

# Ordinance No. 32882

Providing for the laying off, extending, widening, altering and establishing of a public street and highway to be known as California Way, between Alki Avenue and Donald Street, providing for the condemnation, appropriation, etc.

# Council Bill No. 20777

INTRODUCED: NOV 10 1913	BY: Goddard
REFERRED: NOV 10 1913	TO: STREETS & SEWER
REFERRED:	
REPORTED: MAR 23 1914	VETO:
SECOND READING: MAR 24 1914	PUBLISHED:
THIRD READING: MAR 24 1914	VETO SUSTAINED:
SIGNED: MAR 24 1914	PASSED OVER VETO:
PRESENTED TO MAYOR: MAR 24 1914	APPROVED: APR 3 1914
FILED: APR 3 1914	PUBLISHED: APR 10 1914
ENGROSSED:	BY: BB
VOL. 01 PAGE 490	
COMPARED BY: Compared by BARNES & DARLING	

2916

Pet file #

W. Henry Cheng to Cal Gray

Prepared at request of  
Street Comm.  
File # 53433

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WS 8

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE providing for the laying off, extending, widening, altering and establishing of a public street and highway to be known as California Way, from Alki Avenue to a point near the intersection of Ferry Avenue and West Atlantic Street; thence extending northerly along Ferry Avenue to a point near the intersection of California Place and Ferry Avenue; thence extending northerly, westerly and southerly to a point near the intersection of Donald Street and California Avenue; and of Oak Place from Ferry Avenue to California Way as extended herein, all in the City of Seattle; 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 said California Way and approaches thereto; providing for the condemnation, appropriation, taking and damaging of land <sup>and other property</sup> necessary for the grading and regrading of said way and approaches thereto in conformity with such established grades and necessary for the construction of slopes for cuts and fills upon real property abutting upon said California Way and approaches thereto; and providing that the entire cost of said improvement shall be paid by special assessment upon the property specially benefited in the manner provided by law;

WHEREAS, public necessity and convenience demand <sup>that</sup> the above named way and place be laid off, widened, altered <sup>extended</sup> and established, and that said way and approaches thereto be graded and regraded, 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 a public street and highway to be known as California Way, from Alki Avenue to a point near the intersection of Ferry Avenue and West Atlantic Street; thence extending northerly along Ferry Avenue to a point near the intersection of California Place and Ferry Avenue; thence extending northerly, westerly and southerly to a point near the intersection of Donald Street and California Avenue; and Oak Place, from Ferry Avenue to California Way as extended herein, be and the same are hereby laid off, extended, widened, altered and established over and across the following described lots, blocks, or tracts of land, to-wit:--

FIRST PLAT OF WEST SEATTLE  
 BY THE WEST SEATTLE LAND & IMPROVEMENT  
 COMPANY,  
 Now a portion of the City of Seattle.

That portion of an unplatted tract of land designated as Park Reserve in the above named addition and adjoining Block Five (5) thereof, described as follows:

Beginning at a point on the east line of Lot Three (3), Block Five (5), said addition, said point being distant one and

ninety one-hundredths (1.90) feet north from the southeast corner of said Lot Three (3); thence north along the east line of Lots Three (3), Two (2) and One (1) in said Block Five (5), a distance of One Hundred Nineteen and Twenty-eight One-Hundredths (119.28) feet; thence south thirty-one degrees (31°), twenty-five minutes (25'), Thirty-nine seconds (39") east, a distance of six and nine one-hundredths (6.09) feet; thence southerly along the arc of a curve to the right having a uniform radius of one thousand eleven and ninety-four one-hundredths (1011.94) feet a distance of four hundred eighteen and fifty-seven one-hundredths (418.57) feet to point of compound curve; thence south along the arc of a curve to the right having a uniform radius of four hundred fifty-nine and ninety one-hundredths (459.90) feet a distance of fourteen and fifteen one-hundredths (14.15) feet to a point on the northwesterly margin of California Avenue, formerly Cascade Avenue, as platted in said addition; thence southwesterly along said northwesterly margin a distance of seventy and eighty-three one-hundredths (70.83) feet to a point on the north margin of Donald Street; thence west along said north margin a distance of seventeen (17) feet; thence northerly along the arc of a curve to the left having a uniform radius of three hundred ninety-nine and ninety one-hundredths (399.90) feet (the arc of said curve being concentric with the last mentioned curve) a distance of sixty-three and seventy-five one-hundredths (63.75) feet to point of compound curve; thence northerly along the arc of a curve to the left having a uniform radius of nine hundred fifty-one and ninety-four one-hundredths (951.94) feet a distance of two hundred ninety-nine and forty-seven one-hundredths (299.47) feet to the point of beginning.

That portion of Lot One (1), Block Five (5), described as follows:

Beginning at a point on the northwesterly line of said lot, said point being distant twenty-one and seventy-nine one-hundredths (21.79) feet southwesterly from the most northerly corner thereof; thence southwesterly along said northwesterly line a distance of sixty-two and forty-nine one-hundredths (62.49) feet; thence south thirty-one degrees, twenty-five minutes, thirty-nine seconds east (S. 31°25'39"E) a distance of thirteen and twenty one-hundredths (13.20) feet to a point on the south line of said lot; thence east along said south line a distance of forty<sup>eight</sup> and six one-hundredths (48.06) feet to the southeast corner thereof; thence north along the east line of said lot a distance of thirty-six and eighteen one-hundredths (36.18) feet; thence north thirty-one degrees, twenty-five minutes, thirty-nine seconds west (N. 31°25'39"W.) a distance of twenty-six and thirty-three one-hundredths (26.33) feet to the point of beginning.

That portion of Lot Two (2), Block Five (5), described as follows:

Beginning at a point on the south line of said lot, said point being distant fifty-nine and five one-hundredths (59.05) feet east from the southwest corner thereof; thence east along said south line a distance of seventeen and eighty-two one-hundredths (17.82) feet to the southeast corner thereof; thence north along the east line of said lot a distance of fifty (50) feet to the northeast corner thereof; thence west along the north line of said lot a distance of forty-eight and six one-hundredths (48.06) feet; thence south thirty-one degrees, twenty-five minutes, thirty-nine seconds east (S. 31°25'39"E) a distance of one and seventy-five one-hundredths (1.75) feet to point of curve; thence southerly along the arc of a curve to the right

having a uniform radius of nine hundred fifty-one and ninety-four one-hundredths (951.94) feet a distance of fifty-six and sixty-nine one-hundredths (56.69) feet to the point of beginning.

That portion of Lot Three (3), Block Five (5), described as follows:

Beginning at a point on the east line of said lot; said point being distant one and ninety one-hundredths (1.90) feet north of the southeast corner thereof; thence north along said east line a distance of thirty-three and ten one-hundredths (33.10) feet to the northeast corner thereof; thence west along the north line of said lot a distance of seventeen and eighty-two one-hundredths (17.82) feet; thence southerly along the arc of a curve to the right having a uniform radius of nine hundred fifty-one and ninety-four one-hundredths (951.94) feet a distance of thirty-seven and fifty-nine one-hundredths (37.59) feet to the point of beginning.

That portion of an unplatted tract of land designated as Reservation in the above mentioned addition, lying northerly of Blocks One (1), Five (5) and Eight (8), said addition, described as follows:

Beginning at a point on the northwesterly margin of Sunset Avenue, said point being distant **eighteen** and ninety-five one-hundredths (18.95) feet northeasterly from the intersection of said northwesterly margin and the northerly line produced easterly of Lot "A", in Block One (1) of said addition; thence north thirty-one degrees, twenty-five minutes, thirty-nine seconds west (N.31°25'39"W) a distance of forty-three and thirty-three one-hundredths (43.33) feet to point of curve; thence northerly and northeasterly along the arc of a curve to the right having a uniform radius of one hundred ninety (190) feet a distance of two hundred eighty-five and nineteen one hundredths (285.19) feet to point of tangency; thence north fifty-four

degrees, thirty-four minutes, twenty-one seconds east (N.54° 34'21"E.), a distance of thirty-two and seventy-one one-hundredths (32.71) feet to point of curve; thence northeasterly, easterly and southeasterly along the arc of a curve to the right having a uniform radius of one hundred ninety (190) feet a distance of two hundred sixty-eight and sixty-one one-hundredths (268.61) feet to point of tangency; thence south forty-four degrees, twenty-five minutes, thirty-nine seconds east (S.44° 25'39"E.) a distance of two hundred thirty and seventy-six one-hundredths (230.76) feet to a point on the northerly margin of Ferry Avenue; thence westerly along said northerly margin a distance of eighty-nine and twenty-seven one-hundredths (89.27) feet; thence north forty-four degrees, twenty-five minutes, thirty-nine seconds west (N.44°25'39"W) a distance of one hundred sixty-five and fifty-six one-hundredths (165.56) feet to point of curve; thence northwesterly, westerly and southwesterly along the arc of a curve to the left having a uniform radius of one hundred thirty (130) feet a distance of one hundred eighty-three and seventy-eight one-hundredths (183.78) feet to point of tangency; thence south fifty-four degrees, thirty-four minutes, twenty-one seconds west (S.54°34'21"W) a distance of thirty-two and seventy-one one-hundredths (32.71) feet to point of curve; thence southwesterly and southerly along the arc of a curve to the left having a uniform radius of one hundred thirty (130) feet a distance of one hundred ninety-five and thirteen one-hundredths (195.13) feet to point of tangency; thence south thirty-one degrees, twenty-five minutes, thirty-nine seconds east (S.31°25'39"E) a distance of eleven and twenty-two one-hundredths (11.22) feet; thence easterly along the arc of a curve to the right having a uniform radius of ninety-seven and forty one-hundredths (97.40) feet a distance of thirty-two and forty-five one-hundredths (32.45) feet to a point on the

northwesterly margin of Sunset Avenue; thence southwesterly along said northwesterly margin a distance of ninety-five and sixty-seven one-hundredths (95.67) feet to the point of beginning.

That portion of an unplatted tract of land designated in the above named addition as Park Reserve, lying east of Block Five (5) in said addition, described as follows:

Beginning at a point on the southeasterly margin of Sunset Avenue, said point being distant eight and forty one-hundredths (8.40) feet northeasterly from the most northerly corner of Block Five (5) in said Addition; thence southeasterly along the arc of a curve to the right having a uniform radius of fifty-seven and forty one-hundredths (57.40) feet (the radius of said curve bearing south one degree, six minutes, six seconds east ( $1^{\circ}6'6''E$ ) from said point of beginning) a distance of forty-six and seventy-six one-hundredths (46.76) feet to point of tangency; thence south forty-four degrees, twenty-five minutes, thirty-nine seconds east ( $S.44^{\circ}25'39''E$ ) a distance of one hundred five and fifty-four one-hundredths (105.54) feet to a point on the northwesterly margin of Ferry Avenue; thence northeasterly along said northwesterly margin a distance of forty-eight and eighteen one-hundredths (48.18) feet; thence north forty-four degrees, twenty-five minutes, thirty-nine seconds west ( $N.44^{\circ}25'39''W$ ) a distance of seventy-eight and eighty-eight one-hundredths (78.88) feet to point of curve; thence northwesterly along the arc of a curve to the left having a uniform radius of ninety-seven and forty one-hundredths (97.40) feet a distance of forty-six and fourteen one-hundredths (46.14) feet to a point on the southeasterly margin of Sunset Avenue; thence southwesterly along said southeasterly margin a distance of forty-five and thirty-seven one-hundredths (45.37) feet to the point of beginning.



IN THE REPLAT OF WEST SEATTLE LAND  
& IMPROVEMENT CO'S 3rd PLAT,  
Now a portion of the City of Seattle.

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That portion of Lot Two (2), Block Sixty-four (64), and vacated twelve and one-half ( $12\frac{1}{2}$ ) feet of Ferry Avenue adjoining, described as follows:

Beginning at the point of intersection of the southwesterly line produced of said Lot Two (2), and the northeasterly margin of Ferry Avenue as established by the order of vacation of the easterly twelve and one-half ( $12\frac{1}{2}$ ) feet thereof, Vol. 14, County Commissioners' Records, page 65; thence northwesterly along said northeasterly margin a distance of fifty (50) feet to a point on the northwesterly line produced southwesterly of said Lot Two (2); thence east<sup>erly</sup> along said produced northwesterly line a distance of seven and seventy-five one-hundredths (7.75) feet; thence south twenty-eight degrees, forty-one minutes, twenty-six seconds east (S.28°41'26"E.) a distance of twenty-four and forty-seven one-hundredths (24.47) feet; thence south twenty-five degrees, eight minutes, forty-two seconds *east* (S.25°8'42"E.) a distance of twenty-six and twenty-three one-hundredths (26.23) feet to a point on the southeasterly line of said lot; thence southwesterly along said southeasterly line and said southeasterly line produced a distance of fifteen and ninety-nine one-hundredths (15.99) feet to the point of beginning.

That portion of vacated twelve and one-half ( $12\frac{1}{2}$ ) feet of Ferry Avenue adjoining Lot One (1), Block Sixty-four (64) described as follows:

Beginning at the point of intersection of the southeasterly line produced southwesterly of said Lot One (1), and the northeasterly margin of Ferry Avenue as established by order of

vacation, Vol. 14, County Commissioners' Records, Page 65; thence northwesterly along said northeasterly margin a distance of thirty-nine and twenty-two one-hundredths (39.22) feet; thence south twenty-eight degrees, forty-one minutes, twenty-six seconds east (S.28°41'26"E.) a distance of thirty-nine and ninety-eight one-hundredths (39.98) feet to a point on the southeasterly margin produced southwesterly of said Lot One (1); thence southwesterly along said produced southeasterly line a distance of seven and seventy-five one-hundredths (7.75) feet to the point of beginning.

That portion of Lot Three (3), Block Sixty-four (64) and vacated twelve and one-half (12½) feet of Ferry Avenue adjoining, described as follows:

Beginning at the point of intersection of the southeasterly line produced southwesterly of said Lot and the northeasterly margin of Ferry Avenue as established by order of vacation, Vol. 14, County Commissioners' Records, page 65; thence northwesterly along said northeasterly margin a distance of fifty (50) feet to a point on the northwesterly line produced southwesterly of said lot; thence northeasterly along said northwesterly line and said northwesterly line produced, a distance of fifteen and ninety-nine one-hundredths (15.99) feet; thence south twenty-five degrees, eight minutes, forty-two seconds east (S.25°8'42"E.) a distance of fifty and forty-five one-hundredths (50.45) feet to a point on the southeasterly line of said lot; thence southwesterly along said southeasterly line and said southeasterly line produced, a distance of twenty-two and forty-nine one-hundredths (22.49) feet to point of beginning.

That portion of Lot Four (4), Block Sixty-four (64), described as follows:

Beginning at the most southerly corner of said lot; thence northwesterly along the southwesterly line thereof a distance of fifty (50) feet to the most westerly corner thereof; thence northeasterly along the northwesterly line of said lot a distance of ten and nineteen one-hundredths (10.19) feet; thence south twenty-five degrees, eight minutes, forty-two seconds east (S.25°8'42"E) a distance of fifty and forty-five one-hundredths (50.45) feet to a point on the southeasterly line of said lot; thence southwesterly along said southeasterly line a distance of sixteen and ninety one-hundredths (16.90) feet to the point of beginning;

Also vacated twelve and one-half (12½) feet of Ferry Avenue adjoining.

That portion of Lot 5, Block 64, described as follows:

Beginning at the most southerly corner of said lot; thence northeasterly along the southeasterly line thereof a distance of twenty-three and sixty one-hundredths (23.60) feet; thence north twenty-five degrees, eight minutes, forty-two seconds west (N.25°8'42"W) a distance of fifty and forty-five one-hundredths (50.45) feet to a point on the northwesterly line of said lot; thence southwesterly along said northwesterly line a distance of sixteen and ninety one-hundredths (16.90) feet to the most easterly corner thereof; thence southeasterly along the southwesterly line of said lot a distance of fifty (50) feet to the point of beginning.

Also the vacated twelve and one-half (12½) feet of Ferry Avenue adjoining.

That portion of Lot 6, Block 64, described as follows:

Beginning at the most southerly corner of said lot; thence northeasterly along the southeasterly line thereof; a distance of thirty and thirty-one one-hundredths (30.31) feet; thence north twenty-five degrees, eight minutes, forty-two seconds west (N.25°8'42"W.) a distance of fifty and forty-five one-hundredths

(50.45) feet to a point on the northwesterly line of said lot; thence southwesterly along said northwesterly line a distance of twenty-three and sixty one-hundredths (23.60) feet; thence southeasterly along the southwesterly line of said lot a distance of fifty (50) feet to point of beginning;

Also vacated twelve and one-half ( $12\frac{1}{2}$ ) feet of Ferry Avenue adjoining.

All of Lots Seven (7), Eight (8) and Nine (9), Block Sixty-four (64); also vacated twelve and one-half ( $12\frac{1}{2}$ ) feet of Ferry Avenue adjoining.

That portion of Lot Ten (10), Block Sixty-four (64), described as follows:

Beginning at a point on the southeasterly line of said lot, said point being distant twenty-four and forty-six one-hundredths (24.46) feet northeasterly from the most southerly corner thereof; thence northeasterly along said southeasterly line a distance of twenty-five and thirty-four one-hundredths (25.34) feet to the most easterly corner thereof; thence northwesterly along the northeasterly line of said lot a distance of fifty (50) feet to the most northerly corner thereof; thence southwesterly along the northwesterly line of said lot a distance of fifty (50) feet to the most westerly corner thereof; thence southeasterly along the southwesterly line of said lot a distance of nineteen one-hundredths (.19) feet; thence south forty-three degrees, thirty-nine minutes, forty-three seconds **east** ( $S.43^{\circ}39'43"E.$ ) a distance of fifty-five and forty-nine one-hundredths (55.49) feet to the point of beginning.

That portion of Lot Eleven (11), Block Sixty-four (64), described as follows:

Beginning at a point on the southeasterly line of said lot, said point being distant forty-nine and one one-hundredths (49.01) feet northeasterly from the most southerly corner

thereof; thence northeasterly along said southeasterly line a distance of seventy-nine one-hundredths (.79) feet to the most easterly corner thereof; thence northwesterly along the northeasterly line of said lot, a distance of fifty (50) feet to the most northerly corner thereof; thence southwesterly along the northwesterly line of said lot a distance of twenty-five and thirty-four one-hundredths (25.34) feet; thence south forty-three degrees, thirty-nine minutes, forty-three seconds east (S.43° 39'43"E.) a distance of fifty-five and seventy one-hundredths (55.70) feet to the point of beginning.

Section 2. That the curb grades of said California Way, be and the same are hereby changed and established at the following elevations above City Datum, to-wit:

ON CALIFORNIA WAY

At a point fifteen (15) feet south from the south margin of Donald Street,

East and west curbs, 216 feet; (thence at an even rate of grade along the center line of said Way to West Atlantic Street;)

Opposite the intersection of the easterly margin of California Way as established herein and the north margin produced west of West Atlantic Street,

Easterly and westerly curbs, 41.00 feet;

Opposite the intersection of the easterly margin of California Way as established herein and the south margin of West Atlantic Street,

Easterly and westerly curbs, 38.00 feet;

Opposite the intersection of the westerly margin of California Way, as established herein and the easterly margin of Ferry Avenue,

Easterly and westerly curbs, 8.00 feet;

That the curb grades shall be straight lines between the elevations established herein; that the grades of the approaches to said way be changed and established to conform to the grades established herein to such distance back from said way not exceeding the distance to the next platted street or avenue as may be necessary; that in the grading

and regrading of the above named way and approaches thereto, the City of Seattle shall acquire the right in the case of a cut to remove the lateral support of the real property abutting upon said way and approaches thereto; and in every case, the right to remove said lateral support shall include the right to carry a slope back into and extending upon abutting real property at least one (1) foot for each foot of depth of cut.

In case of a fill, the right shall be acquired to carry the slope back and extended upon the abutting real property one and one-half ( $1\frac{1}{2}$ ) feet for each foot 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 1 hereof, be and the same are hereby condemned, appropriated, taken and damaged to the public use for the purposes of a public street and highway; and that all lands, rights, privileges and other property necessary to be taken, used or damaged in the grading and regrading of said way and approaches thereto in conformity with the grades established in Section 2 hereof, in the construction of the necessary slopes for cuts and fills upon real property abutting upon said way and approaches thereto, and in removing the lateral support of said property, are hereby condemned, appropriated, taken and damaged to the public use for such purpose; said land, rights, privileges and other property are to be 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 entire cost of the improvement provided for herein shall be paid by special assessment upon the 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.

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 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 6 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 23<sup>rd</sup> day of MARCH 1914  
and signed by me in open session in authentication of its passage this 23<sup>rd</sup> day of MARCH 1914  
Ch. F. Haas

Approved by me this 3 day of MARCH 1914  
President \_\_\_\_\_ of the City Council.

Filed by me this 3 day of MARCH 1914  
Attest: H. W. Carroll Mayor.  
City Comptroller and Ex-Officio City Clerk.

[SEAL] By H. W. Carroll Deputy Clerk.

Published APR 10 1914  
By Robert City Comptroller and Ex-Officio City Clerk.  
Deputy Clerk.