

Ordinance No. 39745

Providing for the laying off, opening, extending and establishing of WEST 59th STREET, from First Avenue Northwest to Third Avenue Northwest;

and for the changing and establishing of the grades and the grading and regrading of the above named street in conformity with the grades established herein, etc.

Council Bill No. 20026

INTRODUCED: JUL 21 1919	BY: STREETS & SEWERS
REFERRED: JUL 21 1919	TO: STREETS & SEWERS
REFERRED:	
REPORTED: JUL 28 1919	VETO:
SECOND READING: JUL 28 1919	PUBLISHED:
THIRD READING: JUL 28 1919	VETO SUSTAINED:
SIGNED: JUL 28 1919	PASSED OVER VETO:
PRESENTED TO MAYOR: JUL 29 1919	APPROVED: AUG 4 1919
FILED: AUG 4 1919	PUBLISHED: AUG - 8 1919
ENGROSSED:	BY: LDB
VOL. 21 PAGE 580	
COMPARED BY:	

*F 76791 - Award of Jury
F 77751 - Re-commit approval of roll - Council # 13745
Ord 41936 - Changes and grade 3rd street*

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Council Bill No. 29526

INTRODUCED: JUL 21 1919	BY: STREETS & SEWERS
REFERRED: JUL 21 1919	TO: STREETS & SEWERS
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FILED: AUG 4 1919	PUBLISHED: AUG - 8 1919
ENGROSSED:	BY: L.S.B.
VOL. 21 PAGE 582	
COMPARED BY:	

AND

*790191 - Council of June
1919 - 50 South - Approval of road - City of St. Paul
and all the - 1919 - 1st grade - 3rd and 4th*

KLH

AN ORDINANCE Providing for the laying off, opening, extending and establishing of WEST 59th STREET, from First Avenue Northwest to Third Avenue Northwest; providing for the condemnation, appropriation, taking and damaging of land and other property necessary for the laying off, opening extending and establishing of the above named street; and for the changing and establishing of the grades and the grading and regrading of the above named street in conformity with the grades established herein, and for the necessary slopes for cuts and fills upon the property abutting on said street; and providing that the entire cost of said improvement shall be paid by special assessment on 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, extended and established as a public street and highway, and that the curb grades of the above named street be changed and established, and that said 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 WEST 59th STREET, from First Avenue Northwest to Third Avenue Northwest be and the same is hereby laid off, opened, extended and established as a public street and highway over and across the following described lots, blocks and tracts of land, to-wit:

IN BALLARD ACRE TRACTS
An Addition to the City of Seattle

That portion of Tract Sixteen (16), described as follows:

Beginning at a point on the west line of said tract, said point being distant two hundred fifteen and eighty-seven one-hundredths (215.87) feet south from the northwest corner thereof; thence south along said west line a distance of twelve (12) feet to the southwest corner of said tract; thence east along the south line of said tract a distance of one hundred fifty-seven and sixty one-hundredths (157.60) feet to the southeast corner thereof; thence north along the east line of said tract a distance of thirty-two (32) feet; thence southwesterly along the arc of a curve to the right having a uniform radius of twenty (20) feet, a distance of thirty-one and forty-two one-hundredths (31.42) feet to a point of tangency; thence west along a straight line a distance of one hundred thirty-seven and fifty-seven one-hundredths (137.57) feet to the point of beginning.

The north thirty-three (33) feet of Tract Seventeen

(17)

That portion of Tract Eighteen (18), described as follows:

Beginning at a point on the east line of said tract, said point being distant two hundred fifteen and eighty-seven one-hundredths (215.87) feet south from the northeast corner thereof; thence south $89^{\circ} 42' 37''$ west a distance of thirteen one-hundredths (0.13) feet to a point of curve; thence continuing westerly along the arc of a curve to the left having a uniform radius of two hundred sixty-five (265) feet, a distance of fifty-six and eighty-two one-hundredths (56.82) feet to a point of tangency; thence south $77^{\circ} 28' 22''$ west a distance of fifty (50) feet to a point of curve; thence southwesterly along the arc of a curve to the right having a uniform radius of two hundred twenty (220) feet, a distance of thirty one-hundredths (0.30) feet, to a point on the west line of said tract; thence south along said west line a distance of forty-five and eighty-nine one-hundredths (45.89) feet; thence northeasterly along the arc of a curve to the left having a uniform radius of two hundred sixty-five (265) feet, (said curve being concentric with the last above described curve), a distance of ten and twenty-four one-hundredths (10.24) feet to a point of tangency; thence north $77^{\circ} 28' 22''$ east a distance of fifty (50) feet to a point of curve; thence easterly along the arc of a curve to the right having a uniform radius of two hundred twenty (220) feet, a distance of forty-six and ninety-nine one-hundredths (46.09) feet to a point on the east line of said tract; thence north along said east line a distance of forty-five (45) feet to the point of beginning.

That portion of Tract Nineteen (19), described as follows:

Beginning at a point on the west line of said tract, said point being distant two hundred twenty-four and ninety-two one-hundredths (224.92) feet south from the northwest corner thereof; thence south along said west line a distance of forty-five (45) feet; thence south $89^{\circ} 55' 21''$ east a distance of sixty-two and seventy-two one-hundredths (62.72) feet to a point of curve; thence easterly along the arc of a curve to the left having a uniform radius of two hundred sixty-five (265) feet, a distance of forty-eight and six one-hundredths (48.06) feet to a point on the east line of said tract; thence north along the east line of said tract a distance of forty-five and eighty-nine one-hundredths (45.89) feet; thence westerly along the arc of a curve to the right having a uniform radius of two hundred twenty (220) feet, (said curve being concentric with the last above described curve), a distance of forty-eight and ten one-hundredths (48.10) feet to a point of tangency; thence west along a straight line a distance of sixty-two and seventy-two one-hundredths (62.72) feet to the point of beginning.

The south five (5) feet of Tract Twenty-one (21).

The north forty-five (45) feet of Tract Twenty-two (22).

Section 2. That the curb grades of WEST 59th STREET be and the same are hereby changed and established to the following elevations above City Datum, to-wit:

At the west margin of First Avenue Northwest:

North curb	302.57 feet
South curb	301.20 feet

At a point one hundred fifty-seven and sixty-three one-hundredths (157.63) feet, measured along the center line, west from the last described point at the beginning of a curve to the left:

North curb	282.09 feet
South curb	282.09 feet

At a point fifty-one and ninety one-hundredths (51.90) feet, measured along the center line, westerly from the last above mentioned point, at a point of tangency:

Northwesterly curb	275.24 feet
Southeasterly curb	275.24 feet

At a point fifty (50) feet, measured along the center line, southwesterly from the last above mentioned point, at the beginning of a curve to the right:

Northwesterly curb	268.00 feet
Southeasterly curb	268.00 feet

At a point fifty-three and thirty-five one-hundredths (53.35) feet, measured along the center line, westerly from the last mentioned point, at a point of tangency:

North curb	258.37 feet
South curb	258.37 feet

At a point ninety-one (91) feet east from the east margin of Third Avenue Northwest:

North curb	202.40 feet
South curb	202.40 feet

At a point thirty-four (34) feet west from the last mentioned point:

In center of street	199.10 feet
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At a point eight (8) feet west from the last mentioned point:

At head of stairway	199.30 feet
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At a point twenty-two (22) feet west from the last mentioned point:

On stairway landing	188.30 feet
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At a point five (5) feet west of the last mentioned point:

On stairway landing	188.15 feet
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At the east margin of Third Avenue Northwest:

At foot of stairway	177.15 feet
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That the curb gradients shall be straight lines between the elevations established herein; that in the grading and

regrading of the above named street 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 in depth of cut; that in the case of a fill the right shall be acquired to extend and maintain upon the adjoining and abutting real property slopes of one and one-half ($1\frac{1}{2}$) feet for each foot of elevation of fill, for the purpose of providing lateral support for said street, reserving unto the abutting property owners respectively the right at any time to remove such slope 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 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 or regrading of said street 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, are hereby condemned, appropriated, taken and damaged to the public use for such purposes; said lands, rights, privileges and other property 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 prosecute the actions and proceedings necessary 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 28 day of JULY 1919
and signed by me in open session in authentication of its passage this 28 day of
JULY 1919 W. D. Lane
President.....of the City Council.

The foregoing bill, after its passage and authentication, and within five days thereafter, was presented to the Mayor, who returned the same to the City Council without his disapproval or approval.

Witness my hand and seal of said city this 14 day of AUGUST 1919

City Comptroller and Ex-officio City Clerk.

By [Signature] Deputy Clerk.

[SEAL]

Published.....

City Comptroller and Ex-Officio City Clerk.

By C. W. Scott Deputy Clerk.