

50867

**Ordinance No. 50867**

Providing for the laying off, opening, extending and establishing of 2nd Avenue, from Yeolar Way to 4th Avenue South; providing for the changing and establishing of the curb grades of said avenue, etc.

(ENCLOSURE WILL)

**Council Bill No. 30152**

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| SIGN:                           | PASSD OVER VETO: |
| SENT TO MAYOR:                  | APPROVED:        |
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| ENCLOSED:                       | BY:              |
| VOL. <i>B 2</i> PAGE <i>203</i> | <i>MCK</i>       |
| COMPARED BY:                    | AND              |

*57132 - numbering of buildings on*

*111 261 - amount of jury*

*1126 58 - April 30 - stipulations for judgment & decree*

*53760 - Dismiss certain property*

*854311 - Payment of Cost & Expense of*

*1140476 - Report & Counsel on confirmation act, roll*

*254786 - app. money from 2nd and Condon fund to custody supervisor court*

**SEE BACK COVER**

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(UNOFFICIAL COPY)

45.11  
Council Bill No. 44152

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| FILED:                        | PUBLISHED:        |
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| VOL. <u>2</u> PAGE <u>303</u> | <u>M &amp; K</u>  |
| COMPARED BY:                  | AND               |

ORD 102748 -AUTH SALE & CONVEYANCE TO ROBERT A & CYNTHIA MASIN, OF CERTAIN CITY PROPERTY  
LOCATED AT THE TRIANGLE FORMED NORTHERLY OF 2ND AVE EXT. S. & AT ITS INTER-  
SECTION WITH 3RD AVE S.

ORDINANCE NO. 50867

AN ORDINANCE Providing for the laying off, opening, extending and establishing of 2nd Avenue, from Yesler Way to 4th Avenue South; providing for the changing and establishing of the curb grades of said avenue, and of 2nd Avenue South from Yesler Way to Main Street, 3rd Avenue South from 2nd Avenue as extended herein to Jackson Street, Yesler Way from 2nd Avenue South to a point approximately one hundred fifty-four (154) feet easterly therefrom, and Washington Street from the alley between Occidental Avenue and 2nd Avenue South to 3rd Avenue South; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor and necessary for the acquiring of the right to maintain the lateral support of said avenues, way, and street, by the making of slopes for cuts and fills upon the abutting property; 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, extended and established as a public street and highway, and that the curb grades of the above named avenues, way and street be changed and established; and

WHEREAS, Such improvement will be of special benefit to certain lands and other property, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That 2nd Avenue, from Yesler Way to 4th Avenue South, be and the same is hereby laid off, opened, extended and established as a public street and highway over and across the following lots, blocks or tracts of land, to-wit:

IN D. C. MAYNARD'S PLAT OF THE TOWN, NOW CITY, OF SEATTLE

That portion of Lots Two (2), Three (3), and Four (4), in Block Sixteen (16), described as follows:

Beginning at a point on the south line of said Lot Four (4), said point being distant thirty-two and fifty-seven one-hundredths (32.57)

feet west from the southeast corner of said lot; thence west along the south line of said lot a distance of seventy-five and forty-three one-hundredths (75.43) feet to an intersection with the east margin of 2nd Avenue South as now established; thence north along said east margin a distance of one hundred twenty-one and thirty-two one-hundredths (121.32) feet; thence southeasterly along a straight line a distance of one hundred forty-two and eighty-four one-hundredths (142.84) feet to the point of beginning.

That portion of Lots One (1), Two (2), and Three (3), in Block Fifteen (15), described as follows:

Beginning at a point on the north line of said Lot One (1), said point being distant ten and forty-nine one-hundredths (10.49) feet east from the intersection of said north line with the east margin of 2nd Avenue South, as now established; thence east along said north line a distance of ninety-seven and fifty-one one-hundredths (97.51) feet to the northeast corner of said Lot One (1); thence south along the east line of said Lots One (1) to Three (3), inclusive, a distance of one hundred fifty-six and eighty-four one-hundredths (156.84) feet; thence northwesterly along a straight line a distance of one hundred eighty-four and sixty-five one-hundredths (184.65) feet to the point of beginning.

That portion of Lots Five (5), Six (6), Seven (7), and Eight (8), in Block Fifteen (15), described as follows:

Beginning at a point on the south line of said Lot Five (5), said point being distant thirty-six and thirty-two one-hundredths (36.32) feet east from the southwest corner of said lot; thence east along said south line a distance of eighty-three and sixty-eight one-hundredths (83.68) feet to the southeast corner of said Lot Five (5); thence north along the east line of said Lot Five (5) a distance of thirty-five and eighty-seven one-hundredths (35.87) feet; thence northwesterly along a straight line a distance of two hundred twenty-seven and seven one-hundredths (227.07) feet to a point on the west line of said Lot Eight (8), said point being distant eleven and forty-two one-hundredths (11.42) feet south from the northwest corner of said Lot Eight (8); thence south along the west line of Lots Eight (8), Seven (7), Six (6), and Five (5), a distance of one hundred seventy and thirty-one one-hundredths (170.31) feet; thence southeasterly along a straight line a distance of sixty-eight and seventy-three one-hundredths (68.73) feet to the point of beginning.

That portion of Lots Seven (7) and Eight (8), in Block Fourteen (14), described as follows:

Beginning at a point on the north line of said Lot Eight (8), said point being distant seventy-seven and forty-one-hundredths (77.40) feet east from the northwest corner of said lot; thence east along said north line a distance of forty-two and sixty one-hundredths (42.60) feet to the northeast corner of said lot; thence south along the east line of said Lots Eight (8) and Seven (7), a distance of sixty-eight and forty-three one-hundredths (68.43) feet; thence northwesterly along a straight line a distance of eighty and fifty-nine one-hundredths (80.59) feet to the point of beginning.

That portion of Lots One (1), Two (2), Three (3), and Four (4), in Block Nineteen (19), described as follows:

Beginning at a point on the west line of said Lot One (1), said point being distant four and nineteen one-hundredths (4.19) feet south from the northwest corner of said lot; thence south along the west line of said Lots One (1) to Four (4), inclusive, a distance of two hundred twenty-six and eighty-one one-hundredths (226.81) feet to an intersection with the north margin of Jackson Street as now established; thence east along said north margin a distance of one hundred twenty (120) feet to an intersection with the east line of said Lot Four (4); thence north along the east line of said Lot Four (4) a distance of thirty-three and ninety-five one-hundredths (33.95) feet; thence northwesterly along a straight line a distance of two hundred twenty-seven and seven one-hundredths (227.07) feet to the point of beginning.

That portion of Lot Five (5), in Block Nineteen (19), described as follows:

Beginning at a point on the west line of said Lot Five (5), said point being distant forty-two and seventy-seven one-hundredths (42.77) feet south from the northwest corner of said lot; thence south along said west line a distance of eight and twenty-three one-hundredths (8.23) feet to an intersection with the north margin of Jackson Street, as now established; thence east along said north margin a distance of five and twelve one-hundredths (5.12) feet; thence northwesterly along a straight line a distance of nine and sixty-nine one-hundredths (9.69) feet to the point of beginning.

That portion of Block Twenty (20) and the vacated alley included in said block, described as follows:

Beginning at a point on the south margin of Jackson Street as now established, said point

being distant fifty-three and twenty-six one-hundredths (53.26) feet west from the intersection of said south margin with the west margin of 4th Avenue South as now established; thence west along said south margin of Jackson Street a distance of eighty-two and forty-two one-hundredths (82.42) feet; thence southeasterly along a straight line a distance of two hundred forty-eight and twenty-three one-hundredths (248.23) feet to a point on the west margin of 4th Avenue South as now established, said point being distant two hundred eleven and twenty-two one-hundredths (211.22) feet south from their intersection of said west margin with the south margin of said Jackson Street; thence north along said west margin a distance of one hundred twenty-eight and thirty-one one-hundredths (128.31) feet; thence northwesterly along a straight line a distance of ninety-seven and sixty one-hundredths (97.60) feet to the point of beginning.

Provided that overhead rights only shall be acquired on that portion of Block Twenty (20) and vacated alley included in Block Twenty (20), described above,

Section 2. That the curb grades of 2nd Avenue as extended herein, of 2nd Avenue South from Yesler Way to Main Street, of 3rd Avenue South from 2nd Avenue as extended herein to Jackson Street, of Yesler Way from 2nd Avenue South to a point approximately one hundred fifty-four (154) feet easterly therefrom, and of Washington Street from the alley between Occidental Avenue and 2nd Avenue South to 3rd Avenue South, be and the same are hereby changed and established to the following elevations above city datum, to-wit:

ON 2nd AVENUE AS EXTENDED HEREIN

At the south margin of Yesler Way at existing elevation:

Southwesterly Curb            26.98 feet

Opposite the intersection of the southwesterly margin of 2nd Avenue as extended herein with the west margin of 2nd Avenue South:

Southwesterly Curb            24.60 feet

Opposite the intersection of the northeasterly margin of 2nd Avenue as extended herein with the east margin of 2nd Avenue South:

Northeasterly Curb            26.50 feet

Opposite the intersection of the north-easterly margin of 2nd Avenue as extended herein with the north margin of Washington Street:

Northeasterly Curb 23.00 feet

At the south margin of Washington Street:

Southwesterly Curb 22.18 feet

Opposite the intersection of the north-easterly margin produced of 2nd Avenue as extended herein with the south margin produced of Washington Street:

Northeasterly Curb 22.60 feet

205  
Opposite the intersection of the north-easterly margin of 2nd Avenue as extended herein with the west margin of 3rd Avenue South at an elevation conforming with the existing grade on 3rd Avenue South:

Northeasterly Curb 21.30 feet

At the north margin of Main Street at an elevation conforming with the existing grade on Main Street:

Southwesterly Curb 20.75 feet

At the south margin of Main Street at an elevation conforming with the existing grade on Main Street:

Southwesterly Curb 20.80 feet

At the west margin of 3rd Avenue South:

Southwesterly Curb 21.50 feet

At the east margin of 3rd Avenue South at an elevation conforming with the existing grade on 3rd Avenue South:

Northeasterly Curb 22.15 feet

Opposite a point approximately sixteen (16) feet northwesterly from the intersection of the northeasterly margin of 2nd Avenue as extended herein with the west margin of the alley as platted in Block Nineteen (19), D. S. Maynard's Plat of the Town (now City) of Seattle:

Northeasterly Curb 27.50 feet

At the south margin of Jackson Street as now established, at an elevation conforming with the existing grade on said Jackson Street:

Northeasterly Curb 29.20 feet  
Southwesterly Curb 28.50 "



At the west margin of 4th Avenue South as now established, at an elevation conforming with the existing grade on 4th Avenue South:

|                    |            |
|--------------------|------------|
| Northeasterly Curb | 29.90 feet |
| Southwesterly Curb | 30.35 "    |

ON 2nd AVENUE SOUTH

At the south margin of Yesler Way:

|           |            |
|-----------|------------|
| East Curb | 35.74 feet |
|-----------|------------|

At the intersection of a line sixteen (16) feet west from and parallel with the east margin of 2nd Avenue South as now established, with the northeasterly margin of 2nd Avenue as extended herein:

|           |            |
|-----------|------------|
| East Curb | 28.00 feet |
|-----------|------------|

At the north margin of Washington Street:

|           |            |
|-----------|------------|
| West Curb | 21.80 feet |
|-----------|------------|

At the south margin of Washington Street:

|           |            |
|-----------|------------|
| East Curb | 21.90 feet |
|-----------|------------|

|           |            |
|-----------|------------|
| West Curb | 21.20 feet |
|-----------|------------|

At the north margin of Main Street at existing elevations:

|           |            |
|-----------|------------|
| East Curb | 19.50 feet |
|-----------|------------|

|           |            |
|-----------|------------|
| West Curb | 19.50 feet |
|-----------|------------|

ON 3rd AVENUE SOUTH

Opposite the intersection of the west margin of 3rd Avenue South with the southwesterly margin of 2nd Avenue as extended herein:

|           |            |
|-----------|------------|
| West Curb | 22.00 feet |
|-----------|------------|

At the north margin of Jackson Street, at existing elevation:

|           |            |
|-----------|------------|
| West Curb | 26.60 feet |
|-----------|------------|

ON YESLER WAY

At the east margin of 2nd Avenue South:

|            |            |
|------------|------------|
| South Curb | 37.34 feet |
|------------|------------|

At a point approximately one hundred fifty-four (154) feet easterly therefrom, at existing elevation:

|            |            |
|------------|------------|
| South Curb | 49.20 feet |
|------------|------------|

ON WASHINGTON STREET

At the east margin of the alley between Occidental Avenue and 2nd Avenue South, at existing elevations:

North Curb 19.05 feet

South Curb 19.05 feet

At the west margin of 2nd Avenue South as now established:

North Curb 21.50 feet

South Curb 21.20 feet

At the east margin of 2nd Avenue South:

South Curb 22.80 feet

Opposite the intersection of the north margin of Washington Street with the northeasterly margin of 2nd Avenue as extended herein:

North Curb 22.90 feet

At the east margin of the alley between 2nd Avenue South and 3rd Avenue South:

South Curb 22.90 feet

At the west margin of 3rd Avenue South, at existing elevations:

North Curb 25.00 feet

South Curb 25.00 feet

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

Section 3. That in the grading and regrading of the above named avenues, way and street, the city shall acquire the right in the case of a cut to remove the lateral support abutting on said avenues, way and street. 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 avenues, way and 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 avenues, way and street.

Section 4. 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 and regrading of said avenues, way and street 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 avenues, way and street, 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 26 day of 1916 and signed by me in open session in authentication of its passage this 26 day of 1916

Approved by me this 3 day of 1916  
President of the City Council  
Mayor.

Filed by me this 3 day of 1916  
Attest: City Comptroller and Ex-Officio City Clerk.  
By: Deputy Clerk.

Published: City Comptroller and Ex-Officio City Clerk.  
By: Deputy Clerk.