

Ordinance No. 45226

Providing for the laying off, opening, widening, extending and establishing of 57th AVENUE SOUTH, from the intersection of Seward Park Avenue and Orcas Street, as established by Ordinance No. 27888, northerly and northwesterly to the intersection of 55th Avenue South and Hudson Street * * * * *

Council Bill No. 34925

INTRODUCED: MAY 21 1923	BY: STREETS & SEWERS
REFERRED: MAY 21 1923	TO: STREETS & SEWERS
REFERRED:	
REPORTED: MAY 28 1923	VETO:
SECOND READING: MAY 28 1923	PUBLISHED:
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	AND

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St.
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VOL. <i>21</i> PAGE <i>469</i>	
COMPARED BY:	
AND	

95781 - Award of Jury for Condemn

SEE BACK COVER

97098 - Report Com Council on Condemnation 1987

ORD 100330 -TRANSFERRING PARTIAL JURISDICTION OVER CERTAIN PRKS & REC PROPERTY IN MAY-
NARD'S LK WASH ADD TO ENG DEPT TO PERMIT CONSTRUCTION & MAINTENANCE OF A
STORM DRAIN WITH APPURTENANCES.

Prepared at request of

St. Peter Committee
#87049

AWM

ORDINANCE NO. 45226

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of 57th AVENUE SOUTH, from the intersection of Seward Park Avenue and Orcas Street, as established by Ordinance No. 27888, northerly and northwesterly to the intersection of 55th Avenue South and Hudson Street; providing for the establishing of the grades of 57th Avenue South, from the intersection of Seward Park Avenue and Orcas Street, as established by Ordinance No. 27888, northerly and northwesterly to the intersection of 55th Avenue South and Hudson Street; providing for the condemnation, appropriation, taking and damaging of the land and other property necessary for the laying off, opening, widening, extending and establishing of the above described avenue, and for the establishing of the grades and for the grading of the above described avenue, in conformity with the grades established herein; providing for the necessary slopes for cuts and fills upon the property abutting on said avenue; and providing that the entire cost of such 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 avenue be laid off, opened, widened, extended and established as a public street and highway, and that the curb grades of the above named avenue be established, and that said avenue be graded 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 57th AVENUE SOUTH, from the intersection of Seward Park Avenue and Orcas Street, as established by Ordinance No. 27888, northerly and northwesterly to the intersection of 55th Avenue South and Hudson Street, 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 THE SUBDIVISIONAL PLAT OF B. W. JOHN AND C. H. HANFORD'S 5 ACRE TRACTS, AN ADDITION TO THE CITY OF SEATTLE, as determined by the Superior Court of King County, Washington, in Cause No. 76774.

That portion of Tract Forty-three (43) described as follows:

Beginning at the northeast corner of said tract; thence south along the east line thereof a distance of one hundred twenty-three and thirty-six one-hundredths (123.36) feet; thence westerly and northwesterly along the arc of a curve to the right having a uniform radius of fifty (50) feet, a distance of twenty-five and sixty-eight one-hundredths (25.68) feet; thence northerly parallel with the east line of said tract a distance of one hundred sixteen and eighty one-hundredths (116.80) feet to an intersection with the north line of said tract; thence east along said north line a distance of twenty-five and no one-hundredths (25.00) feet to the point of beginning.

(45). The west nine (9) feet of Tract Forty-five

(47). The west nine (9) feet of Tract Forty-seven

The west seventeen (17) feet of Tract Forty-eight (48).

The west seventeen (17) feet of Tract Forty-nine (49).

(50). The west seventeen (17) feet of Tract Fifty

(40). The east seventeen (17) feet of Tract Forty

Forty-two (42). The east twenty-five (25) feet of Tract

That portion of Tract Thirty-five (35) described as follows:

Beginning at a point on the south line of said tract, said point being distant eighty-six and sixty-nine one-hundredths (86.69) feet east from the southwest corner of said tract; thence northerly along the arc of a curve to the left, having a uniform radius of one thousand one hundred forty-five

and thirty-eight one-hundredths (1,145.38) feet, a distance of one hundred fifty-one and thirty-one one-hundredths (151.31) feet to a point on the north line of said tract, said point being distant seventy-six and sixty-six one-hundredths (76.66) feet east from the northwest corner of said tract; thence east along said north line a distance of fifty and forty-five one-hundredths (50.45) feet; thence southerly along the arc of a curve to the right, having a uniform radius of one thousand one hundred ninety-five and thirty-eight one-hundredths (1,195.38) feet, said curve being concentric with the last above described curve, a distance of one hundred fifty-one and thirteen one-hundredths (151.13) feet to a point of tangency; thence south along the tangent to said curve a distance of eleven one-hundredths (.11) feet to an intersection with the south line of said tract; thence west along said south line a distance of fifty and no one-hundredths (50.00) feet to the point of beginning.

That portion of Tract Thirty-four (34), described as follows:

Beginning at a point on the south line of said tract, said point being distant seventy-six and sixty-six one-hundredths (76.66) feet east from the southwest corner of said tract; thence northerly along the arc of a curve to the left having a uniform radius of one thousand one hundred forty-five and thirty-eight one-hundredths (1,145.38) feet, a distance of one hundred one and seventy-one one-hundredths (101.71) feet to a point on the north line of said tract fifty-eight and seventy-six one-hundredths (58.76) feet east from the northwest corner of said tract; thence east along said north line a distance of fifty-one and twenty-five one-hundredths (51.25) feet; thence southerly along the arc of a curve to the right having a uniform radius of one thousand one hundred ninety-five and thirty-eight one-hundredths (1,195.38) feet, said curve being concentric with the last above described curve, a distance of one hundred one and fifty-six one-hundredths (101.56) feet to an intersection with the south line of said tract; thence west along said south line a distance of fifty and twenty-five one-hundredths (50.25) feet to the point of beginning.

That portion of Tract Thirty (30) described as follows:

Beginning at a point on the south line of said tract, said point being distant one hundred sixty-six and sixteen one-hundredths (166.16) feet east from the southwest corner of said tract; thence northerly along the arc of a curve to the left, having a uniform radius of one thousand one hundred forty-five and thirty-eight one-hundredths (1,145.38) feet, a distance of eighty and seventy-six one-hundredths (80.76) feet to a point on the

north line of said tract one hundred forty-five and sixty-six one-hundredths (145.66) feet east from the northwest corner of said tract; thence east along said north line a distance of fifty-two and eight one-hundredths (52.08) feet; thence southerly along the arc of a curve to the right, having a uniform radius of one thousand one hundred ninety-five and thirty-eight one-hundredths (1,195.38) feet, said curve being concentric with the last above described curve, a distance of eighty and fifty-eight one-hundredths (80.58) feet to an intersection with the south line of said tract; thence west along said south line a distance of fifty-one and twenty-five one-hundredths (51.25) feet to the point of beginning.

That portion of Tract Twenty-nine (29), described as follows:

Beginning at a point on the south line of said tract, said point being distant one hundred forty-five and sixty-six one-hundredths (145.66) feet east from the southwest corner of said tract; thence northwesterly along the arc of a curve to the left, having a uniform radius of one thousand one hundred forty-five and thirty-eight one-hundredths (1,145.38) feet, a distance of eighty-four and sixty-seven one-hundredths (84.67) feet to a point on the north line of said tract one hundred eighteen and thirty-two one-hundredths (118.32) feet east from the northwest corner of said tract; thence east along said north line a distance of fifty-three and sixty-five one-hundredths (53.65) feet; thence southeasterly along the arc of a curve to the right, having a uniform radius of one thousand one hundred ninety-five and thirty-eight one-hundredths (1,195.38) feet, a distance of eighty-four and twenty-one one-hundredths (84.21) feet to an intersection with the south line of said tract; thence west along said south line a distance of fifty-two and eight one-hundredths (52.08) feet to the point of beginning.

That portion of Tract Twenty-eight (28) described as follows:

Beginning at a point on the north line of said tract, said point being distant one hundred twenty-eight and eighty-five one-hundredths (128.85) feet east from the northwest corner of said tract; thence southeasterly along the arc of a curve to the right, having a uniform radius of one thousand one hundred ninety-five and thirty-eight one-hundredths (1,195.38) feet, a distance of one hundred eleven and thirty-six one-hundredths (111.36) feet to a point on the south line of said tract one hundred seventy-one and ninety-seven one-hundredths (171.97) feet east from the southwest

corner of said tract; thence west along said south line a distance of fifty-three and sixty-five one-hundredths (53.65) feet; thence northwesterly along the arc of a curve to the left, having a uniform radius of one thousand one hundred forty-five and thirty-eight one-hundredths (1,145.38) feet, said curve being concentric with the last above described curve, a distance of ninety-four and twenty-nine one-hundredths (94.29) feet to a point of tangency; thence northwesterly along the tangent to said curve a distance of seventeen and ninety-two one-hundredths (17.92) feet to an intersection with the north line of said tract; thence east along said north line a distance of fifty-five and sixty one-hundredths (55.60) feet to the point of beginning.

That portion of Tract Twenty-three (23) described as follows:

Beginning at a point on the south line of said tract, said point being distant fifty-three and ninety-seven one-hundredths (53.97) feet east from the southwest corner of said tract; thence northwesterly along a straight line a distance of one hundred eleven and seventy-six one-hundredths (111.76) feet to a point on the north line of said tract, said point being distant five and fifty-five one-hundredths (5.55) feet east from the northwest corner of said tract; thence east along said north line a distance of fifty-five and sixty one-hundredths (55.60) feet; thence southeasterly along a straight line, said line being parallel with the next to the last above described line, a distance of one hundred eleven and seventy-six one-hundredths (111.76) feet to an intersection with the south line of said tract; thence west along said south line a distance of fifty-five and sixty one-hundredths (55.60) feet to the point of beginning.

That portion of Tract Twenty-two (22) described as follows:

Beginning at the southwest corner of said tract; thence east along the south line thereof a distance of fifty-four and fifteen one-hundredths (54.15) feet; thence northwesterly along a straight line a distance of eighty-eight and ninety-six one-hundredths (88.96) feet to a point on the north line of said tract fifteen and sixty one-hundredths (15.60) feet east from the northwest corner thereof; thence west along said north line a distance of fifteen and sixty one-hundredths (15.60) feet to the northwest corner of said tract; thence south along the west line of said tract a distance of eighty and no one-hundredths (80.00) feet to the point of beginning.

That portion of Tract Twenty-one (21) described as follows:

Beginning at the southwest corner of said tract; thence east along the south line thereof a distance of fifty-five and sixty one-hundredths (55.60) feet; thence northwesterly along a straight line a distance of eighty-eight and ninety-six one-hundredths (88.96) feet to a point on the north line of said tract seventeen and six one-hundredths (17.06) feet east from the northwest corner of said tract; thence west along said north line a distance of seventeen and six one-hundredths (17.06) feet to the northwest corner of said tract; thence south along the west line of said tract a distance of eighty and no one-hundredths (80.00) feet to the point of beginning.

That portion of Tract Twenty-four (24) described as follows:

Beginning at a point on the north line of said tract, said point being distant seventy and twenty-five one-hundredths (70.25) feet east from the northwest corner of said tract; thence east along the north line thereof a distance of thirty-eight and fifty-five one-hundredths (38.55) feet to the northwest corner of tract twenty-one (21); thence south along the west line of said tract twenty-one (21) a distance of eighty and no one-hundredths (80.00) feet; thence northwesterly along a straight line a distance of eighty-eight and ninety-six one-hundredths (88.96) feet to the point of beginning.

Also that portion of said tract twenty-four (24) described as follows:

Beginning at a point on the east line of said tract, said point being distant one hundred twenty-eight and sixty-two one-hundredths (128.62) feet north from the southeast corner of said tract; thence north along said east line a distance of fifty-one and eighty-eight one-hundredths (51.88) feet to an intersection with the south line of tract twenty-one (21); thence west along the south line of said tract twenty-one (21) a distance of twenty-five and no one-hundredths (25.00) feet; thence southeasterly along a straight line a distance of fifty-seven and seventy one-hundredths (57.70) feet to the point of beginning.

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

Beginning at a point on the south line of said tract, said point being distant three hundred sixty-two and eighty-five one-hundredths (362.85) feet east from the southwest corner of said tract; thence northwesterly along a straight line a distance of five hundred seventy-four and thirty-two one-hundredths (574.32) feet to a point on the north

line of said tract one hundred fourteen and one one-hundredth (114.01) feet east from the northwest corner of said tract; thence east along said north line a distance of fifty-five and sixty-four one-hundredths (55.64) feet; thence southeasterly along a line fifty (50) feet northeasterly from and parallel with the next to the last above described line a distance of five hundred seventy-four and twenty-five one-hundredths (574.25) feet to an intersection with the south line of said tract; thence west along said south line a distance of fifty-five and sixty one-hundredths (55.60) feet to the point of beginning.

IN MAYNARD'S LAKE WASHINGTON ADDITION TO THE CITY OF
SEATTLE

That portion of Lot Six (6), Block One Hundred Twenty-nine (129), described as follows:

Beginning at the southwest corner of said lot; thence east along the south line thereof a distance of thirty-eight and thirty-seven one-hundredths (38.37) feet; thence northwesterly along a straight line a distance of sixty-six and forty-three one-hundredths (66.43) feet to a point on the north line of said lot nine and seventy-six one-hundredths (9.76) feet east from the northwest corner of said lot; thence west along said north line a distance of nine and seventy-six one-hundredths (9.76) feet to the northwest corner thereof; thence south along the west line of said lot a distance of sixty and one one-hundredth (60.01) feet to the point of beginning.

That portion of Lot Five (5), Block One Hundred Twenty-nine (129) described as follows:

Beginning at the southwest corner of said lot; thence east along the south line thereof a distance of nine and seventy-six one-hundredths (9.76) feet; thence northwesterly along a straight line a distance of twenty-two and sixty-five one-hundredths (22.65) feet to a point on the west line of said lot twenty and forty-six one-hundredths (20.46) feet north from the southwest corner thereof; thence south along said west line a distance of twenty and forty-six one-hundredths (20.46) feet to the point of beginning.

Section 2. That the curb grades of 57th AVENUE SOUTH, from the intersection of Seward Park Avenue and Orcas Street, as established by Ordinance No. 27888, northerly and northwesterly to the intersection of 55th Avenue South and Hudson Street, be and the same are hereby

X
established at the following elevations above City Datum,
to-wit:

At the north margin of Orcas Street at elevations to conform with the established grade on Seward Park Avenue:

East Curb	73.25 feet
West Curb	74.15 feet

At the south margin of Brandon Street as now established:

East Curb	52.00 feet
West Curb	52.50 feet

Opposite a point on the center line of 57th Avenue South as extended herein, three hundred forty-three and eleven one-hundredths (343.11) feet southerly from the intersection of said center line with the center line of Dawson Street, as now established, at the point of curvature of a vertical curve:

Easterly Curb	48.33 feet
Westerly Curb	48.83 feet

At a point one hundred sixty (160) feet northwesterly from the last described point, at the point of tangency of a vertical curve:

Northeasterly Curb	46.16 feet
Southwesterly Curb	46.66 feet

Opposite a point on the center line of 57th Avenue South, as extended herein, twenty-eight and eleven one-hundredths (28.11) feet southeasterly from the intersection of said center line with the center line of Dawson Street, as now established:

Northeasterly Curb	46.00 feet
Southwesterly Curb	46.50 feet

Opposite a point on the northeasterly margin of 57th Avenue South, as extended herein, two hundred five (205) feet northwesterly from the intersection of said northeasterly margin with the north margin of Dawson Street, as now established, at the point of curvature of a vertical curve:

Northeasterly Curb 43.32 feet

Southwesterly Curb 43.82 feet

At a point two hundred forty (240) feet northwesterly from the last mentioned point at a point of reverse curve of a vertical curve:

Northeasterly Curb 34.80 feet

Southwesterly Curb 35.30 feet

At a point one hundred sixty (160) feet northwesterly from the last mentioned point at the point of tangency of a vertical curve:

Northeasterly Curb 32.12 feet

Southwesterly Curb 32.62 feet

Opposite the intersection of the northeasterly margin of 57th Avenue South, as extended herein, with the south margin of Hudson Street, as now established:

Northeasterly Curb 39.00 feet

Southwesterly Curb 39.50 feet

Opposite the intersection of said northeasterly margin produced with the north margin of Hudson Street, as now established:

Northeasterly Curb 39.00 feet

Opposite the intersection of the northeasterly margin of 57th Avenue South, as extended herein, produced to an intersection with the east margin of 55th Avenue South:

Northeasterly Curb 38.05 feet

That the curb gradients shall be of a uniform rate of grade between the elevations established herein (except in those cases where they are specified as lying in vertical curves).

That in the grading of the above named avenue the city shall acquire the right in the case of a cut to remove the lateral support abutting on said avenue. In every case the right to remove said 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. In the case of fills, the right shall be acquired to extend and maintain upon the 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 acquiring lateral support for said avenue, reserving unto the abutting property owners, respectively, the right at any time to remove such slopes upon providing other adequate lateral support for such avenue.

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 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 of said avenue 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 avenue, 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 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 28 day of MAY 1923 and signed by me in open session in authentication of its passage this 28 day of MAY 1923

President of the City Council.

Approved by me this 7 day of

JUNE

1923

Mayor.

Filed by me this 7 day of

JUNE

1923

Attest:

City Comptroller and Ex-Officio City Clerk.

[SEAL]

By

Deputy Clerk.

Published

JUN 18 1923

By

Deputy Clerk.