

Ordinance No. 23040

An Ordinance Providing for the laying off, extending and establishing of Western Avenue, from West Denny Way to Elliott Avenue, all in the City of Seattle etc.

Council Bill No. 10790

INTRODUCED: JAN -4 1910	BY: STREETS
REFERRED:	TO:
REFERRED:	
REPORTED:	VETO:
SECOND READING: JAN 10 1910	PUBLISHED:
THIRD READING: JAN 10 1910	VETO SUSTAINED:
SIGNED: JAN 10 1910	PASSED OVER VETO:
PRESENTED TO MAYOR: JAN 11 1910	APPROVED: JAN 18 1910
FILED: JAN 19 1910	PUBLISHED: JAN 21 1910
ENGROSSED: VOL. 41 PAGE 537	BY: <i>LLB</i>
COMPARED BY: <i>Barnes AND McNett</i>	

Form I. 117-10-09 3M

Ordinance accepted 9/15 - judgment entered 9/17/12
Ord. No. 20864 - Western Ave. - 20864 repealed
6-17

Ordinance No. 23040

An Ordinance Providing for the laying off, extending and establishing of Western Avenue, from West Denny Way to Elliott Avenue, all in the City of Seattle etc.

Council Bill No. 10730

INTRODUCED: JAN -4 1910	BY: STREETS
REFERRED:	TO:
REFERRED:	
REPORTED:	VETO:
JAN 10 1910	PUBLISHED:
THIRD READING: JAN 10 1910	VETO SUSTAINED:
SIGNED: JAN 10 1910	PASSED OVER VETO:
PRESENTED TO MAYOR: JAN 11 1910	APPROVED: JAN 18 1910
FILED: JAN 19 1910	PUBLISHED: JAN 21 1910
ENGROSSED: VOL 1 PAGE 559	BY: <i>[Signature]</i>
COMPARED BY: <i>[Signature]</i> AND <i>[Signature]</i>	

Form 1, 11-10-08 3M

awards accepted 5/6/12 - judgement entered 9/25/12

08 - 20864 repealed

ORDINANCE NO. 23040

AN ORDINANCE Providing for the laying off, extending and establishing of Western Avenue, from West Denny Way to Elliott Avenue, and of Queen Anne Avenue, from West Denny Way to Western Avenue, all in the City of Seattle, and providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; providing for the changing and establishing of the curb grades of Western Avenue and Western Avenue extended and approaches thereto, from Eagle Street to Elliott Avenue; of West Denny Way, from Western Avenue to First Avenue North; of Queen Anne Avenue, from West Denny Way to West John Street; of West John Street, from Western Avenue as extended to Queen Anne Avenue; of First Avenue West, from West Thomas Street to Western Avenue as extended, and of Second Avenue West, from West Thomas Street to Western Avenue as extended, and connecting alleys; all in the City of Seattle; providing for the condemnation, appropriation, taking and damaging of land and other property necessary for the grading and regrading of said avenues, streets, approaches thereto and connecting alleys in conformity with such established grades, and for the construction of all necessary slopes for cuts and fills upon the property abutting upon said avenues, streets, approaches thereto and connecting alleys; providing that the payment for such improvement be made by special assessment upon property specially benefited in the manner provided by law; and repealing all ordinances and parts of ordinances in conflict herewith;

WHEREAS, Public necessity and convenience demand that Western Avenue, from West Denny Way to Elliott Avenue, and of Queen Anne Avenue, from West Denny Way to Western Avenue, be laid off, extended and established as public streets and highways, and that the curb grades of Western Avenue and Western Avenue extended and approaches thereto, from Eagle Street to Elliott Avenue; of West Denny Way, from Western Avenue to First Avenue North; of Queen Anne Avenue, from West John Street to West Denny Way; of West John Street, from Queen Anne Avenue to Western Avenue as extended; of First Avenue West, from West Thomas Street to Western Avenue as extended; of Second Avenue West, from West Thomas Street to Western Avenue as extended, and connecting alleys, all in the City of Seattle, be changed and established and that said avenues, streets, approaches thereto and connecting alleys be graded and regraded in conformity with such established grades; and,

WHEREAS, Such improvement will be of special benefit to certain lands, premises and other property; NOW, THEREFORE:

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

SECTION 1. That Western Avenue, from West Denny Way to Elliott Avenue, and Queen Anne Avenue, from West Denny Way to Western Avenue, all in the City of Seattle, be, and the same are hereby laid off, extended and established over and across the following lots, blocks and tracts of land, to-wit:

IN BLOCK "F", W. N. BELL'S FOURTH ADDITION TO THE CITY OF SEATTLE:

That portion of Lot Four (4), described as follows, to-wit: Beginning at the southerly corner of said lot; thence northwesterly along the southwesterly line thereof, a distance of sixty (60) feet to the westerly corner of said lot; thence northeasterly along the northwesterly line thereof, a distance of thirty-one and seventy-nine one-hundredths (31.79) feet to a point on the east margin produced south of Queen Anne Avenue; thence south along said east margin produced south, a distance of thirty-three and twenty-three one-hundredths (33.23) feet to the beginning of a curve to the left, having a uniform radius of fifty and fifty-eight one-hundredths (50.58) feet; thence southeasterly along said curve, a distance of forty-three and forty-four one-hundredths (43.44) feet to the point of beginning.

That portion of Lot Five (5) described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant twenty and sixty-nine one-hundredths (20.69) feet west from the easterly corner of said lot, said point being also on the east margin produced south of Queen Anne Avenue; thence west along the north line of said lot, a distance of ninety-three and twenty one-hundredths (93.20) feet to the westerly corner of said lot; thence southeasterly along the southwesterly line thereof, a distance of eighty-six and twenty-six one-hundredths (86.26) feet to the southerly corner of said lot; thence northeasterly along the southeasterly line thereof, a distance of thirty-one and seventy-nine one-hundredths (31.79) feet to a point on the east margin produced south of Queen Anne Avenue; thence north along said east margin produced south, a distance of twenty-three

and ninety-seven one-hundredths (23.97) feet to the point of beginning.

IN BLOCK EIGHTEEN (18) OF THE PLAT OF NORTH SEATTLE:

That portion of Lot Five (5), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant ninety-eight and twenty one-hundredths (98.20) feet east from the northwest corner of said lot; thence east along the north line thereof, a distance of twenty-one and eighty one-hundredths (21.80) feet to the northeast corner of said lot; thence south along the east line thereof, a distance of eighteen and eighty one-hundredths (18.80) feet; thence northwesterly, a distance of twenty-eight and eighty one-hundredths (28.80) feet to the point of beginning.

That portion of Lot Four (4), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant twenty-eight and eighty-four one-hundredths (28.84) feet east from the northwest corner of said lot; thence east along the north line thereof, a distance of ninety-one and sixteen one-hundredths (91.16) feet to the northeast corner of said lot; thence south along the east line thereof, a distance of fifty-nine and eighty-four one-hundredths (59.84) feet to the southeast corner of said lot; thence west along the south line thereof, a distance of twenty-one and eighty one-hundredths (21.80) feet; thence northwesterly, a distance of ninety-one and sixty-two one-hundredths (91.62) feet to the point of beginning.

That portion of Lot Three (3), described as follows, to-wit: Beginning at a point on the south line of said

lot, said point being distant twenty-eight and eighty-four one-hundredths (28.84) feet east from the southwest corner of said lot; thence northwesterly, a distance of thirty-eight and nine one-hundredths (38.09) feet to a point on the west line of said lot, said point being distant twenty-four and eighty-seven one-hundredths (24.87) feet north from the southwest corner of said lot; thence north along the west line thereof, a distance of thirty-four and ninety-five one-hundredths (34.95) feet to the northwest corner of said lot; thence east along the north line thereof, a distance of sixty and fifty-three one-hundredths (60.53) feet; thence southeasterly, a distance of fifty-six and seventy-one one-hundredths (56.71) feet to the beginning of a curve to the left having a uniform radius of ten (10) feet; thence easterly and northeasterly along said curve, a distance of twenty-two and eighty-three one-hundredths (22.83) feet to a point on the east line of said lot, said point being distant twenty-nine and forty-seven one-hundredths (29.47) feet south from the northeast corner of said lot; thence south along the east line thereof, a distance of thirty and thirty-seven one-hundredths (30.37) feet to the southeast corner of said lot; thence west along the south line thereof, a distance of ninety-one and sixteen one-hundredths (91.16) feet to the point of beginning.

That portion of Lot Two (2), described as follows, to-wit: Beginning at a point on the west line of said lot, said point being distant seven and sixty one-hundredths (7.60) feet south from the northwest corner of said lot; thence south along the west line thereof, a distance of

fifty-two and twenty-two one-hundredths (52.22) feet to the southwest corner of said lot; thence east along the south line thereof, a distance of sixty and fifty-three one-hundredths (60.53) feet; thence northwesterly, a distance of seventy-nine and ninety-five one-hundredths (79.95) feet to the point of beginning.

That portion of Lot Ten (10), described as follows, to-wit: Beginning at a point on the east line of said lot, said point being distant thirty-eight and seventy-four one-hundredths (38.74) feet north from the southeast corner of said lot; thence north along the east line thereof, a distance of twenty-one and nine one-hundredths (21.09) feet to the northeast corner of said lot; thence west along the north line thereof, a distance of twenty-four and forty-four one-hundredths (24.44) feet; thence southeasterly, a distance of thirty-two and twenty-nine one-hundredths (32.29) feet to the point of beginning.

That portion of Lot Eleven (11), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant twenty-six and twenty-two one-hundredths (26.22) feet east from the northwest corner of said lot; thence east along the north line thereof, a distance of ninety-three and seventy-eight one-hundredths (93.78) feet to the northeast corner of said lot; thence south along the east line thereof, a distance of fifty-nine and eighty-three one-hundredths (59.83) feet to the southeast corner of said lot; thence west along the south line thereof, a distance of twenty-four and forty-four one-hundredths (24.44) feet; thence northwesterly, a distance of ninety-one and fifty-eight one-hundredths (91.58) feet to the point of beginning.

That portion of Lot Twelve (12), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant sixty-two and eight one-hundredths (62.08) feet west from the northeast corner of said lot; thence west along the north line thereof, a distance of fifty-seven and ninety-two one-hundredths (57.92) feet to the northwest corner of said lot; thence south along the west line thereof, a distance of thirty-seven and nineteen one-hundredths (37.19) feet; thence southeasterly, a distance of thirty-four and sixty-three one-hundredths (34.63) feet to a point on the south line of said lot, said point being distant twenty-six and twenty-two one-hundredths (26.22) feet from the southwest corner of said lot; thence east along the south line thereof, a distance of ninety-three and seventy-eight one-hundredths (93.78) feet to the southeast corner of said lot; thence north along the east line thereof, a distance of six and twenty-six one-hundredths (6.26) feet; thence northwesterly, a distance of eighty-one and ninety-nine one-hundredths (81.99) feet to the point of beginning.

IN BLOCK TEN (10) OF THE PLAT OF NORTH SEATTLE.

All of Lot Six (6).

That portion of Lot Five (5), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant ninety-one and sixty-four one-hundredths (91.64) feet west from the northeast corner of said lot; thence west along the north line thereof, a distance of twenty-eight and thirty-six one-hundredths (28.36) feet to the northwest corner of said lot; thence south along the west line thereof, a distance of forty-two and eighty one-hundredths (42.80) feet to a point on the northeasterly margin of Elliott Avenue; thence southeaster-

ly along said margin, a distance of twenty-two and twenty-two one-hundredths (22.22) feet to a point on the south line of said lot; thence east along said south line, a distance of one hundred five and ninety-three one-hundredths (105.93) feet to the southeast corner of said lot; thence north along the east line thereof, a distance of thirty-five and fifty-two one-hundredths (35.52) feet; thence southwesterly, westerly and northwesterly along the arc of a curve to the right, having a uniform radius of twenty-five (25) feet, a distance of fifty-seven and seven one-hundredths (57.07) feet to a point of tangency; thence northwesterly along the tangent to said curve, a distance of sixty-six and forty-four one-hundredths (66.44) feet to the point of beginning.

That portion of Lot Four (4), described as follows, to-wit: Beginning at a point on the south line of said lot, said point being distant ninety-one and sixty-four one-hundredths (91.64) feet west from the southeast corner of said lot; thence west along the south line thereof, a distance of twenty-eight and thirty-six one-hundredths (28.36) feet to the southwest corner of said lot; thence north along the west line thereof, a distance of twenty-four and forty-eight one-hundredths (24.48) feet; thence southeasterly, a distance of thirty-seven and forty-seven one-hundredths (37.47) feet to the point of beginning.

All of Lot Eight (8).

That portion of Lot Nine (9), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant twenty-five and twelve one-hundredths (25.12) feet west from the northeast corner of

said lot; thence west along the north line thereof, a distance of forty-two and ninety-one one-hundredths (42.91) feet to the northwest corner of said lot; thence southeasterly along the southwesterly line thereof, a distance of seventy-seven and fifty-one one-hundredths (77.51) feet to the southwest corner of said lot; thence east along the south line thereof, a distance of eighteen and ninety-six one-hundredths (18.96) feet to the southeast corner of said lot; thence north along the east line thereof, a distance of thirty-eight and thirty-two one-hundredths (38.32) feet; thence northwesterly, a distance of thirty-three and eighteen one-hundredths (33.18) feet to the point of beginning.

That portion of Lot Ten (10), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant ninety-four and sixty-five one-hundredths (94.65) feet west from the northeast corner of said lot; thence west along the north line thereof, a distance of twenty-two and forty-five one-hundredths (22.4) feet to the northwest corner of said lot; thence southeasterly along the southwesterly line thereof, a distance of seventy-seven and fifty-one one-hundredths (77.51) feet to the southwest corner of said lot; thence east along the south line thereof, a distance of forty-two and ninety-one one-hundredths (42.91) feet; thence northwesterly, a distance of ninety-one and eighty-four one-hundredths (91.84) feet to the point of beginning.

That portion of Lot Eleven (11), described as follows, to-wit: Beginning at a point on the south line of said lot, said point being distant ninety-four and sixty-five one-hun-

dredths (94.65) feet west from the southeast corner of said lot; thence west along the south line thereof, a distance of twenty-two and forty-five one-hundredths (22.45) feet to a point on the northeasterly margin of Elliott Avenue; thence northwesterly along said margin, a distance of four and fifty-eight one-hundredths (4.58) feet to a point on the west line of said lot; thence north along said west line, a distance of eighteen and thirty-three one-hundredths (18.33) feet; thence southeasterly, a distance of thirty-three and forty-eight one-hundredths (33.48) feet to the point of beginning.

SECTION 2. That the curb grades of Western Avenue and Western Avenue extended and approaches thereto, from Eagle Street to Elliott Avenue; of West Denny Way, from Western Avenue to First Avenue North; of Queen Anne Avenue, from West John Street to West Denny Way; of West John Street, from Queen Anne Avenue to Western Avenue as extended; of First Avenue West, from West Thomas Street to Western Avenue as extended; and of Second Avenue West, from West Thomas Street to Western Avenue as extended, be, and the same are hereby changed, and established at the following elevations above city datum, to-wit:

ON WESTERN AVENUE AND WESTERN AVENUE EXTENDED.

At the south margin of Eagle Street, at the existing ordinance elevations:

Easterly curb,	43.00 feet
Westerly curb,	42.30 feet

At the north margin of Eagle Street:

Easterly curb,	42.80 feet
Westerly curb,	42.10 feet

At the south margin of Bay Street:

Easterly curb,	41.72 feet
Westerly curb,	41.02 feet

At the north margin of Bay Street:

Easterly curb,	41.52 feet
Westerly curb,	40.82 feet

180 feet north of the north margin of Bay Street, at the point of curve on the easterly margin of Western Avenue:

Easterly curb,	40.98 feet
Westerly curb,	40.28 feet

At the intersection of the north margin of West Denny Way with the easterly margin of Western Avenue on a line at right angles to the center line of Western Avenue:

Easterly curb,	40.24 feet
Westerly curb,	39.54 feet

At the intersection of the east margin of First Avenue West and the easterly margin of Western Avenue, on a line at right angles to the centerline of Western Avenue:

Easterly curb,	33.73 feet
Westerly curb,	33.03 feet

21.84 feet northwesterly measured along the easterly margin of Western Avenue extended, from its intersection with the west margin of First Avenue West, on a line at right angles to the center line of Western Avenue extended:

Easterly curb,	30.20 feet
Westerly curb,	29.50 feet

At the intersection of the south margin of West John Street and the easterly margin of Western Avenue extended, on a line at right angles to the center line of Western Avenue Extended:

Easterly curb,	22.43 feet
Westerly curb,	21.73 feet

At the intersection of the easterly margin of Elliott Avenue North with the westerly margin of Western Avenue Extended, on a line at right angles to the center line of said Western Avenue Extended:

Westerly curb, at existing grade,	15.50 feet
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ON WEST DENNY WAY.

At the west margin of First Avenue North, at existing elevations:

North curb,	68.00 feet
South curb,	67.70 feet

At the east margin of Queen Anne Avenue:

North curb,	44.00 feet
South curb,	43.10 feet

At the west margin of Queen Anne Avenue:

North curb,	42.56 feet
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ON QUEEN ANNE AVENUE.

At the south margin of West John Street, at existing elevations:

East curb,	74.10 feet
West curb,	73.50 feet

At the north margin of West Denny Way:

East curb,	44.00 feet
West curb,	43.04 feet

ON WEST JOHN STREET.

At the west margin of Queen Anne Avenue, at existing elevations:

North curb,	73.50 feet
South curb,	73.50 feet

At the east margin of First Avenue West:

North curb,	45.83 feet
South curb,	45.83 feet

At the west margin of First Avenue West:

North curb,	43.83 feet
South curb,	43.83 feet

At the intersection of the south margin of West John Street and the easterly margin of Western Avenue extended, on a line at right angles to the center line of West John Street:

North curb,	22.43 feet
South curb,	22.43 feet

ON FIRST AVENUE WEST.

At the south margin of West Thomas Street at existing elevations:

East curb,	71.67 feet
West curb,	71.55 feet

At the north margin of West John Street:

East curb,	45.61 feet
West curb,	44.27 feet

At the south margin of West John Street:

East curb,	45.39 feet
West curb,	44.05 feet

21.64 feet north measured along the west margin of First Avenue West from its intersection with the easterly margin of Western Avenue Extended, on a line at right angles to the centerline of First Avenue West:

East curb,	34.00 feet
West curb,	32.66 feet

ON SECOND AVENUE WEST.

At the south margin of West Thomas Street at existing elevations:

East curb,	35.28 feet
West curb,	35.14 feet

54.59 feet north measured along the west margin of Second Avenue West, from its intersection with the easterly margin of Western Avenue Extended, on a line at right angles to the center line of Second Avenue West:

East curb,	20.35 feet
West curb,	19.00 feet

That the curb grades shall be straight lines between the elevations established herein. That the grades of approaches to Western Avenue and Western Avenue extended be changed and established to conform to the grades established herein to such distance back from said Western Avenue and Western Avenue extended not exceeding two hundred fifty-six (256) feet, as may be necessary. That the grades of each and all of the alleys in the several blocks bounded by said streets and avenues or approaches thereto, or any of them, are hereby fixed and established at such grades as will conform to the elevations herein fixed, upon the above named streets, avenues and approaches thereto at the respective points of intersection.

That in the construction of the necessary slopes for cuts and fills upon the property abutting upon said avenues, streets, approaches thereto and connecting alleys in accordance with the grades established herein, each cut shall be carried back into and extend upon the abutting real property one foot for each foot in depth of cut, and each fill shall be carried back and extend upon the abutting real property one and one-half feet for each foot of elevation of fill.

SECTION 3. That all lands, rights, privileges and other property lying within the limits of the lots,

blocks and tracts of land described in Section One (1) hereof, be, and the same are hereby condemned taken, damaged and appropriated to the public use for the purpose of a public street and highway forever, and that all lands, rights, privileges and other property necessary to be taken, used and damaged in the grading and regrading of the streets, avenues, approaches thereto and connecting alleys in conformity with the grades established in Section Two (2) hereof, and in the construction of the necessary slopes for cuts and fills upon the real property abutting upon said avenues, streets, approaches thereto and connecting alleys are hereby condemned taken, damaged and appropriated to the public use for such purposes; said lands, rights, privileges and other property are to be condemned, taken, damaged and appropriated only after just compensation has been made or paid into court for the owner in the manner provided by law.

SECTION 4. That the improvement provided for in this ordinance be paid for by special assessment upon the property specially benefited, in the manner provided by law. Any part of the cost of said improvement that is not finally assessed against the property specially benefited, shall be paid from the General Fund of the City of Seattle.

SECTION 5. That the Corporation Counsel 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, rights, privileges and other property necessary to carry out the provisions of this ordinance, and also to take the steps necessary to make such special assessment.

SECTION 6. That all ordinances and parts of ordinances in conflict herewith be, and the same are in all respects hereby repealed.

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 the City Council the... 10 day of... JANUARY 1910.
and signed by me in open session in authentication of its passage this... 10 day of
JANUARY 1910. *A. Phil*

President..... of the City Council.

Approved by me this... 15 day of... JANUARY 1910.

John H. Miller
Mayor.

Filed by me this... 19 day of... JANUARY 1910.

Attest: *Mr. Carver*
City Comptroller and Ex-Officio City Clerk.

[SEAL]

By Deputy Clerk.

Published JAN 21 1910

A. W. Carroll
City Comptroller and Ex-Officio City Clerk.

W. H. Harrison
Deputy Clerk.

Affidavit of Publication

STATE OF WASHINGTON,)
County of King, City of Seattle) SS.

JOSEPH BLETHEN, being duly sworn, says he is the publisher of **THE SEATTLE DAILY BULLETIN**, a daily newspaper, printed and published at Seattle, King County, State of Washington; that it is a newspaper of general circulation in said County and State, and that the annexed, being Ordinance No. 23040, was published in said newspaper, and not in a supplement thereof, and is a true copy of the notice as it was published in the regular and entire issue of said paper on the 21st day of January 1940, and that said newspaper was regularly distributed to its subscribers on said day.

Joseph Blethen

Subscribed and sworn to before me this 22nd day
of January 1940

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

ORDINANCE NO. 23040.
AN ORDINANCE providing for the laying off, extending and establishing of Western Avenue, from West Denny Way to Elliott Avenue, and of Queen Anne Avenue, from West Denny Way to Western Avenue, all in the City of Seattle, and providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; providing for the changing and establishing of the curb grades of Western Avenue and Western Avenue extended and approaches thereto, from Eagle Street to Elliott Avenue; of West Denny Way, from Western Avenue to First Avenue North; of Queen Anne Avenue, from West Denny Way to West John Street; of West John Street, from Western Avenue as extended to Queen Anne Avenue; of First Avenue West, from West Thomas Street to Western Avenue as extended, and of Second Avenue West, from West Thomas Street to Western Avenue as extended, and connecting alleys; all in the City of Seattle; providing for the condemnation, appropriation, taking and damaging of land and other property necessary for the grading and regrading of said streets, approaches thereto and connecting alleys in conformity with such established grades, and for the construction of all necessary slopes for cuts and fills upon the property abutting upon said avenues, streets, approaches thereto and connecting alleys; providing that the payment for such improvement be made by special assessment upon property specially benefited in the manner provided by law; and repealing all ordinances and parts of ordinances in conflict herewith;

Whereas, public necessity and convenience demand that Western Avenue, from West Denny Way to Elliott Avenue, and of Queen Anne Avenue, from West Denny Way to Western Avenue, be laid off, extended and established as public streets and highways, and that the curb grades of Western Avenue and Western Avenue extended and approaches thereto, from Eagle Street to Elliott Avenue; of West Denny Way, from Western Avenue to First Avenue North; of Queen Anne Avenue, from West John Street to West Denny Way; of West John Street, from Queen Anne Avenue to Western Avenue as extended; of First Avenue West, from West Thomas Street to Western Avenue as extended; of Second Avenue West, from West Thomas Street to Western Avenue as extended, and connecting alleys, all in the City of Seattle, be changed and established and that said avenues, streets, approaches thereto and connecting alleys be graded and regraded in conformity with such established grades; and, Whereas, such improvement will be of special benefit to certain lands, premises and other property, now, therefore: Be it ordained by the City of Seattle, as follows:

Section 1. That Western Avenue, from West Denny Way to Elliott Avenue, and Queen Anne Avenue, from West Denny Way to Western Avenue, all in the City of Seattle, be, and the same are hereby laid off, extended and established over and across the following lots, blocks and tracts of land, to-wit:
IN BLOCK "F", W. N. BELL'S FOURTH ADDITION TO THE CITY OF SEATTLE:
That portion of Lot Four (4), described as follows, to-wit: Beginning at the southerly corner of said lot; thence northwesterly along the southwesterly line thereof, a distance of sixty (60) feet to the westerly corner of said lot; thence northeasterly along the northwesterly line thereof, a distance of thirty-one and seventy-nine one-hun-

dreths (21.80) feet to a point on the east margin produced south of Queen Anne Avenue; thence south along said east margin produced south, a distance of thirty-three and twenty-three one-hundredths (33.23) feet to the beginning of a curve to the left, having a uniform radius of fifty and fifty-eight one-hundredths (58.58) feet; thence southeasterly along said curve, a distance of forty-three and forty-four one-hundredths (43.44) feet to the point of beginning.
That portion of Lot Five (5) described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant twenty and sixty-nine one-hundredths (26.69) feet west from the easterly corner of said lot, said point being also on the east margin produced south of Queen Anne Avenue; thence west along the north line of said lot, a distance of ninety-three and twenty one-hundredths (93.21) feet to the westerly corner of said lot; thence southeasterly along the southwesterly line thereof, a distance of eighty-six and twenty-six one-hundredths (86.26) feet to the southerly corner of said lot, thence northeasterly along the southeasterly line thereof, a distance of thirty-one and seventy-nine one-hundredths (31.79) feet to a point on the east margin produced south of Queen Anne Avenue, thence north along said east margin produced south, a distance of twenty-three and ninety-seven one-hundredths (23.97) feet to the point of beginning.
IN BLOCK EIGHTEEN (18) OF THE PLAT OF NORTH SEATTLE:
That portion of Lot Five (5) described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant ninety-eight and twenty one-hundredths (98.21) feet east from the northwest corner of said lot; thence east along the north line thereof, a distance of twenty-one and eighty one-hundredths (21.80) feet to the northeast corner of said lot; thence south along the east line thereof, a distance of eighteen and eighty one-hundredths (18.80) feet; thence northwesterly, a distance of twenty-eight and eighty one-hundredths (28.80) feet to the point of beginning.
That portion of Lot Four (4), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant twenty-eight and eighty-four one-hundredths (28.84) feet east from the northwest corner of said lot; thence east along the north line thereof, a distance of ninety-one and sixteen one-hundredths (91.16) feet to the northeast corner of said lot; thence south along the east line thereof, a distance of fifty-nine and eighty-four one-hundredths (59.84) feet to the southeast corner of said lot; thence west along the south line thereof, a distance

of twenty-one and eighty one-hundredths (21.80) feet; thence northwesterly, a distance of ninety-one and sixty-two one-hundredths (91.62) feet to the point of beginning.
That portion of Lot Three (3), described as follows, to-wit: Beginning at a point on the south line of said lot, said point being distant twenty-eight and eighty-four one-hundredths (28.84) feet east from the southwest corner of said lot; thence northwesterly, a distance of thirty-eight and nine one-hundredths (38.09) feet to a point on the west line of said lot, said point being distant twenty-four and eighty-seven one-hundredths (24.87) feet north from the southwest corner of said lot; thence north along the west line thereof, a distance of thirty-four and ninety-five one-hundredths (34.95) feet to the northwest corner of said lot; thence east along the north line thereof, a distance of sixty and fifty-three one-hundredths (60.53) feet; thence southeasterly, a distance of fifty-six and seventy-one one-hundredths (56.71) feet to the beginning of a curve to the left having a uniform radius of ten (10) feet; thence easterly and northeasterly along said curve, a distance of twenty-two and eighty-three one-hundredths (22.83) feet to a point on the east line of said lot, said point being distant twenty-nine and forty-seven one-hundredths (29.47) feet south from the northeast corner of said lot; thence south along the east line thereof, a distance of thirty and thirty-seven one-hundredths (30.37) feet to the southeast corner of said lot; thence west along the south line thereof, a distance of ninety-one and sixteen one-hundredths (91.16) feet to the point of beginning.
That portion of Lot Two (2), described as follows, to-wit: Beginning at a point on the west line of said lot, said point being distant seven and sixty one-hundredths (7.60) feet south from the northwest corner of said lot; thence south along the west line thereof, a distance of fifty-two and twenty-two one-hundredths (52.22) feet to the southwest corner of said lot; thence east along the south line thereof, a distance of sixty and fifty-three one-hundredths (60.53) feet; thence northwesterly, a distance of seventy-nine and ninety-five one-hundredths (79.95) feet to the point of beginning.
That portion of Lot Ten (10), described as follows, to-wit: Beginning at a point on the east line of said lot, said point being distant thirty-eight and seventy-four one-hundredths (38.74) feet north from the southeast corner of said lot; thence north along the east line thereof, a distance of twenty-one and nine one-hundredths (21.09) feet to the northeast corner of said lot; thence west along the north line thereof, a distance of twenty-four and forty-four one-hundredths (24.44) feet; thence southeast-

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H. W. CARROLL,
CITY COMPTROLLER
AND EX. OFFICIO CITY CLERK

erly, a distance of thirty-two and twenty-nine one-hundredths (32.29) feet to the point of beginning.

That portion of Lot Eleven (11), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant twenty-six and twenty-two one-hundredths (26.22) feet west from the northwest corner of said lot; thence east along the north line thereof, a distance of ninety-three and seventy-eight one-hundredths (93.78) feet to the northeast corner of said lot; thence south along the east line thereof, a distance of fifty-nine and eighty-three one-hundredths (59.83) feet to the southeast corner of said lot; thence west along the south line thereof, a distance of twenty-four and forty-four one-hundredths (24.44) feet; thence northwesterly, a distance of ninety-one and fifty-eight one-hundredths (91.58) feet to the point of beginning.

That portion of Lot Twelve (12), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant sixty-two and eight one-hundredths (62.08) feet west from the northeast corner of said lot; thence west along the north line thereof, a distance of fifty-seven and ninety-two one-hundredths (57.92) feet to the northwest corner of said lot; thence south along the west line thereof, a distance of thirty-seven and nineteen one-hundredths (37.19) feet; thence southeasterly, a distance of thirty-four and sixty-three one-hundredths (34.63) feet to a point on the south line of said lot, said point being distant twenty-six and twenty-two one-hundredths (26.22) feet from the southwest corner of said lot; thence east along the south line thereof, a distance of ninety-three and seventy-eight one-hundredths (93.78) feet to the southeast corner of said lot; thence north along the east line thereof, a distance of fifty-seven and ninety-two one-hundredths (57.92) feet; thence northwesterly, a distance of eighty-one and ninety-nine one-hundredths (81.99) feet to the point of beginning.

IN BLOCK TEN (10) OF THE PLAT OF NORTH SEATTLE.

All of Lot Six (6).

That portion of Lot Five (5), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant one-hundred and sixty-four one-hundredths (164) feet west from the northeast corner of said lot; thence west along the north line thereof, a distance of twenty-eight and thirty-six one-hundredths (28.36) feet to the northwest corner of said lot; thence south along the west line thereof, a distance of forty-two and eighty one-hundredths (42.80) feet to a point on the northeasterly margin of Elliott Avenue; thence southeasterly along said margin, a distance of twenty-two and twenty-two one-hundredths (22.22) feet to a point on the south line of said lot; thence east along said south line, a distance of one hundred five and ninety-three one-hundredths (105.93) feet to the southeast corner of said lot; thence north along the east line thereof, a distance of thirty-five and fifty-two one-hundredths (35.52) feet; thence southwesterly, westerly and northwesterly along the arc of a curve to the right, having a uniform radius of twenty-five (25) feet, a distance of fifty-seven and seven one-hundredths (57.07) feet to a point of tangency; thence northwesterly along the tangent to said curve, a distance of sixty-six and forty-four one-hundredths (66.44) feet to the point of beginning.

That portion of Lot Four (4) described as follows, to-wit: Beginning at a point on the south line of said lot, said point being distant ninety-one and sixty-four one-hundredths (91.64) feet west from the southeast corner of said lot; thence west along the south line thereof, a distance of twenty-eight and thirty-six one-hundredths (28.36) feet to the southwest corner of said lot; thence north along the west line thereof, a distance of twenty-four and forty-eight one-hundredths (24.48) feet; thence southeasterly, a distance of thirty-seven and forty-seven one-hundredths (37.47) feet to the point of beginning.

All of Lot Eight (8).

That portion of Lot Nine (9), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant twenty-five and twelve one-hundredths (25.12) feet west from the northeast corner of said lot; thence west along the north line thereof, a distance of forty-two and ninety-one one-hundredths (42.91) feet to the northwest corner of said lot; thence southwesterly along the southwesterly line thereof, a distance of seventy-seven and fifty-one one-hundredths (77.51) feet to the southwest corner of said lot; thence east along the south line thereof, a distance of eighteen and ninety-six one-hundredths (18.96) feet to the southeast corner of said lot; thence north along the east line thereof, a distance of thirty-eight and thirty-two one-hundredths (38.32) feet; thence northwesterly, a distance of thirty-three and eighteen one-hundredths (33.18) feet to the point of beginning.

That portion of Lot Ten (10), described as follows, to-wit: Beginning at a point on the north line of said lot, said point being distant ninety-four and sixty-five one-hundredths (94.65) feet west from the northeast corner of said lot; thence west along the north line thereof, a distance of twenty-two and forty-five one-hundredths (22.45) feet to the northwest corner of said lot; thence southeasterly along the southwesterly line thereof, a distance of seventy-seven and fifty-one one-hundredths (77.51) feet to the southwest corner of said lot; thence east along the south line thereof, a distance of forty-two and ninety-one one-hundredths (42.91) feet; thence northwesterly, a distance of ninety-one and eighty-four one-hundredths (91.84) feet to the point of beginning.

That portion of Lot Eleven (11), described as follows, to-wit: Beginning at a point on the south line of said lot, said point being distant ninety-four and sixty-five one-hundredths (94.65) feet west from the southeast corner of said lot; thence west along the south line thereof, a distance of twenty-two and forty-five one-hundredths (22.45) feet to a point on the northeasterly margin of Elliott Avenue; thence northwesterly along said margin, a distance of four and fifty-eight one-hundredths (4.58) feet to a point on the west line of said lot; thence north along said west line, a distance of eighteen and thirty-three one-hundredths (18.33) feet; thence southeasterly, a distance of thirty-three and forty-eight one-hundredths (33.48) feet to the point of beginning.

Section 2. That the curb grades of Western Avenue and Western Avenue extended and approaches thereto, from Eagle Street to Elliott Avenue; of West Denny Way, from Western Avenue to First Avenue North; of Queen Anne Avenue, from West John Street to West Denny Way; of West John Street, from Queen Anne Avenue to Western Avenue as extended; of First Avenue West, from West Thomas Street to Western Avenue as extended; and of Second Avenue West, from West Thomas Street to Western Avenue as extended, be, and the same are hereby changed, and established at the following elevations above city datum to-wit:

ON WESTERN AVENUE AND WESTERN AVENUE EXTENDED.

At the south margin of Eagle Street, at the existing ordinance elevations:
Easterly curb, 43.00 feet.
Westerly curb, 42.30 feet.

At the north margin of Eagle Street:
Easterly curb, 42.50 feet.
Westerly curb, 42.10 feet.

At the south margin of Bay Street:
Easterly curb, 41.73 feet.
Westerly curb, 41.02 feet.

At the north margin of Bay Street:
Easterly curb, 41.52 feet.
Westerly curb, 40.82 feet.

180 feet north of the north margin of Bay Street, at the point of curve on the easterly margin of Western Avenue:
Easterly curb, 40.98 feet.
Westerly curb, 40.28 feet.

At the intersection of the north margin of West Denny Way with the easterly margin of Western Avenue on a line at right angles to the center line of Western Avenue:
Easterly curb, 40.24 feet.
Westerly curb, 39.54 feet.

At the intersection of the east margin of First Avenue West and the easterly margin of Western Avenue, on a line at right angles to the center line of Western Avenue:
Easterly curb, 33.73 feet.
Westerly curb, 33.03 feet.

21.84 feet northwesterly measured along the easterly margin of Western Avenue extended, from its intersection with the west margin of First Avenue West, on a line at right angles to the center line of Western Avenue extended:
Easterly curb, 30.20 feet.
Westerly curb, 29.50 feet.

At the intersection of the south margin of West John Street and the easterly margin of Western Avenue Extended, on a line at right angles to the center line of Western Avenue Extended:
Easterly curb, 22.43 feet.
Westerly curb, 21.73 feet.

At the intersection of the easterly margin of Elliott Avenue North with the westerly margin of Western Avenue extended, on a line at right angles to the center line of said Western Avenue extended:
Westerly curb, at existing grade, 15.50 feet.

ON WEST DENNY WAY.

At the west margin of First Avenue North, at existing elevations:
North curb, 69.00 feet.
South curb, 67.79 feet.

At the east margin of Queen Anne Avenue:
North curb, 44.00 feet.
South curb, 43.10 feet.

At the west margin of Queen Anne Avenue:
North curb, 42.56 feet.

ON QUEEN ANNE AVENUE.
At the south margin of West John Street, at existing elevations:
East curb, 74.10 feet.
West curb, 73.50 feet.

At the north margin of West Denny Way:
East curb, 44.00 feet.
West curb, 43.04 feet.

ON WEST JOHN STREET.

At the west margin of Queen Anne Avenue, at existing elevations:
North curb, 73.50 feet.
South curb, 73.50 feet.

At the east margin of First Avenue West:
North curb, 45.83 feet.
South curb, 45.83 feet.

At the west margin of First Avenue West:
North curb, 42.83 feet.
South curb, 42.83 feet.

At the intersection of the south margin of West John Street and the easterly margin of Western Avenue extended, on a line at right angles to the center line of West John Street:
North curb, 22.43 feet.
South curb, 22.43 feet.

ON FIRST AVENUE WEST.

At the south margin of West Thomas Street, at existing elevations:
East curb, 71.67 feet.
West curb, 71.53 feet.

At the north margin of West John Street:
East curb, 45.61 feet.
West curb, 44.27 feet.

At the south margin of West John Street:
East curb, 45.20 feet.
West curb, 44.05 feet.

21.84 feet north measured along the west margin of First Avenue West from its intersection with the easterly margin of Western Avenue extended, on a line at right angles to the center line of First Avenue West:
East curb, 24.00 feet.
West curb, 22.66 feet.

ON SECOND AVENUE WEST.

At the south margin of West Thomas Street, at existing elevations:
East curb, 35.23 feet.
West curb, 35.14 feet.

21.84 feet north measured along the west margin of Second Avenue West, from its intersection with the easterly margin of Western Avenue Extended, on a line at right angles to the center line of Second Avenue West:
East curb, 20.35 feet.
West curb, 19.06 feet.

That the curb grades shall be straight lines between the elevations established herein. That the grades of approaches to Western Avenue and Western Avenue extended be changed and established to conform to the grades established herein to such distance back from said Western Avenue and Western Avenue Extended not exceeding two hundred fifty-six (256) feet as may be necessary. That the grades of each and all of the alleys in the several blocks bounded by said streets and avenues or approaches thereto, or any of them, are hereby fixed and established at such grades as will conform to the elevations herein fixed upon the above-named streets, avenues and approaches thereto at the respective points of intersection.

That in the construction of the necessary slopes for cuts and fills upon the property abutting upon said avenues, streets, approaches thereto and connecting alleys in accordance with the grades established herein, each cut shall be carried back into and extend upon the abutting real property one foot for each foot in depth of cut, and each fill shall be carried back and extend upon the abutting real property one and one-half feet for each foot of elevation of fill.

Section 3. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Section One (1) hereof, be, and the same are hereby condemned, taken, damaged and appropriated to the public use for the purpose of a public street and highway forever, and that all lands, rights, privileges and other property necessary to be taken, used and damaged in the grading and regrading of the streets, avenues, approaches thereto and connecting alleys in conformity with the grades established in Section Two (2) hereof, and in the construction of the necessary slopes for cuts and fills upon the real property abutting upon said avenues, streets, approaches thereto and connecting alleys are hereby condemned, taken, damaged and appropriated to the public use for such purposes; said lands, rights, privileges and other property are to be condemned, taken, damaged and appropriated only after just compensation has been made or paid into court for the owner in the manner provided by law.

Section 4. That the improvement provided for in this ordinance be paid for by special assessment upon the property specially benefited in the manner provided by law. Any part of the cost of said improvement that is not specially

assessed against the property specially benefited, shall be paid from the General Fund of the City of Seattle.

Section 5. That the Corporation Counsel 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, rights, privileges and other property necessary to carry out the provisions of this ordinance, and also to take the steps necessary to make such special assessment.

Section 6. That all ordinances and parts of ordinances in conflict herewith be, and the same are in all respects hereby repealed.

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 the City Council the 10th day of January, 1910, and signed by me in open session in authentication of its passage this 10th day of January, 1910.

H. C. GILL,
President of the City Council.

Approved by me this 18th day of January, 1910.

JOHN F. MILLER, Mayor.

Filed by me this 19th day of January, 1910.

Attest: (Seal) H. W. CARROLL,
City Comptroller and Ex-Officio City Clerk.

Published January 21, 1910.