as follows: Beginning at the most easterly corner of Lot 6, Block 106, A. A. Denny's Broadway Addition; thence northwesterly along the northeasterly line of said Block 106, 129.22 feet; thence north 16°41'38" east, 1.24 feet to a line 14 feet northeasterly of and parallel to the northeasterly line of said Block 106; thence southeasterly along said parallel line a distance of 7.25 feet; thence south 24°05'43" east, distant, 5.07 feet to a line 10 feet northeasterly of and parallel to the northeasterly line of said Block 106; thence southeasterly along the last described parallel line a distance of 132.09 feet to the production northeasterly of the southeasterly line of said Lot 6; thence southwesterly along the last described line, a distance of 10 feet to the beginning; ALSO,

PORTION OF THE ALLEY IN BLOCK 106, A. A. DENNY'S BROADWAY ADDITION, being that portion of the alley between 8th Avenue and 9th Avenue, described as follows: Beginning at a point on the northeasterly line of Lot 9, said block, distant, south 30°35'11" east, 15.09 feet from the most northerly corner thereof; thence north 14°11'56" east, 22.71 feet to the northeasterly line of said alley; thence northwesterly along the northeasterly line of said alley 67.63 feet; thence southerly along a curve to the left with a radius of 1659.86 feet, the center of which bears south 78°38'43" east, distant 24.10 feet to the southwesterly line of said alley; thence southeasterly along said southwesterly line 65.72 feet to the point of beginning;

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 any 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, avenues and alley until the beneficiaries of said vacation arrange with the owner or owners thereof for their removal.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE, IT IS DUE TO THE QUALITY OF THE DOCUMENT.

(To be used for all Ordinances except Emergency.)

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

I, NORWARD J. BROOKS, 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 15<sup>th</sup> day of June, 1988.

NORWARD J. BROOKS  
Comptroller and City Clerk

By: Margaret Carter  
Deputy Clerk

8806150603

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 31<sup>st</sup> day of May, 1988  
and signed by me in open session in authentication of its passage 31<sup>st</sup>  
May, 1988 [Signature]  
President of the City Council.

Approved by me this 9<sup>th</sup> day of June, 1988  
[Signature]  
Mayor.

Filed by me this 10<sup>th</sup> day of June, 1988

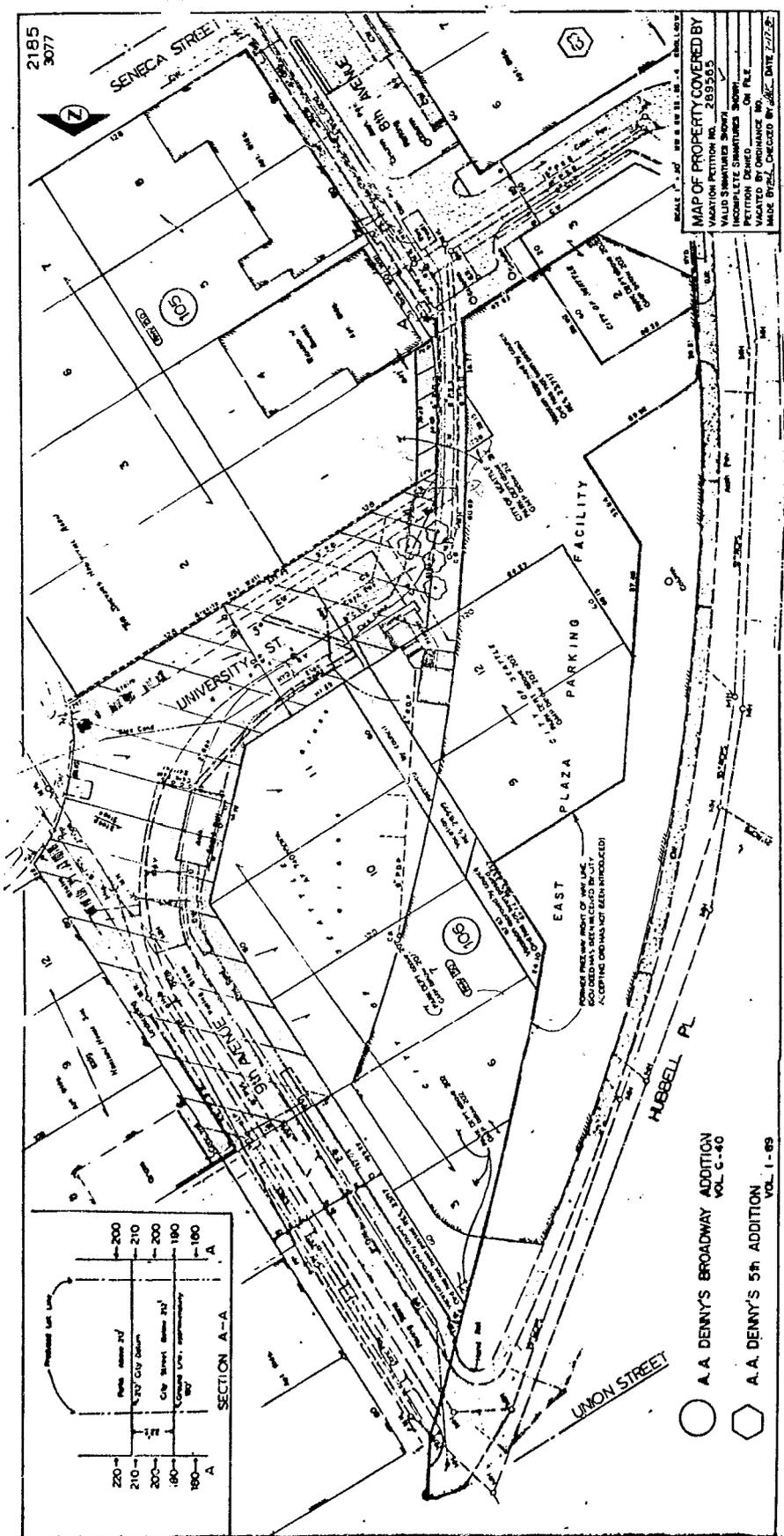
Attest: Norward J. Brooks  
City Comptroller and City Clerk.

(SEAL)

Published \_\_\_\_\_ By: Margaret Carter  
Deputy Clerk.

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Seattle  
Engineering Department



Gary Zarker, Director of Engineering  
Charles Royer, Mayor

APR 18 1988

April 13, 1988

The Honorable Charles Royer  
Mayor of the City of Seattle  
1200 Municipal Building  
600 Fourth Avenue  
Seattle, Washington 98104

008242

COPY RECEIVED

VIA: Office of Management and Budget

APR 21 1988

SUBJECT: Vacation of a Portion of  
University Street et al.,  
C.F. No. 23717

Douglas N. Jewell  
CITY ATTORNEY

Dear Mayor Royer:

Here for City Council approval is a Council Bill vacating a portion of University Street et al., (Comptroller's File Number 23717.

The vacation was approved by the City Council following a public hearing held on February 11, 1988.

Since the petition was filed prior to the amendment to S.M.C. 15.62 requiring governmental agencies and institutions of higher education to pay vacation fees, no appraisal was made and no fee was paid.

I recommend approval of this Council Bill.

Sincerely,

  
GARY ZARKER  
Director of Engineering

GZ/LAK:pne

Enclosure

cc: J. G. Ralph, Director of Operations

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**City of Seattle**

Executive Department-Office of Management and Budget

James P. Ritch, Director  
Charles Royer, Mayor



April 19, 1988

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: Seattle Engineering Department

SUBJECT: Vacation of a portion of University Street et al., C.F.  
No. 23717.

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

After reviewing this request and any necessary redrafting of the enclosed legislation, return the legislation to OMB. Any specific questions regarding the legislation can be directed to Marian Merkel.

Sincerely,

Charles Royer  
Mayor

by

*Marian Merkel*  
for

JAMES P. RITCH  
Budget Director

JR/mm/cp

Enclosure

cc: Gary Zarker, Director, SED

*From Barbour  
4-29-88*

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# City of Seattle

## ORDINANCE 113984

AN ORDINANCE vacating a portion of UNIVERSITY STREET, ET AL., OF 9TH AVENUE, and OF BLOCK 106, A. A. DENNY'S BROADWAY ADDITION, as initiated by Resolution 23717.

WHEREAS, the Freeway right-of-way line has been relocated and has affected the phrases used in the legal description contained within Resolution 23717, the descriptions contained herein have been rewritten to describe the same identical parcels;

WHEREAS, the City Council, by Resolution 23717, has initiated a proceeding for vacation of UNIVERSITY STREET from the northeasterly line of 8th Avenue to the production southeasterly of the northeasterly line of Lot 12, Block 106, A. A. Denny's Broadway Addition, as recorded in Volume 6 of Plats, page 40, Records of King County, Washington; ALSO, PORTION OF UNIVERSITY STREET, described as follows: Beginning at the intersection of the center line of said street and the production northeasterly of the southeasterly line of 8th Avenue; thence southeasterly along said produced line to the southeasterly line of said street; thence southeasterly along said southeasterly line 36.35 feet; thence northerly along a curve to the right having a radius of 1719.86 feet to a point on said center line, distant, 36.92 feet southwesterly of the point of beginning; thence northeasterly along said center line to the beginning; ALSO 8TH AVENUE from a line described as follows: Beginning at the intersection of the production northeasterly of the southeasterly line of said avenue and the center line of University Street; thence northeasterly along said center line to the center line of said avenue; thence northeasterly along the last described center line 53.84 feet; thence northerly to a point on the northeasterly line of said avenue, distant, 68.13 feet northeasterly of the northeasterly line of University Street to the production southeasterly of the southeasterly line of Lot 12, Block 106, A. A. Denny's Broadway Addition, across said avenue; EXCEPT any portion thereof lying above three lateral inclined planes described as follows:

Plane #1. Beginning at the production southeasterly of the southeasterly line of Lot 1, said Block 106, elevation 218.13 feet City datum and ending at a line 76.71 feet northwesterly of and parallel with the last described line, elevation 215.33 feet City datum.

Plane #2. Beginning at the last described line above and ending at a line 78.72 feet northwesterly of and parallel with the above referenced line, elevation 210.01 feet City datum.

Plane #3. Beginning at the last described line in Plane #2 and ending at a line 22.43 feet northwesterly of and parallel with the last described line referenced in Plane #2, elevation of 207.83 feet City datum.

ALSO, PORTION OF 9TH AVENUE, described as follows: Beginning at the most easterly corner of Lot 4, Block 106, A. A. Denny's Broadway Addition; thence northwesterly along the northeasterly line of said Block 106, 189.22 feet; thence north 16° 41' 38" east 19.24 feet to a line 14 feet northwesterly of and parallel with the northeasterly line of said Block 106; thence southeasterly along said parallel line to the production northeasterly of the southeasterly line of said Lot 1; thence southeasterly along the last described line, a distance of 14 feet to the point of beginning; ALSO, PORTION OF THE ALLEY IN BLOCK 106, A. A. DENNY'S BROADWAY ADDITION, being that portion of the alley between 8th Avenue and 9th Avenue, described as follows: Beginning at a point on the northeasterly line of Lot 3, said Block, distant south 30° 35' 11" east, 17.3 feet from the most northerly corner thereof; thence north 13° 33' 41" east, 22.97 feet to the northeasterly line of said alley; thence northwesterly along the northeasterly line of said alley 65.76 feet; thence southerly along a curve to the left with a radius of 1659.86 feet, the center of which bears south 78° 38' 45" east to the southwesterly line of said alley; thence southeasterly along said southeasterly line 68.23 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 any 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, avenues and alley 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 February, 1974, the City Council considered the vacation of the above described street, avenues and alley and determined after being advised of all the facts, that the vacation of the entire portions of said street, avenues and alley was not in the public interest but that said vacation should be granted eliminating therefrom the portion of University Street lying northeasterly of the following described line: Beginning at a point on the northwesterly line of Lot 1, Block 106, A. A. Denny's Broadway Addition, distant, north 59° 22' 25" east, 17.39 feet from the most westerly corner of said lot; said point being a point on a curve, the center of which bears south 87° 38' 45" east from said point; thence northerly along said curve to the right, having a radius of 998.00 feet, a distance of 80.89 feet to a point on the southeasterly line of Block 106, said addition, distant, 64.27 feet northeasterly of the most southerly corner thereof; ALSO, portion of 8th Avenue described as follows: Beginning at the most southerly corner of Lot 1, Block 106, A. A. Denny's Broadway Addition, thence north 30° 35' 11" west along the south-

westerly line of said lot, 71.83 feet to a point on a curve, the center of which bears south 68° 33' 08" east from said point; thence southerly along said curve to the left, having a radius of 998.00 feet, a distance of 36.77 feet to a point on the production southwesterly of the southeasterly line of said lot, distant, 18.37 feet from the most southerly corner thereof; thence northeasterly along said produced line 18.37 feet to the beginning; ALSO, portion

of 9th Avenue lying between lines 10 feet and 14 feet northeasterly of and parallel with the southwesterly line of 8th Avenue from the production northeasterly of the southeasterly line of Lot 7, Block 106, A. A. Denny's Broadway Addition, to a line described as follows: Beginning at a point on the northeasterly line of said Block 106, distant, north 30° 35' 33" west, 165.01 feet from the most easterly corner of said Lot 7; thence north 24° 05' 43" east, 17.33 feet to a line 11 feet northeasterly of and parallel with the southwesterly line of said avenue;

WHEREAS, at the request of the Department of Community Development the southwesterly 10 feet of 9th Avenue lying between the production northeasterly of the southeasterly and northeasterly lines, respectively, of Lot 3, Block 106, A. A. Denny's Broadway Addition, as originally approved, was eliminated from the areas proposed for vacation;

WHEREAS, a department of the City (Building Department) requested the vacation, no appraisal was made and no payment was required for such vacation in accordance with Ordinance 96070, as amended; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That UNIVERSITY STREET from the northeasterly line of 8th Avenue to a line described as follows: Beginning at a point on the northwesterly line of Lot 1, Block 106, A. A. Denny's Broadway Addition, as recorded in Volume 6 of Plats, page 40, Records of King County, Washington, distant, north 59° 22' 25" east, 17.39 feet from the most westerly corner of said lot; said point being a point on a curve; thence northerly along a curve to the right, the center of which bears south 87° 38' 45" east, having a radius of 998.00 feet, a distance of 80.89 feet to a point on the southeasterly line of Block 106, said addition, distant, 64.27 feet northeasterly of the most southerly corner thereof; ALSO,

PORTION OF UNIVERSITY STREET, described as follows: Beginning at the intersection of the center line of said street and the production northwesterly of the southeasterly line of 8th Avenue; thence southeasterly along said produced line to the southeasterly line of said street; thence southeasterly along said southeasterly line 36.35 feet; thence northerly along a curve to the right having a radius of 1719.86 feet to a point on said center line, distant, 36.92 feet to a point on said center line, distant, 36.92 feet southwesterly of the point of beginning; thence northeasterly along said center line to the beginning; thence southeasterly along said southeasterly line 36.35 feet; thence northerly along a curve to the right having a radius of 1719.86 feet to a point on said center line, distant, 36.92 feet southwesterly of the point of beginning; thence northeasterly along said center line to the beginning; ALSO,

8TH AVENUE from a line described as follows: Beginning at the intersection of the production northeasterly of the southeasterly line of said avenue and the center line of University Street; thence northeasterly along said center line to the center line of said avenue; thence northeasterly along the last described center line 53.84 feet; thence northerly to a point on the northeasterly line of said avenue, distant, 68.13 feet northeasterly of the northeasterly line of University Street to the production southeasterly of the southeasterly line of Lot 12, Block 106, A. A. Denny's Broadway Addition, across said avenue, distant, 31.84 feet from the most southerly corner thereof; said point being a point on a curve; thence southerly along a curve to the left, the center of which bears south 78° 38' 45" east, having a radius of 998.00 feet, a distance of 36.77 feet to a point on the production southwesterly of the southeasterly line of said lot; thence southeasterly along said produced line a distance of 14 feet to the point of beginning; thence northwesterly along three lateral inclined planes described as follows:

Plane #1. Beginning at the production southwesterly of the southeasterly line of Lot 1, said Block 106, elevation 218.13 feet City datum and ending at a line 76.71 feet northwesterly of and parallel with the last described line, elevation of 215.33 feet City datum.

Plane #2. Beginning at the last described line above and ending at a line 78.72 feet northwesterly of and parallel with the above referenced line, elevation of 210.01 feet City datum.

Plane #3. Beginning at the last described line in Plane #2 and ending at a line 22.43 feet northwesterly of and parallel with the last described line referenced in Plane #2, elevation of 207.83 feet City datum.

ALSO, 9th AVENUE, described as follows: Beginning at the most easterly corner of Lot 6, Block 106, A. A. Denny's Broadway Addition; thence northwesterly along the northeasterly line of said Block 106, 129.22 feet; thence north 16° 41' 38" east, 19.24 feet to a line 14 feet northwesterly of and parallel to the northeasterly line of said Block 106; thence southeasterly along said parallel line a distance of 14 feet; thence south 24° 05' 43" east, distant, 17.33 feet to a line 10 feet northeasterly of and parallel to the northwesterly line of said Block 106; thence southeasterly along the last described parallel line a distance of 132.09 feet to the production northeasterly of the southeasterly line of said Lot 6; thence southeasterly along the last described line, a distance of 10 feet to the beginning; ALSO,

PORTION OF THE ALLEY IN BLOCK 106, A. A. DENNY'S BROADWAY ADDITION, being that portion of the alley between 8th Avenue and 9th Avenue, described as follows: Beginning at a point on the northwesterly line of Lot 9, said block, distant, south 30° 35' 11" east, 15.99 feet from the most northerly corner thereof; thence north 14° 11' 56" east, 22.71 feet to the northeasterly line of said alley; thence northwesterly along the northwesterly line of said alley 65.63 feet; thence southerly along a curve to the left with a radius of 1659.86 feet, the center of which bears south 78° 38' 45" east, distant, 24.10 feet to the southwesterly line of said alley; thence southeasterly along said southwesterly line 65.72 feet to the point of beginning;

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 any 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, avenues and alley until the beneficiaries of said vacation arrange with the owner or owners thereof for their removal.

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 31st day of May, 1988, and signed by me in open session in authentication of its passage this 31st day of May, 1988.

SAM SMITH,  
President of the City Council.  
Approved by me this 9th day of June, 1988.  
CHARLES ROYER,  
Mayor.  
Filed by me this 10th day of June, 1988.  
Attest: NORWARD J. BROOKS,  
City Comptroller and City Clerk.  
(Seal) BY MARGARET CARTER,  
Deputy Clerk.  
Publication ordered by HOWWARD J. BROOKS, Comptroller and City Clerk.  
Date of official publication in Daily Journal of Commerce, Seattle, June 23, 1988. (C-590-X)

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C-500-X

### 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. 113984.....

was published on June 23, 1988.....

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

June 23, 1988.....

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

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