

Ordinance No. 30733

Providing for the laying off, extending, widening, altering and establishing of Twenty-sixth Avenue Northwest et al; providing for the condemnation, appropriation, taking and damaging, etc.

Council Bill No. 17644

INTRODUCED: APR 15 1912	BY: WARDALL
REFERRED: APR 15 1912	TO: STREETS & SEWERS
REFERRED:	
REPORTED: JAN 20 1913	VETO:
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COMPARED BY: <i>Barnes AND Darling</i>	

Ord 35878 authorizes dismissal of suit to condemn private property, insofar as the same affects certain property

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100

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100

ORDINANCE NO. 30733

AN ORDINANCE Providing for the laying-off, extending, widening, altering and establishing of Twenty-sixth Avenue Northwest from West Fifty-sixth Street to a connection with Twenty-sixth Avenue Northwest as platted in Ballard Tide Lands; Twenty-eighth Avenue Northwest, from West Fifty-sixth Street to a connection with Twenty-eighth Avenue Northwest as platted in Ballard Tide Lands; Thirtieth Avenue Northwest, from West Fifty-fourth Street to connection with Thirtieth Avenue Northwest as platted in Ballard Tide Lands; Thirty-second Avenue Northwest, from West Fifty-fourth Street to a connection with Thirty-second Avenue Northwest as platted in Ballard Tide Lands; Providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; and providing that the entire cost of said improvement be paid by special assessment upon the property specially benefited in the manner provided by law.

WHEREAS, Public necessity and convenience demand that the above mentioned streets be laid-off, extended, widened, altered and established; and

WHEREAS, such improvement will be of special benefit to certain land and other property; NOW, THEREFORE,

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

S e c t i o n 1. That Twenty-sixth Avenue Northwest, from West Fifty-sixth Street to a connection with Twenty-sixth Avenue Northwest as platted in the Ballard Tide Lands; Twenty-eighth Avenue Northwest, from West Fifty-Sixth Street to a connection with Twenty-eighth Avenue Northwest as platted in Ballard Tide Lands; Thirtieth Avenue Northwest, from West Fifty-fourth Street to a connection with Thirtieth Avenue Northwest as platted in said Tide Lands; and of Thirty-second Avenue Northwest, from West Fifty-fourth Street to a connection with Thirty-second Avenue Northwest as platted in said Tide Lands; be laid-off, extended, widened, altered and established as public streets and highways over and across the following described lots, blocks or tracts of land, to-wit:

X That portion of Government Lot Three (3), in Section Eleven (11), Township Twenty-five (25) North, Range Three (3) East, W.M., described as follows, to-wit:

Beginning at the point of intersection of the east margin of Twenty-sixth Avenue Northwest as platted in the Ballard Tide Lands and the shore line of Salmon Bay Waterway; thence north no degrees four minutes twenty-five seconds east along the east margin produced north of said Twenty-sixth Avenue Northwest a distance of one hundred sixty-five (165) feet more or less to a point on the south margin of the Great Northern Railway Company's right-of-way through said Government lot; thence westerly along said south margin to a point on the west margin produced north of Twenty-sixth Avenue Northwest as platted in said Tide Lands; thence south along said margin a distance of one hundred twenty-five (125) feet more or less to a point on Government meander line; thence easterly along said meander line a distance of five (5) feet more or less to an intersection with the shore line of Salmon Bay Waterway; thence southerly and easterly along said shore line to the point of beginning.

/ That portion of Government Lots Three and Four (3 and 4) in Section Eleven (11), Township Twenty-five (25) North, Range Three (3) East, W. M., described as follows, to-wit:

Beginning at a point at the intersection of the east margin of 28th Avenue Northwest as platted in Ballard Tide Lands, and Government meander line; thence due north along said east margin, ^{produced} a distance of one hundred eighty-two and seventy-four one-hundredths (182.74) feet to a point on the south margin of the Great Northern Railway Company's right-of-way through said Government Lots; thence westerly along said south margin a distance of sixty-six and eighty-two one-hundredths (66.82) feet to a point on the west margin produced north of Twenty-eighth Avenue Northwest as platted in said Tide Lands; thence

south along said west margin a distance of one hundred eighty-eight and nineteen one-hundredths (188.19) feet to a point on the Government meander line; thence easterly along said meander line a distance of sixty-seven and eighty-eight one-hundredths (67.88) feet to the point of beginning.

That portion of Government Lot Four (4), in Section Eleven (11), Township Twenty-five (25) North, Range Three (3) East, W. M., described as follows, to-wit:

Beginning at the point of intersection of the west margin produced north of Twenty-eighth Avenue Northwest as platted in Ballard Tide Lands and the Northerly margin of the Great Northern Railway Company's right-of-way through said Government Lot; thence north a distance of four and ninety-three one-hundredths (4.93) feet; thence north no degrees fifty-six minutes thirty-seven seconds west (N.00°56'37" W.) a distance of one hundred ninety-two and eleven one-hundredths (192.11) feet to a point on the south margin of Market Street; thence east along said south margin a distance of thirty-three and twenty-eight one-hundredths (33.28) feet to a point on the west margin of Twenty-eighth Avenue Northwest as platted in H. W. Treat's First Addition to Ballard, now a portion of the City of Seattle; thence south along said west margin a distance of one hundred ninety-one and ninety-two one-hundredths (191.92) feet to a point on the north margin of said Great Northern Railway Company's right-of-way; thence northwesterly along said northerly margin a distance of thirty and ninety-six one-hundredths (30.96) feet to the point of beginning.

That portion of Government Lot Four (4), Section Eleven (11), Township Twenty-five (25) North, Range Three (3) East, W.M., described as follows, to-wit:

Beginning at the intersection of the east margin of Thirtieth Avenue Northwest as platted in the Ballard Tide Lands and the Government meander Line; thence north along the west margin of said Thirtieth Avenue Northwest produced north a distance of five hundred two and sixty-three one-hundredths (502.63) feet

to a point on the south margin of the Great Northern Railway Company's right-of-way through said Government Lot Four (4); thence westerly along said southerly margin a distance of sixty-six and eighty-two one-hundredths (66.82) feet to a point on the west margin produced north of said Thirtieth Avenue Northwest; thence south along the said west margin a distance of five hundred thirty and twenty-two one-hundredths (530.22) feet to a point on the Government meander line; thence easterly along said meander line a distance of seventy-six and sixteen one-hundredths (76.16) feet to the point of beginning.

X That portion of Government Lot Four (4), described as follows, to-wit:

Beginning at the northwest corner of Lot One (1), Block Twelve (12), Ballard Tide Lands; thence north along the east margin produced north of Thirty-second Avenue Northwest as platted in said Tide Lands a distance of four hundred seventy-five and ninety-seven one-hundredths (475.97) feet to a point on the southerly margin of the Great Northern Railway Company's right-of-way; thence westerly along said southerly margin a distance of thirty-three and forty one-hundredths (33.40) feet more or less to a point on the west line of said Government Lot Four (4); thence south along said west line to a point on the northerly line of the Ballard Tide Lands; thence easterly along said north^yline a distance of thirty-five and sixty-eight one-hundredths (35.68) feet to the point of beginning.

X That portion of Government Lot Three (3), in Section Ten (10), Township Twenty-five (25), North, Range Three (3), East, W.M., described as follows, to-wit:

Beginning on the northeast corner of Lot Twelve (12), Block Thirteen (13), Ballard Tide Lands; thence north along the west margin produced north of Thirty-second Avenue Northwest as platted in said Tide Lands a distance of four hundred thirty-eight and forty-five one-hundredths (438.45) feet to a point on the southerly margin of the Great Northern Railway

Company's right-of-way through said Government Lot; thence easterly along said southerly margin a distance of thirty-three and forty-one one-hundredths (33.41) feet more or less to a point on the east line of said Government Lot; thence south along said east line to a point on the northerly line of Ballard Tide Lands; thence westerly along said northerly line a distance of thirty-five and sixty-eight one-hundredths (35.68) feet to the point of beginning.

X That portion of the Great Northern Railway Company's right-of-way in Government Lot Three (3), Section Ten (10), Township Twenty-five (25) North, Range Three (3), East, W.M., and Government Lot Four (4), in Section Eleven (11), Township Twenty-five (25) North, Range Three (3) East, W.M., described as follows, to-wit:

Beginning at the point of intersection of the east margin produced north of Thirty-second Avenue Northwest as platted in the Ballard Tide Lands and the southerly margin of said right-of-way; thence north eight degrees forty-one minutes thirty-five seconds west (N.8°41'35"W.) a distance of one hundred (100) feet to a point on the northerly margin of said right-of-way; thence westerly along said northerly margin a distance of sixty-six and eighty-two one-hundredths (66.82) feet; thence south eight degrees forty-one minutes thirty-five seconds east (S.8°41'35"E.) a distance of one hundred (100) feet to a point on the south margin of said right-of-way; thence easterly along said southerly margin a distance of sixty-six and eighty-six one-hundredths (66.86) feet to the point of beginning.

X Also, that portion of the Great Northern Railway Company's right-of-way in Government Lot Four (4), Section Eleven (11), Township Twenty-five (25) North, Range Three (3), East, W.M., described as follows, to-wit:

Beginning at the point of intersection of the east margin produced north of Thirtieth Avenue Northwest and the southerly margin of said right-of-way; thence north twelve degrees six minutes fifty-one seconds west (N.12°6'51" W.) a distance of one hundred and fifteen one-hundredths (100.15) feet to a point

on the north margin of said right-of-way; thence westerly along said northerly margin a distance of sixty-six and ten one-hundredths (66.10) feet; thence south twelve degrees six minutes fifty-one seconds east ($S.12^{\circ}6'51''E.$) a distance of ninety-six and seventy-eight one-hundredths (96.78) feet; thence due south a distance of three and forty-one one-hundredths (3.41) feet to a point on the southerly margin of said right-of-way; thence easterly along said southerly margin a distance of sixty-six and eighty-two one-hundredths (66.82) feet to the point of beginning.

Also, that portion of the Great Northern Railway Company's right-of-way through Government Lots Three and Four (3 and 4) in Section Eleven (11), Township Twenty-five (25) North, Range Three (3) East, W.M., described as follows, to-wit:

Beginning at the point of intersection of the east margin produced north of Twenty-eighth Avenue Northwest and the southerly margin of said right-of-way; thence north a distance of sixty and eighty-seven one-hundredths (60.87) feet; thence north no degrees fifty-six minutes thirty-seven seconds west ($N.00^{\circ}56'37''W.$) a distance of four and thirty-eight one-hundredths (4.38) feet to a point on the northerly margin of said right-of-way; thence westerly along said northerly margin a distance of sixty-six and eighty-two one-hundredths (66.82); thence south a distance of sixty-five and eighty-one one-hundredths (65.81) feet to a point on the southerly margin of said right-of-way; thence easterly along said southerly margin a distance of sixty-six and eighty-two one-hundredths (66.82) feet to the point of beginning.

That portion of the Great Northern Railway Company's right-of-way through Government Lot Three (3), in Section Eleven (11), Township Twenty-five (25) North, Range Three (3) East, W.M., described as follows, to-wit:

Beginning at the point of intersection of the east margin of Twenty-sixth Avenue Northwest produced north and the southerly margin of said right-of-way; thence north along said east margin a distance of sixty-five (65) feet more or

less to a point on the northerly margin of said right-of-way; thence west along said northerly margin a distance of sixty-six (66) feet more or less to a point on the west margin produced north of Twenty-sixth Avenue Northwest as platted in Ballard Tide Lands; thence south along said west margin a distance of sixty-five (65) feet more or less to a point on the southerly margin of said right-of-way; thence easterly along said southerly margin a distance of sixty-six (66) feet more or less to the point of beginning.

X That portion of Government Lot Three (3), in Section Eleven (11), Township Twenty-five (25) North, Range Three (3) East, W.M., described as follows, to-wit:

Beginning at the point of intersection of the south margin of Market Street and the East margin of Twenty-sixth Avenue Northwest as platted in H. W. Treat's First Addition to the City of Ballard, now a portion of the City of Seattle; thence south along said east margin a distance of one hundred three (103) feet more or less to a point on the north margin of the Great Northern Railway Company's right-of-way; thence easterly along said north margin a distance of thirty-seven (37) feet more or less to a point on the east margin produced north of Twenty-sixth Avenue Northwest as platted in Ballard Tide Lands; thence north along said east margin a distance of one hundred three (103) feet more or less to a point on the south margin of Market Street; thence west along said south margin a distance of thirty-seven and five one-hundredths (37.05) feet to the point of beginning.

X That portion of the southeast one-quarter of the northwest one-quarter of Section Eleven (11), Township Twenty-five (25) North, Range Three (3) East, W.M., described as follows, to-wit:

Beginning at the intersection of the east margin of Twenty-sixth Avenue Northwest as platted in Gilman Park Addition and the southwesterly line of Lot One (1), Block Fifty-nine (59), thence south no degrees four minutes twenty-five seconds west (S.00°4'25"W.) a distance of one hundred sixteen and seventy-six

one-hundredths (116.76) feet to a point on the north margin of Market Street; thence west along said north margin a distance of thirty-eight and nine one-hundredths (38.09) feet; thence north no degrees, thirty-one minutes, fifteen seconds west, ($N.0^{\circ} 31' 15'' W.$), a distance of one hundred thirty and eighty-four one-hundredths (130.84) feet; thence south seventy degrees, forty-four minutes, fifteen seconds east ($S.70^{\circ}44'15''E$), a distance of forty-one and seventy-seven one-hundredths (41.77) feet to point of beginning.

2 That portion of the southwest quarter (S.W. $\frac{1}{4}$) of the northwest quarter (N.W. $\frac{1}{4}$) of Section eleven (11), Township twenty-five (25) North, Range three (3) East, W.M., described as follows, to-wit:-

Beginning at the point of intersection of the north margin of Market Street and the west margin of Twenty-eighth Avenue Northwest, as platted in H. W. Treat's First Addition to the City of Ballard, now a portion of the City of Seattle; thence west along the north margin of Market Street, a distance of thirty-four and sixty-eight one-hundredths (34.68) feet; thence north no degrees, fifty-six minutes, thirty-seven seconds west, ($0^{\circ} 56' 37'' W.$), a distance of one hundred forty-four and eighty-nine one-hundredths (144.89) feet to a point on the south line, produced east, of Lot twelve (12), Block ten (10), Brygger's First Home Addition; thence north eighty-nine degrees, thirty-three minutes, twenty-six seconds east, ($N.89^{\circ} 33' 26'' E.$), along said produced south margin, a distance of thirty-six and seventy-two one-hundredths (36.72) feet; thence south no degrees, eight minutes, twenty seconds east, ($S.0^{\circ} 8' 20'' E.$), a distance of one hundred forty-four and eighty-nine one-hundredths (144.89) feet to point of beginning.

IN H. W. TREAT'S FIRST ADDITION TO THE CITY OF BALLARD,
NOW A PORTION OF THE CITY OF SEATTLE.

3 That portion of Lot thirteen (13), Block sixty (60), described as follows, to-wit:-

Beginning at a point on the south line of said lot, said point being distant twenty-eight and twenty-three one-hundredths (28.23) feet west from the southeast corner thereof; thence west along the south line of said lot, a distance of one and seventy-seven one-hundredths (1.77) feet to the southwest corner thereof; thence north along the west line of said lot, a distance of ninety-four (94) feet to the northwest corner thereof; thence easterly along the north line of said lot, a distance of five one-hundredths (.05) feet; thence south no degrees, fifty-six minutes, thirty-seven seconds east (S.0° 56' 37" E.), a distance of ninety-four (94) feet to point of beginning.

14 That portion of Lot fourteen (14), Block sixty (60), described as follows, to-wit:-

Beginning at a point on the south line of said lot, said point being distant twenty-six and seven one-hundredths (26.07) feet west from the southeast corner thereof; thence west along the south line of said lot, a distance of three and ninety-three one-hundredths (3.93) feet to the southwest corner thereof; thence north along the west line of said lot, a distance of one hundred six and one one-hundredths (106.01) feet to the northwest corner thereof; thence east along the north line of said lot, a distance of one and ninety-nine one-hundredths (1.99) feet; thence south no degrees, fifty-six minutes, thirty-seven seconds east (S.0° 56' 37" E.), a distance of one hundred six and one one-hundredths (106.01) feet to point of beginning.

15 That portion of Lot thirteen (13), Block "A", described as follows, to-wit:-

Beginning at a point on the north line of said lot, said point being distant twenty-four and twenty-five one-hundredths (24.25) feet west from the northeast corner thereof; thence west along the north line of said lot, a distance of five and seventy-five one-hundredths (5.75) feet to the northwest corner thereof; thence south along the west line of said lot, a distance of one hundred eighty-eight (188) feet to the southwest

corner thereof; thence easterly along the southerly line of said lot, a distance of nine and twenty-seven one-hundredths (9.27) feet; thence north no degrees, fifty-six minutes, thirty-seven seconds west (N.0° 56' 37" W.), a distance of one hundred eighty-six and sixty-one one-hundredths (186.61) feet to point of beginning.

The east sixteen (16) feet of Lot one (1), Block "A".

S e c t i o n 2. That all lands, rights, privileges and other property lying within the limits of the lots, blocks or tracts of land described in Section One (1) hereof, be and the same are, hereby condemned, appropriated, taken and damaged for street purposes.

S e c t i o n 3. That the entire cost of the improvement provided for herein shall be paid by special assessment upon property specially benefited in the manner provided by law, and that no part thereof shall be paid from the General Fund of the City of Seattle.

S e c t i o n 4. That the Corporation Counsel be, and he is hereby authorized and directed to begin and prosecute the action and proceedings, in the manner provided by law, to condemn, take, damage and appropriate the lands and other property necessary to carry out the provisions of this ordinance; and also to take the steps necessary to make such special assessment.

(To be used for all Ordinances except Emergency.)

Section ⁵ 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 20 day of JANUARY 1910.

and signed by me in open session in authentication of its passage this 20 day of JANUARY 1910.

Robert H. Aske
President of the City Council.

Approved by me this 30th day of JANUARY 1910.

[Signature]
Mayor

Filed by me this 5/6 day of JANUARY 1910.

Attest: [Signature]
City Comptroller and Ex-Officio City Clerk.

[SEAL]

By [Signature]
Deputy Clerk.

Published FEB 3 1913

Attest: [Signature]
City Comptroller and Ex-Officio City Clerk.

By [Signature]
Deputy Clerk.