

**Ordinance No.** 57204

Providing for the laying off, extending, widening and establishing of Alaska Street, from Empire Way to 35th Avenue So., et al; providing for the changing and establishing of the curb grades of Edmunds St., from Empire Way to Rainier Ave., et al, providing for the condemnation, etc.

**Council Bill No.** 20306

INTRODUCED: FEB 19 1917	BY: JACK
REFERRED: FEB 19 1917	TO: STREETS & SEWERS
REFERRED:	
REPORTED: MAR 26 1917	VETO:
SECOND READING: MAR 25 1917	PUBLISHED:
THIRD READING: MAR 26 1917	VETO SUSTAINED:
SIGNED: MAR 26 1917	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED: MAR 28 1917
FILED: MAR 28 1917	PUBLISHED: APR 2 1917
ENGROSSED:	BY: JTB
VOL. <i>AL</i> PAGE <i>77</i>	
COMPALED BY Compared by Scott and Barnes	

Ord 37676 Authorizes dismissal of action on certain property  
69269 - award of jury  
F 69269 - Award of jury

Printed at request of

AJA:CL  
2-17-17

ORDINANCE NO. 37501

AN ORDINANCE providing for the laying off, extending, widening and establishing of Alaska Street, from Empire Way to Thirty-fifth Avenue South; of Thirty-second Avenue South and Thirty-fifth Avenue South, each from Edmunds Street to Alaska Street; providing for the changing and establishing of the curb grades of Alaska Street, Edmunds Street and Ferdinand Street, each from Empire Way to Rainier Avenue; of Thirty-second Avenue South, from Empire Way to Alaska Street; of Thirty-fifth Avenue South, from Hudson Street to Alaska Street; and of Thirty-seventh Avenue South, from Ferdinand Street to Rainier Avenue; providing for the condemnation, appropriation, taking and damaging of land and other property necessary for the extending and widening of the streets and avenues above described, and for the grading and regrading of the above described streets and avenues in conformity with the grades established herein, and necessary for the slopes for cuts and fills upon the property abutting upon said streets and avenues and for making temporary approaches on intersecting side streets; and providing that the entire cost of said improvement shall be paid by special assessment upon property specially benefitted in the manner provided by law.

WHEREAS, Public necessity and convenience demand that the above named streets and avenues be laid off, extended, widened and established as public streets and highways, and that the curb grades of the above named streets and avenues be changed and established; and that the above named streets and avenues be graded and regraded in conformity with such established grades; and

WHEREAS, said 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 Alaska Street, From Empire Way to Thirty-fifth Avenue South; Thirty-second Avenue South and Thirty-fifth Avenue South, each from Edmunds Street to Alaska Street, be and the same are hereby laid off, extended, widened and established as public streets and highways over and across the following described tracts of land, to-wit:

That portion of the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Sixteen (16), Township Twenty-four (24) North, Range Four (4) East, W.M., described as follows:

Beginning at the southeast corner of said subdivision; thence north eighty-seven degrees, forty-six minutes, twenty-seven seconds west (N.87°46'27"W.) along the south line of said subdivision, a distance of four hundred two and ninety-one one-hundredths (402.91) feet to a point on the easterly margin of Empire Way as established by Ordinance No. 30673; thence north-westerly along said easterly margin a distance of eighteen and eighty-three one-hundredths (18.83) feet;

thence south eighty-seven degrees, forty-six minutes, twenty-seven seconds east (S.87°46'27"E.) a distance of four hundred ten and twenty-seven one-hundredths (410.27) feet to a point on the east line of said subdivision; thence south along said east line a distance of seventeen and two one-hundredths (17.02) feet to the point of beginning.

That portion of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty-two (22), Township Twenty-four (24) North, Range Four (4) East, W.M., described as follows:

Beginning at the point of intersection of the south line of said subdivision and the east margin of Thirty-second Avenue South as platted in Columbia Supplemental No. 1, an addition to the City of Seattle; thence north no degrees, five minutes, forty-seven seconds west (N.0°05'47"W.) a distance of six hundred thirty-six and twenty-one one-hundredths (636.20) feet; thence south eighty-nine degrees, forty-five minutes, fifty-five seconds east (S.89°45'55"E.), a distance of five hundred sixty and fourteen one-hundredths (560.14) feet to point of curve; thence southeasterly along the arc of a curve to the right having a uniform radius of forty (40) feet, a distance of sixty-two and sixty one-hundredths (62.60) feet to point of tangency; thence south no degrees, five minutes, fifty-seven seconds east (S.0°05'57"E.) a distance of five hundred ninety-six and seventy-one one-hundredths (596.71) feet to a point on the south line of said subdivision; thence south eighty-nine degrees, forty-four minutes, twenty seconds east (S.89°44'20"E.) along said south line a distance of twenty-two and thirty-nine one-hundredths (22.39) feet to the southeast corner of said subdivision; thence north no degrees, eight minutes, eighteen seconds east (N.0°08'18"E.) along the east line of said subdivision, a distance of six hundred sixty-six and forty-eight one-hundredths (666.48) feet to the northeast corner of said subdivision; thence north eighty-nine degrees, forty-five minutes, fifty-five seconds west (N.89°45'55"W.) a distance of six hundred sixty-six and forty-six one-hundredths (666.46) feet to the northwest corner of said subdivision; thence south no degrees, three minutes, fifteen seconds west (S.0°03'15"W.) a distance of six hundred sixty-six and seventeen one-hundredths (666.17) feet to the southwest corner of said subdivision; thence south eighty-nine degrees, forty-four minutes, twenty seconds east (S.89°44'20"E.) along the south line of said subdivision, a distance of forty-three and fifteen one-hundredths (43.15) feet to the point of beginning.

That portion of a tract of land in the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Northeast Quarter (NE $\frac{1}{4}$ ) of Section Twenty-one (21), Township Twenty-four (24) North, Range Four (4) East, W.M., described as follows:

Beginning at the point of intersection of the north line of Hopkins' First Addition to the City of Seattle and the east line of said Section Twenty-one (21); thence north no degrees, three minutes, fifteen seconds east (N.0°03'15"E.) along the east line of said section, a distance of one hundred nineteen and eighty-eight one hundredths (119.88) feet to a point on the south margin of Angeline Street, as platted in Meadow Park Addition to the City of Seattle; thence

west along said south margin a distance of fourteen and one one-hundredth (14.01) feet; thence south one hundred twenty and thirty-eight one-hundredths (120.38) feet to a point on the north line of Hopkins' Addition; thence east a distance of fourteen (14) feet to the point of beginning.

Section 2. That the curb grades of the streets and avenues named below, be and the same are hereby changed and established at the following elevations above city datum, to-wit:

ON ALASKA STREET.

Opposite the intersection of the south margin of said Alaska Street and the easterly margin of Empire Way:

North curb - 127.39 feet.  
South curb - 127.14 feet.

At the west margin of Thirty-first Avenue South:

North curb - 126.57 feet  
South curb - 126.32 feet.

At the east margin of Thirty-first Avenue South:

North curb - 126.10 feet  
South curb - 125.85 feet.

At the west margin of Thirty-second Avenue South:

North curb - 124.45 feet  
South curb - 124.20 feet.

At the east margin of Thirty-second Avenue South:

North curb - 124.02 feet  
South curb - 123.77 feet.

At the west margin of Thirty-third Avenue South:

North curb - 123.47 feet  
South curb - 123.22 feet.

At the east margin of Thirty-third Avenue South:

North curb - 123.00 feet  
South curb - 122.75 feet.

At the west margin of Thirty-fourth Avenue South:

North and south curbs - 110.02 feet.

At the east margin of Thirty-fourth Avenue South:

North and south curbs - 108.52 feet.

At the west margin of Thirty-fifth Avenue South:

North curb - 92.16 feet  
South curb - 93.02 feet.

At the east margin of Thirty-fifth Avenue South:

North curb - 90.16 feet  
South curb - 91.02 feet.

Opposite the intersection of the north margin of said Alaska Street and the westerly margin of Rainier Avenue:

North curb - 65.00 feet  
South curb - 65.50 feet.

At the westerly margin of Rainier Avenue at elevations as established by Ordinance No. 29364.

ON EDMUNDS STREET.

At the easterly margin of Empire Way, at grades as established by Ordinance No. 30673.

Opposite the intersection of the south margin of Edmunds Street and the easterly margin of Empire Way:

North and south curbs - 119.70 feet.

At the west margin of Thirty-second Avenue South:

North and south curbs - 118.22 feet.

At the east margin of Thirty-second Avenue South:

North and south curbs - 116.00 feet.

At the west margin of Thirty-fifth Avenue South:

North and south curbs - 107.82 feet.

At the east margin of Thirty-fifth Avenue South:

North and south curbs - 107.00 feet.

At the west margin of Thirty-seventh Avenue South:

North and south curbs - 97.90 feet.

At the east margin of Thirty-seventh Avenue South:

North and south curbs - 96.99 feet.

Opposite the intersection of the north margin of Edmunds Street and the westerly margin of Rainier Avenue, conforming to elevations as established by Ordinance No. 29364:

North curb - 95.65 feet.

Opposite the intersection of the south margin of Edmunds Street and the westerly margin of Rainier Avenue, conforming to elevations as established by Ordinance No. 29364:

South curb - 96.40 feet.

ON FERDINAND STREET.

Opposite the intersection of the north margin of Ferdinand Street and the easterly margin of Empire Way, at elevations conforming to those established by Ordinance No. 30673:

North curb - 121.66 feet

Opposite the intersection of the south margin of said Ferdinand Street and the easterly margin of Empire Way, at elevations conforming to those established by Ordinance No. 30673:

South curb - 121.35 feet.

At the west margin of Thirty-fifth Avenue South:

North and south curbs - 102.00 feet.

At the east margin of Thirty-fifth Avenue South:

North and south curbs - 102.00 feet.

At the west margin of Thirty-seventh Avenue South:

North curb - 103.75 feet  
South curb - 104.03 feet.

At the east margin of Thirty-seventh Avenue South:

North curb - 103.60 feet  
South curb - 103.85 feet.

Opposite the intersection of the north margin of Ferdinand Street and the westerly margin of Rainier Avenue, at elevations conforming to those established by Ordinance No. 29364:

North curb - 103.10 feet.

At the westerly margin of Rainier Avenue at elevations conforming to those established by Ordinance No. 29364:

South curb - 103.25 feet.

ON THIRTY-SECOND AVENUE SOUTH.

At the south margin of Alaska Street, as established by this ordinance:

East curb - 123.77 feet  
West curb - 124.04 feet.

At the north margin of Angeline Street:

East Curb - 119.10 feet  
West curb - 119.55 feet.

At the north margin of Edmunds Street:

East curb - 116.76 feet.  
West curb - 117.81 feet.

Opposite the intersection of the west margin of Thirty-second Avenue South and the easterly margin of Empire Way at elevations conforming to those established by Ordinance No. 30673:

West curb - 120.60 feet.

At the north margin of Ferdinand Street at elevations conforming to those established by Ordinance No. 30673:

East curb - 121.70 feet.

ON THIRTY-FIFTH AVENUE SOUTH.

At the south margin of Alaska Street as widened herein:

East curb - 92.00 feet  
West curb - 92.94 feet.

At the north margin of Edmunds Street:

East curb - 107.12 feet  
West curb - 107.58 feet.

At the south margin of Edmunds Street:

East curb - 107.12 feet  
West curb - 107.58 feet.

At the north margin of Ferdinand Street:

East and west curbs - 102.00 feet.

At the south margin of Ferdinand Street:

East and west curbs - 102.00 feet.

At the north margin of Hudson Street, conforming to the existing elevations on Hudson Street:

East and west curbs - 107.90 feet.

ON THIRTY-SEVENTH AVENUE SOUTH.

At the north margin of Ferdinand Street at existing elevations:

East curb - 103.60 feet  
West curb - 103.70 feet.

At the south margin of Edmunds Street:

East curb - 97.62 feet  
West curb - 98.00 feet.

At the north margin of Edmunds Street:

East curb - 97.62 feet  
West curb - 98.00 feet.

At a point one hundred seventy (170) feet north of the north margin of Edmunds Street:

East and west curbs - 106.00 feet.



That the curb grades shall be straight lines between the elevations established herein.

And in the grading and regrading of the above named streets and avenues, 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 the said streets and avenues, and in every case the right to remove the lateral support shall include the right to carry the slopes back into and extending upon the abutting real property at least one (1) foot for each foot of depth of cut. That in the case of fills, the right shall be acquired to extend and maintain upon the abutting property slopes of one and one-half ( $1\frac{1}{2}$ ) feet for each foot of elevation of fill for the purpose of acquiring ample support for said streets and avenues, reserving unto the abutting property owners, respectively, the right at any time to remove such slopes upon providing other adequate support for such streets and avenues.

That in the grading and regrading of said streets and avenues, the city shall acquire the right to grade temporary approaches on all sidestreets to such a distance back as may be necessary.

Section 3. That all lands, rights, and 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 for the purpose of public streets and highways and that all lands, rights, privileges and other property necessary to be taken, used or damaged in the grading and regrading of said streets, in conformity with the grades established in Section 2 hereof, and in the construction of the necessary slopes for cuts and fills upon the real property abutting upon said streets and

avenues and for the purpose of making temporary approaches on the side streets intersecting the above named streets and avenues are hereby condemned, appropriated, taken and damaged to the public use for such purposes, said lands, 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 owners, 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 to begin and prosecute the actions and proceedings in the manner provided by law, to condemn, damage, take and appropriate lands and other property necessary to carry out the provisions of this ordinance and also to take 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 26 day of MARCH, 1917

and signed by me in open session in authentication of its passage this 26 day of MARCH, 1917  
President E. B. Fitzgerald of the City Council.

Approved by me this 28 day of MARCH, 1917  
Mayor W. H. Kelly

Filed by me this 28 day of MARCH, 1917  
Attest: E. M. Carroll  
City Comptroller and Ex-Officio City Clerk.

By W. H. Kelly Deputy Clerk.

[SEAL]

Published APR 2 1917  
By E. M. Carroll City Comptroller and Ex-Officio City Clerk.  
Deputy Clerk W. H. Kelly