

**Ordinance No.** 46683

Providing for the laying off, opening, widening, extending and establishing of 34th Avenue Northwest between West 60th Street and West 70th Street, and of certain parts of certain other streets and avenues.

2

47111

**Council Bill No.** 56456

INTRODUCED: MAY 1 1924	BY: WILLIAMS & WOODS
REFERRED: MAY 10 1924	TO: COMMITTEE ON STREETS
REFERRED:	
REPORTED: MAR 17 1924	VETO:
SECOND READING: MAR 17 1924	FURNISHED:
THIRD READING: MAR 17 1924	VETO SUSTAINED:
SIGNED: MAR 17 1924	PASSED OVER VETO:
PRESENTED TO MAYOR: MAR 17 1924	APPROVED: MAR 27 1924
FILED: MAR 27 1924	PUBLISHED: APR 8 1924
ENGROSSED:	BY:
VOL. 11 / PAGE 506	JAB
COMPALED BY:	
AND	

Form 2. 1-27-21. L. & H. 4-22-21

100677 - Council of Govt.

Ordinance No. 46033

Providing for the laying off, opening, widening, extending and establishing of 34th Avenue Northwest between West 60th Street and West 70th Street, and of certain parts of certain other streets and avenues.

2

07/11/11

Council Bill No. 36456

INTRODUCED: MAY 11 1924	BY: W. J. MAYOR
REFERRED: MAY 11 1924	TO: COMMISSIONERS
REFERRED:	
REPORT CD: MAR 17 1924	VETO:
SECOND READING: MAR 17 1924	PUBLISHED:
THIRD READING: MAR 17 1924	VETO SUSTAINED:
SIGNED: MAR 17 1924	PASSED OVER VETO:
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FILED: MAR 27 1924	PUBLISHED: APR 8 1924
ENGROSSED:	BY:
COMPILED BY: W. J. MAYOR	

100479- Award of Jury  
101518- Report of Counsel on hearing on roll  
110485- Petition award

E.L.Y:jmc  
3-7-24

*AWM*

AMENDED  
IN SECTION 2

ORDINANCE NO. 40053

AMENDED  
IN SECTION 3

ORDINANCE No. 47141

ORDINANCE No. 48769

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of 34th Avenue Northwest between West 60th Street and West 70th Street, 36th Avenue Northwest between West 60th Street and West 62nd Street, of West 60th Street between 32nd Avenue Northwest and the easterly margin of the Great Northern Railway Company's right-of-way, West 61st Street from 36th Avenue Northwest as widened herein to the Great Northern Railway Company's right-of-way; providing for the establishing of curb grades of 34th Avenue Northwest from West 59th Street to West 62nd Street and from West 68th Street to West 70th Street, of 36th Avenue Northwest from West 59th Street to West 62nd Street, and of West 60th Street from 32nd Avenue Northwest to the Great Northern Railway Company's right-of-way, and of West 61st Street from 36th Avenue Northwest as widened herein to the Great Northern Railway Company's right-of-way; 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 avenues and streets, and necessary for the establishing of the grades, and for the necessary slopes for cuts and fills upon the property abutting upon said avenues and streets; providing for the condemnation, appropriation and taking in fee simple of land and other property for general municipal purposes; and providing that the entire cost of such improvement shall be paid by special assessment upon the property especially benefited, in the manner provided by law, except as herein otherwise provided.

WHEREAS, Public necessity and convenience demand that the above named streets and avenues be laid off, opened, widened, extended and established as public streets and highways, and that the curb grades of the above named avenues and streets be established; 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 34th Avenue Northwest, between West 60th Street and West 70th Street, 36th Avenue Northwest between West 60th Street and West 62nd Street, West 60th Street between 32nd Avenue Northwest and the Great Northern Railway Company's right-of-way, and West 61st Street between 36th Avenue Northwest

as widened herein and the Great Northern Railway Company's right-of-way, be, and the same are hereby, laid off, opened, widened, extended and established as public streets and highways over and across the following lots, blocks and tracts of land, to-wit:

Unplatted

That portion of Government Lot one (1), Section ten (10) Township Twenty-five (25) North, Range three (3) W.M. lying thirty (30) feet on each side of a line drawn from the intersection of the center line of 34th Avenue Northwest, as platted in Brygger's Second Home Addition to the City of Ballard, now a portion of the City of Seattle, with the south line of said government lot one (1), to the intersection of the center line of 34th Avenue Northwest, as platted in Prospect Beach Addition to the City of Ballard, now a portion of the City of Seattle, with the south line of said addition, except the south seventeen (17) feet thereof.

In Ballard's 4-Acre Home Tracts  
to the City of Ballard, now a  
portion of the City of Seattle

The west thirty (30) feet of Tract one (1), Block Four (4).

The East thirty (30) feet of Tract two (2), Block four (4).

Unplatted

The south seventeen (17) feet of that portion of Government Lot one (1), Section ten (10), Township twenty-five (25) North, range three (3) East W.M., lying between the east margin of the Great Northern Railway Company's right-of-way and the west boundary line of Peter J. Hanson's Second Addition to the City of Seattle.

That portion of Government Lot One (1), Section ten (10), Township twenty-five (25) North, range three (3) east W.M., described as follows: beginning at the southeast corner of block seven (7), Prospect Beach Addition to the City of Ballard, now a portion of the City of Seattle; thence south  $89^{\circ}38'36''$  east along the south boundary line of said Addition a distance of sixty (60) feet; thence south  $0^{\circ}28'52''$  west a distance of four hundred thirty and fifty-eight one-hundredths (430.58) feet to an intersection with a line seventeen (17) feet north from and parallel with the south line of said government lot one (1); thence north  $89^{\circ}38'36''$  west along said parallel line a distance of ninety-seven and forty-five one-hundredths (97.45) feet; thence north  $0^{\circ}28'52''$  east a distance of one hundred seventy

six and forty-eight one-hundredths (176.48) feet; thence north  $89^{\circ}38'36''$  west a distance of two hundred fifty-five and forty-three one-hundredths (255.43) feet to the easterly margin of the Great Northern Railway Company's right-of-way; thence northerly along said easterly margin, the same being the arc of a curve having a uniform radius of one thousand eight hundred eighty-seven and eighty-seven one-hundredths (1887.87) feet, a distance of sixty-one and seventy-five one-hundredths (61.75) feet to a point which the radius bears north  $77^{\circ}36'46''$  east; thence south  $89^{\circ}38'36''$  east a distance of two hundred seventy and thirteen one-hundredths (270.13) feet; thence north  $0^{\circ}28'52''$  east a distance of one hundred ninety-four and ten one-hundredths (194.10) feet to a point on the south boundary line of said Prospect Addition; thence east along said south boundary line a distance of thirty-seven and forty-five one-hundredths (37.45) feet to the point of beginning.

In Prospect Beach Addition  
to the City of Ballard, now  
a portion of the City of Seattle

The east twenty (20) feet of Lots four (4) to six (6) inclusive, Block Seven (7)

Section 2. That the following described lot, block, tract or parcel of land and the appurtenances thereunto belonging be, and the same is hereby, condemned, appropriated and taken in fee simple for general municipal purposes, to-wit:

The west ten (10) feet of the east forty (40) feet of the north one hundred (100) feet of Lot two (2), block four (4), Brygger's Four-acre Home Tracts to the City of Ballard, now a portion of the City of Seattle;

and that said land and the appurtenances thereunto belonging are to be taken and appropriated only after just compensation has been made or paid into court for the owner thereof, in the manner provided by law.

Section 3. That the curb grades of 34th Avenue Northwest from West 59th Street to West 62nd Street, and from West 68th Street to West 70th Street, of 36th Avenue Northwest from West 59th Street to West 62nd Street, and of West 60th

Street from 32nd Avenue Northwest to the Great Northern Railway Company's right-of-way, and West 61st Street from 36th Avenue Northwest to the Great Northern Railway Company's right-of-way, be, and the same are hereby, established at the following elevations above city datum, to-wit:

On 34th Avenue Northwest

At the south margin of West 59th Street, at existing elevations:

East curb 99.50 feet  
West curb 99.00 feet

At the north margin of West 59th Street:

East curb 100.50 feet  
West curb 100.00 feet

At the south margin of West 60th Street:

East curb 108.50 feet  
West curb 108.00 feet

At a point fifty (50) feet north of the last mentioned point:

East curb 110.05 feet  
West curb 109.55 feet

At the south margin of West 62nd Street, at existing elevations:

East curb 131.30 feet  
West curb 130.40 feet

At the north margin of West 68th Street, at existing elevations:

East curb 188.21 feet  
West curb 187.55 feet

At the south margin of West 70th Street:

East curb 202.10 feet  
West curb 201.70 feet

At the north margin of West 70th Street, at existing elevations:

North curb 204.00 feet  
South curb 203.50 feet

On 36th Avenue Northwest

At the north margin of West 59th Street, at elevations conforming to the existing grade, on West 59th Street:

East curb 75.60 feet  
West curb 75.10 feet

At the south margin of West 60th Street:

East curb 70.00 feet  
West curb 69.90 feet

On an upper roadway on  
said 36th Avenue Northwest

At the north margin of West 60th Street, as widened herein:  
East curb 70.00 feet  
West curb 70.00 feet

At a point two hundred seventy (270) feet north of the last  
mentioned point, at the beginning of a vertical curve:  
East curb 71.35 feet  
West curb 71.35 feet

At a point one hundred twenty (120) feet north of the last  
mentioned point, at the point of tangency of a vertical curve:  
East curb 74.92 feet  
West curb 74.92 feet

At the south margin of West 62nd Street, at elevations to  
conform with the existing grade on West 62nd Street:  
East curb 85.50 feet  
West curb 85.40 feet

On a lower roadway on said  
36th Avenue Northwest

At the north margin of West 60th Street as widened herein:  
East curb 69.80 feet  
West curb 69.70 feet

At the south margin of West 61st Street, as established herein:  
East curb 57.30 feet  
West curb 57.00 feet

At the north margin of West 61st Street, as established herein:  
East curb 57.30 feet  
West curb 57.00 feet

At the south margin of West 62nd Street, at elevations conforming  
with the existing grade of West 62nd Street:  
East curb 85.20 feet  
West curb 85.00 feet

On West 60th Street

At the west margin of 32nd Avenue Northwest, at existing elevations:  
North curb 125.43 feet  
South curb 124.48 feet

At a point three hundred eight (308) feet east of the east margin  
of 34th Avenue Northwest, at the beginning of a vertical curve:  
North curb 132.65 feet  
South curb 132.15 feet

At a point two hundred forty (240) feet west of the last mentioned point, at the point of tangency of a vertical curve:

North curb 119.00 feet  
South curb 118.35 feet

At the east margin of 34th Avenue Northwest:

North curb 109.75 feet  
South curb 109.00 feet

At the west margin of 34th Avenue Northwest:

North curb 108.75 feet  
South curb 108.00 feet

At the east margin of 36th Avenue Northwest:

North curb 70.00 feet  
South curb 70.00 feet

At a point one hundred sixty (160) feet west of the west margin of 36th Avenue Northwest:

North curb 68.71 feet  
South curb 68.71 feet

On West 61st Street

At a point eighty (80) feet west of the east margin of 36th Avenue Northwest as established herein:

North curb 56.20 feet  
South curb 56.20 feet

At a point three hundred twelve (321) feet west of the last mentioned point:

North curb 25.00 feet  
South curb 25.00 feet

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

Section 4. That in the grading of the above named avenues and streets, the City shall acquire the right, in the case of a cut, to remove the lateral support of the property abutting on said avenues and streets. In every case the right to remove said lateral support shall include the right to carry the slopes back into and upon the abutting real property at least one foot for each foot of depth of cut, and in the case of fills, the right shall be acquired to <sup>extend and</sup> maintain upon the abutting



real property slopes of one and one-half feet for each foot of elevation of fill, for the purpose of acquiring lateral support for said avenues and streets, reserving unto the abutting property owners respectively the right at any time to remove such slopes upon providing other adequate lateral support for said avenues and streets.

Section 5. That all lands, right, privileges and other property lying within the limits of the lots, blocks, <sup>and</sup> tracks of land in Section 1 hereof are hereby condemned, appropriated, taken and damaged for the purpose of public streets and highways, and that all the lands, rights, privileges and other property necessary to be taken, used or damaged in the grading of said avenues and streets, in conformity with the grades established in Section 3 hereof, and in the construction of the necessary slopes for cuts and fills upon the real property abutting on said avenues and streets, as set forth in Section 4 hereof, be, and the same are hereby, condemned, appropriated, taken and damaged for the public use, for such purpose. Said lands, rights, privileges and other property are to be taken and damaged and appropriated only after just compensation has been made or paid into court for the owners thereof, in the manner provided by law.

Section 6. That the entire cost of the improvement provided for herein shall be paid by special assessment upon the property especially benefited, in the manner provided by law, and that no part thereof shall be paid from the General Fund of the City of Seattle; provided, however, that that portion of the improvement provided for in Section 2 hereof shall be paid from the General Fund of the City of Seattle.

(To be used for all Ordinances except Emergency.)

Section 7. 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.

Section 8. 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 17 day of MARCH 1924 and signed by me in open session in authentication of its passage this MARCH 17 1924

*W.B. Fitzgerald*  
President of the City Council.

Approved by me this 27 day of MARCH 1924

*Chas. H. Brown*  
Mayor.

Filed by me this 27 day of MARCH 1924

Attest: *A.W. Carroll*  
City Comptroller and Ex-Officio City Clerk.

[SEAL] By *A.W. Carroll* Deputy Clerk.

Published APR 3 1924

By *A.W. Carroll* City Comptroller and Ex-Officio City Clerk.  
By *A.W. Carroll* Deputy Clerk.