

Ordinance No. 48245

Providing for the laying off, opening, widening, extending and establishing of LAKESIDE AVENUE SOUTH, between Charles Street and Day Street; providing for the establishing of the curb grades of Lakeside Avenue South, from Charles Street to Day Street; providing for the condemnation, appropriation, *****; and providing that the entire cost of such improvement shall be paid by special assessment *****

Council Bill No. 37972

INTRODUCED: <u>24 1924</u>	BY: <u>STREETS & HIGHWAYS</u>
REFERRED: <u>24 1924</u>	TO:
REFERRED:	
REPORTED: <u>JAN 1 1925</u>	VETO:
SECOND READING: <u>JAN 2 1925</u>	PUBLISHED:
THIRD READING: <u>JAN 2 1925</u>	VETO SUSTAINED:
SIGNED:	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED: <u>JAN 2 1925</u>
FILED: <u>JAN 2 1925</u>	PUBLISHED: <u>JAN 27 1925</u>
ENGROSSED:	BY: <u>LAB</u>
VOL. <u>2</u> PAGE <u>415</u>	
COMPARED BY:	AND

104240 - Award of Jury 105987. Refert c/c in 440000 roll.

Ordinance No. 48245

Providing for the laying off, opening, widening, extending and establishing of LAKESIDE AVENUE SOUTH, between Charles Street and Day Street; providing for the establishing of the curb grades of Lakeside Avenue South, from Charles Street to Day Street; providing for the condemnation, appropriation, *****; and providing that the entire cost of such improvement shall be paid by special assessment *****

Council Bill No. 37973

INTRODUCED: 2 3 1924	BY: STREET & COMPANY
REFERRED: 2 4 1924	TO: _____
REFERRED: _____	VETO: _____
REPORTED: JAN 2 1925	PUBLISHED: _____
SECOND READING: _____	VETO SUSTAINED: _____
THIRD READING: _____	PASSED OVER VETO: _____
SIGNED: _____	APPROVED: _____
PRESENTED TO MAYOR: _____	PUBLISHED: JAN 27 1925
FILED: JAN 22 1925	BY: _____
ENDORSED: _____	AND _____
VOL. 21 PAGE 444	
COMPARED BY: _____	

Form 1, SM 6-24 LAHCO 9141

104240 - award of Jury
105387 - Report CC on Affirmative roll

ELY:HK
11-21-24

48245

ORDINANCE NO. 48245

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of LAKESIDE AVENUE SOUTH, between Charles Street and Day Street; providing for the establishing of the curb grades of Lakeside Avenue South from Charles Street to Day Street; 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 avenue; and for the establishing of the grades and for the necessary slopes for cuts and fills upon the property abutting upon 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

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 LAKESIDE AVENUE SOUTH, between Charles Street and Day 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 or tracts of land, to-wit:

IN BURKE'S 2nd ADDITION
TO THE CITY OF SEATTLE.

That portion of Lots Four to Ten (4 to 10) inclusive, Block Seventy-seven (77), described as follows: Beginning at the southwest corner of said Lot Ten (10); thence east along the south line thereof a distance of twenty-eight and sixty-seven one-hundredths (28.67) feet; thence northerly along a straight line a distance of two hundred forty-five and thirty-nine one-hundredths (245.39) feet to a point on the westerly margin of said Lot Four (4), said point being distant twenty-nine and sixty-seven one-hundredths (29.67) feet north from the southwest corner of said lot; thence southerly along the westerly line of said Lots Four to Ten (4 to 10) inclusive, a distance of two hundred forty-seven and forty one-hundredths (247.40) feet to the point of beginning.

That portion of Lots One to Five (1 to 5) inclusive, Block Seventy-eight (78), described as follows: Beginning at the northwest corner of said Lot One (1); thence east along the north line of said lot a distance of thirty-six and seventy-three one-hundredths (36.73) feet; thence southerly along a straight line a distance of one hundred seven and seventy-eight one-hundredths (107.78) feet to a point on the north line of said Lot Four (4), said point being distant fifty-one and sixty-two one-hundredths (51.62) feet east from the northwest corner of said Lot Four (4); thence continuing southerly along the same straight line a distance of twenty-two and twenty-seven one-hundredths (22.27) feet to a point of curvature; thence southerly along the arc of a curve to the left having a uniform radius of three hundred (300) feet a distance of forty-nine and seventy-nine one-hundredths (49.79) feet to a point on the south line of said Lot Five (5), said point being distant thirty-six and fifty-six one-hundredths (36.56) feet east from the southwest corner of said lot; thence westerly along the south line of said Lot Five (5) a distance of thirty-six and fifty-six one-hundredths (36.56) feet to the southwest corner of said Lot Five (5); thence northerly along the southwesterly line of Lots Four and Five (4 & 5), a distance of sixty-eight and thirty-six one-hundredths (68.36) feet to the most westerly corner of said Lot Four (4); thence northeasterly along the northwesterly line of Lots Four to One (4 to 1) inclusive, a distance of one hundred fifteen and thirty-six one-hundredths (115.36) feet to the point of beginning.

That portion of Lots Six to Ten (6 to 10) inclusive, Block Seventy-eight (78), described as follows: Beginning at the northwest corner of said Lot Six (6); thence southeasterly along the southwesterly line of said Lots Six to Ten (6 to 10) inclusive, a distance of one hundred eighty-seven and twenty-two one-hundredths (187.22) feet to the southwest corner of said Lot Ten (10); thence north $89^{\circ} 46' 46''$ east along the south line of said Lot Ten (10) a distance of sixty-four and three one-hundredths (64.03) feet; thence northwesterly along the arc of a curve to the left having a uniform radius of three hundred seventy-five (375) feet, (the radius of said curve bearing south $64^{\circ} 24' 41''$ west from said point), a distance of thirty-eight and eighty-four (38.84) feet to a point of tangency; thence northwesterly along the tangent of said curve a distance of forty-one and thirty-eight one-hundredths (41.38) feet to a point of curvature; thence northwesterly and northerly along the arc of a curve to the right having a uniform radius of three hundred (300) feet a distance of one hundred eighteen and no one-hundredths (118.00) feet to an intersection with the north line of said Lot Six (6); thence west along said north line a distance of thirty-six and fifty-six one-hundredths (36.56) feet to the point of beginning;

That portion of Lots One to Four (1 to 4) inclusive, Block Seventy-nine (79), described as follows: Beginning at the northwest corner of said Lot One (1); thence southeasterly along the southwesterly line of said Lots One to Four (1 to 4) inclusive, a distance of one hundred seventy-five and eighty-eight one-hundredths (175.88) feet to the southwest corner of said Lot Four (4); thence east along the south line of said Lot Four (4) a distance of forty-two and ninety-two one-hundredths (42.92) feet; thence northwesterly along a straight line a distance of one hundred sixty-seven and ninety-three one-hundredths (167.93) feet to an intersection with the north line of said Lot One (1) at a point sixty-five and twelve one-hundredths (65.12) feet east from the northwest corner of said lot; thence west along said north line a distance of sixty-five and twelve one-hundredths (65.12) feet to the point of beginning;

That portion of Lot Five (5) and the north one-half of Lot Six (6), Block Seventy-nine (79), described as follows: Beginning at the northwest corner of said Lot Five (5); thence southeasterly along the southwesterly line of said Lots Five (5) and Six (6), a distance of sixty-five and ninety-six one-hundredths (65.96) feet; thence easterly along a line twenty and two one-hundredths (20.02) feet south from and parallel with the north line of said Lot Six (6) a distance of thirty-four and fifty-nine one-hundredths (34.59) feet; thence northwesterly along a straight line a distance of sixty-two and ninety-eight one-hundredths (62.98) feet to an intersection with the north line of said Lot Five (5), at a point forty-two and ninety-two one-hundredths (42.92) feet east from the northwest corner of said lot; thence west along said north line a distance of forty-two and ninety-two one-hundredths (42.92) feet to the point of beginning.

That portion of the south one-half ($\frac{1}{2}$) of Lot Six (6) and all of Lot Seven (7), Block Seventy-nine (79), described as follows: Beginning at the southwest corner of said Lot Seven (7); thence northwesterly along the southwesterly line of said Lots Six (6) and Seven (7), a distance of sixty-five and ninety-six one-hundredths (65.96) feet; thence easterly along a line twenty and two one-hundredths (20.02) feet south from and parallel with the north line of said Lot Six (6) a distance of thirty-four and fifty-nine one-hundredths (34.59) feet; thence southeasterly along a straight line a distance of sixty-two and ninety-eight one-hundredths (62.98) feet to an intersection with the south line of said Lot Seven (7) at a point twenty-six and twenty-seven one-hundredths (26.27) feet east from the southwest corner of said Lot Seven (7); thence west along said south line a distance of twenty-six and twenty-seven one-hundredths (26.27) feet to the point of beginning.

That portion of Lot Eight (8), Block Seventy-nine (79), described as follows: Beginning at the northwest corner of said lot; thence southeasterly along the southwesterly line of said lot a distance of forty-three and ninety-seven one-hundredths (43.97) feet to the southwest corner of said lot; thence east along the south line of said lot a distance of twenty and seventy-two one-hundredths (20.72) feet; thence northwesterly along a straight line a distance of forty-one and ninety-eight one-hundredths (41.98) feet to an intersection with the north line of said Lot Eight (8), at a point twenty-six and twenty-seven one-hundredths (26.27) feet easterly from the northwesterly corner of said lot; thence west along the north line of said lot a distance of twenty-six and twenty-seven one-hundredths (26.27) feet to the point of beginning.

That portion of Lot Nine (9), Block Seventy-nine (79), lying westerly of a line drawn from a point on the south line of said lot fifteen and seventeen one-hundredths (15.17) feet east from the southwest corner of said lot to a point on the north line of said lot twenty and seventy-two one-hundredths (20.72) feet east from the northwest corner of said lot.

That portion of Lots One (1) and Two (2), Block Eighty (80), described as follows: Beginning at the northwest corner of said Lot One (1); thence southeasterly along the southwesterly line of said Lots One (1) and Two (2), a distance of sixty-four and seventy-six one-hundredths (64.76) feet; thence northwesterly along a straight line a distance of sixty-two and eighteen one-hundredths (62.18) feet to a point on the north line of said Lot One (1), said point being distant seven and thirty-two one-hundredths (7.32) feet east from the northwest corner of said Lot One (1); thence west along said north line a distance of seven and thirty-two one-hundredths (7.32) feet to the point of beginning.

Section 2. That the curb grades of Lakeside Avenue South, from Charles Street to Day Street, be and the same are hereby established to the following elevations above City datum, to-wit:

ON LAKESIDE AVENUE SOUTH,
AS WIDENED HEREIN.

At the south margin of Charles Street:

East Curb	28.00 Feet
West Curb	28.50 "

At the north margin of Norman Street:

East Curb	22.75 Feet
West Curb	23.25 "

That portion of Lot Eight (8), Block Seventy-nine (79), described as follows: Beginning at the northwest corner of said lot; thence southeasterly along the southwesterly line of said lot a distance of forty-three and ninety-seven one-hundredths (43.97) feet to the southwest corner of said lot; thence east along the south line of said lot a distance of twenty and seventy-two one-hundredths (20.72) feet; thence northwesterly along a straight line a distance of forty-one and ninety-eight one-hundredths (41.98) feet to an intersection with the north line of said Lot Eight (8), at a point twenty-six and twenty-seven one-hundredths (26.27) feet easterly from the northwesterly corner of said lot; thence west along the north line of said lot a distance of twenty-six and twenty-seven one-hundredths (26.27) feet to the point of beginning.

That portion of Lot Nine (9), Block Seventy-nine (79), lying westerly of a line drawn from a point on the south line of said lot fifteen and seventeen one-hundredths (15.17) feet east from the southwest corner of said lot to a point on the north line of said lot twenty and seventy-two one-hundredths (20.72) feet east from the northwest corner of said lot.

That portion of Lots One (1) and Two (2), Block Eighty (80), described as follows: Beginning at the northwest corner of said Lot One (1); thence southeasterly along the southwesterly line of said Lots One (1) and Two (2), a distance of sixty-four and seventy-six one-hundredths (64.76) feet; thence northwesterly along a straight line a distance of sixty-two and eighteen one-hundredths (62.18) feet to a point on the north line of said Lot One (1), said point being distant seven and thirty-two one-hundredths (7.32) feet east from the northwest corner of said Lot One (1); thence west along said north line a distance of seven and thirty-two one-hundredths (7.32) feet to the point of beginning.

Section 2. That the curb grades of Lakeside

Avenue South, from Charles Street to Day Street, be and the same are hereby established to the following elevations above City datum, to-wit:

ON LAKESIDE AVENUE SOUTH,
AS WIDENED HEREIN.

At the south margin of Charles Street:

East Curb	28.00 Feet
West Curb	28.50 "

At the north margin of Norman Street:

East Curb	22.75 Feet
West Curb	23.25 "

At the south margin of Norman Street:

East Curb	21.89 Feet
West Curb	22.39 "

At a point 129.97 feet south of the south margin of Norman Street; measured along the east margin of Lakeside Avenue South, as established herein:

East Curb	20.00 Feet
West Curb	20.50 "

Opposite the intersection of the east margin of Lakeside Avenue South, as established herein, with the north margin of Judkins Street:

East Curb	22.30 Feet
West Curb	22.80 "

Opposite the intersection of the east margin of Lakeside Avenue South, as established herein, with the south margin of Judkins Street:

East Curb	22.89 Feet
West Curb	23.39 "

Opposite the intersection of the east margin of Lakeside Avenue South, as established herein, with the north margin of Irving Street:

East Curb	26.35 Feet
West Curb	26.85 "

Opposite the intersection of the east margin of Lakeside Avenue South, as established herein, with the south margin of Irving Street:

East Curb	26.93 Feet
West Curb	27.43 "

At a point approximately sixty-three (63) feet north of the intersection of the east margin of Lakeside Avenue South with the north margin of Day Street:

East Curb	30.00 Feet
West Curb	30.50 "

That the curb gradients shall be of a uniform rate of grade between the elevations established herein.

Section 3. 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, and 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 said avenue.

Section 4. 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, as set forth in Section 3 hereof, are hereby condemned, appropriated, taken and damaged for the public use for such purposes; and 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 5. 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 6. 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 7. 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 12 day of JANUARY 1925
and signed by me in open session in authentication of its passage this 12 day of JANUARY, 1925 Wm Henry Lauder

President _____ of the City Council.

Approved by me this 22 day of JANUARY 1925
Chas Brown
Mayor.

Filed by me this 22 day of JANUARY 1925

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

By Chas Brown
Deputy Clerk.

(SEAL)

Published JAN 27 1925

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

By Chas Brown
Deputy Clerk.

3M-6-24 L&HCo. 3146