

Ordinance No. 39633

Providing for the layingoff, opening, widening, extending and establishing of OTHELLO STREET, from 46th Ave. So. to Empire Way as established by Ordinance No. 30673; etc., etc.

Council Bill No.

INTRODUCED: JUN 18 1919	BY:
REFERRED: JUN 18 1919	TO:
REFERRED:	
REPORTED: JUN 23 1919	VETO:
SECOND READING: JUN 23 1919	PUBLISHED:
THIRD READING: JUN 23 1919	VETO SUSTAINED:
SIGNED: JUN 23 1919	PASSED OVER VETO:
PRESENTED TO MAYOR: JUN 24 1919	APPROVED: JUL 3 - 1919
FILED: JUL 3 - 1919	PUBLISHED: JUL 10 1919
ENGROSSED:	BY: LJB
VOL. 41 PAGE 497	
COMPARED BY:	AND

SEE BACK COVER

16698 record of Jerry

Ordinance No. 30673

Providing for the layingoff, opening, widening, extending and establishing of OTHELLO STREET, from 45th Ave. So. to Empire Way as established by Ordinance No. 30673; etc., etc.,

Council Bill No.

INTRODUCED: JUN 16 1919	BY:
REFERRED: JUN 16 1919	TO:
REFERRED:	
REPORTED: JUN 23 1919	VETO:
SECOND READING: JUN 23 1919	PUBLISHED:
THIRD READING: JUN 23 1919	VETO SUSTAINED:
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PRESENTED TO MAYOR: JUN 24 1919	APPROVED: JUL 3 - 1919
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VOL. <i>A1</i> PAGE <i>497</i>	<i>LJB</i>
COMPARED BY:	

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76698 record of Jan 7

REPRODUCED FROM BEST AVAILABLE DOCUMENT

REPRODUCED FROM BEST
AVAILABLE DOCUMENT.

ORD 101330 -RE DEPT OF PARKS & RECREATION, AUTH ACQUISITION OF CERTAIN PROPERTY FOR BRIGHTON
NEIGHBORHOOD PLAYGROUND & MAKING AN APPROP THELEFOR.

EV/HRW 6-11-19

ORDINANCE NO. _____

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of Othello Street, from Forty-sixth Avenue South to Empire Way as established by Ordinance No. 30673; providing for the condemnation, appropriation, taking and damaging of land and other property necessary for the laying off, opening, widening, extending and establishing of the above described street, and for the changing and establishing of the grades, and the grading and regrading of the above described street and approaches thereto in conformity with the grades established herein, and for the necessary slopes for cuts and fills upon the property abutting on said street 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 that the above named street be laid off, opened, widened, extended and established as a public street and highway, and that the curb grades of the above named street and approaches thereto be changed and established; that such street 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 Othello Street, from Forty-sixth Avenue South to Empire Way as established by Ordinance No. 30673, be and the same is hereby laid off, opened, widened, extended and established as a public street and highway over and across the following lots, blocks, and tracts of land, to-wit:

IN RAINIER GARDENS, AN ADDITION TO THE CITY OF SEATTLE.

- The south thirty (30) feet of lot one (1), block one (1).
- The south thirty (30) feet of lot three (3), block one (1).
- The north ten (10) feet of lot three (3), block two (2).

IN BOWEN'S REPLAT OF RAINIER GARDENS, AN ADDITION TO THE CITY OF SEATTLE.

- The north five (5) feet of lot one (1), block one (1)
- The south five (5) feet of lot ten (10), block two (2)
- The north five (5) feet of lot one (1), block four (4).

UNPLATTED

That portion of the northwest quarter of the northwest quarter of the southeast quarter of section twenty-seven (27) township twenty-four (24) north, range four (4) east, W.M., described as follows:

Beginning at the southwest corner of said subdivision; thence east along the south boundary line of said subdivision a distance of three hundred ninety-nine and seventy-four one-hundredths (399.74) feet to the west boundary line of block one (1), Rainier Gardens, an Addition to the City of Seattle; thence north along said west boundary line a distance of thirty (30) feet; thence west along a line parallel to the south boundary line of said subdivision, a distance of three hundred ninety-nine and eighty-two one-hundredths (399.82) feet to a point on the west boundary line of said subdivision; thence south along said west boundary line a distance of thirty (30) feet to the point of beginning.

That portion of the southeast quarter of the northeast quarter of the southwest quarter of section twenty-seven (27), township twenty-four (24) north, range four (4) east, W.M., described as follows:

Beginning at the northeast corner of said subdivision; thence west along the north boundary line of said subdivision a distance of seventy and fifty-two one-hundredths (70.52) feet to the northeasterly margin of Empire Way as established by Ordinance No. 30673; thence southeasterly along said northeasterly margin a distance of thirty-one and fifty-nine one-hundredths (31.59) feet; thence east parallel with the north line of said subdivision a distance of sixty-one and fourteen one-hundredths (61.14) feet to the east boundary line of said subdivision; thence north along said east boundary line a distance of thirty (30) feet to the point of beginning.

That portion of the southeast quarter of the northeast quarter of the southwest quarter of section twenty-seven (27), township twenty-four (24) north, range four (4) east, W. M., described as follows:

Beginning at the intersection of the northeasterly margin of Empire Way as established by Ordinance No. 30673, and a line ten (10) feet north from and parallel with the south boundary line of said subdivision; thence east along said parallel line a distance of forty-three and forty-one one-hundredths (43.41) feet to a point on the west margin of Forty-second Avenue South as established by deed (Ordinance No. 31481); thence north along said west margin a distance of twenty (20) feet; thence west along a line thirty (30) feet north from and parallel with the south boundary line of said subdivision, a distance of forty-nine and eighty-nine one-hundredths (49.89) feet to the northeasterly margin of said Empire Way; thence southeasterly along said northeasterly margin a distance of twenty-one and six one-hundredths (21.06) feet to the point of beginning.

Section 2. That the curb grades of Othello Street as laid off, opened, widened, extended and established herein be and the same are hereby changed and established

to the following elevations above city datum, to-wit:

At the east margin of Forty-sixth Avenue South:

North curb, at existing elevation	100.50 feet
South curb, at existing elevation	100.00 feet

At the west margin of Forty-sixth Avenue South as platted in Bowen's Replat of Rainier Gardens, an Addition to the City of Seattle:

North curb	100.50 feet
South curb	100.00 feet

At the east margin of Forty-fifth Avenue South as platted in said Bowen's Replat of Rainier Gardens:

North and south curbs,	98.00 feet
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At the west margin of Forty-fifth Avenue South as platted in Belvidere Addition to the City of Seattle:

North and south curbs	98.00 feet
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At the east margin of Forty-fourth Avenue South as platted in said Belvidere Addition:

North and south curbs	99.40 feet
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At a point seventy-one and seventy one-hundredths (71.70) feet west from the east margin of Forty-fourth Avenue South as platted in said Belvidere Addition; at the beginning of a vertical curve:

North and south curbs	99.76 feet
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At a point ninety-six (96) feet west from the last above described point, at the point of tangency of a vertical curve:

North and south curbs	103.52 feet
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At a point one hundred twenty-nine (129) feet west from the last above described point:

North and south curbs	113.00 feet
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At a point two hundred twenty-four (224) feet east of the east margin of Forty-second Avenue South as platted in Bowen's Replat of Rainier Gardens, an Addition to the City of Seattle, at the beginning of a vertical curve:

North and south curbs	117.86 feet
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At a point one hundred twenty-eight (128) feet west from the last above described point, at the point of tangency of a vertical curve:

North and south curbs	119.00 feet
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At the east margin of Forty-second Avenue South, as platted in Bowen's Replat of Rainier Gardens, an Addition to the City of Seattle:

North and south curbs	117.50 feet
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At the west margin of Forty-second Avenue South as established by Ordinance No. 31481:

North and south curbs: 116.57 feet

At the northeasterly margin of Empire Way:

Elevations to conform with the grades as established on Empire Way by Ordinance No. 30673:
North curb 115.95 feet
South curb 116.00 feet

That curb grades shall be straight lines between the elevations established herein, except in those cases where they are specified as lying in vertical curves; that in the grading and regrading of the above named street and approaches thereto, the city shall acquire the right in case of a cut to remove the lateral support abutting on said street, and in every case the right to remove said lateral support shall include the right to carry the slope back into and extending upon the abutting real property at least one (1) foot for each foot of depth of cut; and in the case of a fill the right shall be acquired to extend and maintain upon the abutting real property slopes of one and one-half (1½) feet to each foot of elevation of fill for the purpose of acquiring lateral support for said street, reserving unto the abutting property owners, respectively, the right at any time to remove such slopes upon providing other adequate lateral support for said street.

Section 3. 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 the purpose 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 the street described in Section Two (2) hereof and approaches thereto, in conformity with the grades established

herein, and in the construction of the necessary slopes for cuts and fills upon the real property abutting upon said street and approaches thereto, 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 and directed to 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 - 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 day of JUNE 1919 and signed by me in open session in authentication of its passage this 23 day of JUNE 1919
President of the City Council

Approved by me this 3 day of JULY 1919
Mayor

Filed by me this 3 day of JULY 1919
Attest: City Comptroller and Ex-Officio City Clerk

[SEAL] By Deputy Clerk

Published JUL 1 0 1919
By City Comptroller and Ex-Officio City Clerk

By Deputy Clerk