

Ordinance No. 52039

52039

Providing for the laying off, etc. of 15th Ave. N. T. from a pt. approx. 223 feet south of south margin of West 65th Street to West 85th Street; providing for changing and establishing grades; providing for condemnation, etc. of land and other property; providing that entire cost of such improvement be paid by special assessment upon property specially benefited, in the manner provided by law.

11/18/26
5+

Council Bill No. 42118

INTRODUCED: <i>NOV 8 1926</i>	BY: <i>STREETS & AVENUES</i>
REFERRED:	TO:
REFERRED:	
REPORTED: <i>1926</i>	VETO:
SECOND READING:	PUBLISHED:
THIRD READING:	VETO SUSTAINED:
SIGNED:	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED: <i>NOV 16 1926</i>
FILED:	PUBLISHED: <i>NOV 20 1926</i>
ENGROSSED: <i>31</i>	BY: <i>M. G. K.</i>
VOL. <i>B2</i> PAGE <i>39</i>	
COMPARED BY:	AND

Form I. SM 6-24 L&HCo 9147

*118644 = record of 1927
120889 - Report of Council on 1926*

Ordinance No. 52039

Providing for the laying off, etc. of 15th Ave. N. E. from S. P. approx. 223 feet south of south margin of West 67th Street to West 95th Street; providing for changing and establishing grades; providing for condemnation, etc. of land and other property; providing that entire cost of such improvement be paid by special assessment upon property specially benefited, in the manner provided by law.

Council Bill No. 42118

INTRODUCED:	BY: WETS & WETZ
REFERRED:	TO:
REFERRED:	
REPORTED:	1925
REPORTED:	VETO:
SECOND READING:	PUBLISHED:
THIRD READING:	VETO SUSTAINED:
SIGNED:	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED: 8/10/25
FILED:	PUBLISHED: NOV 30 1925
ENROSSED:	BY: M. G. K.
VOL. 122 PAGE 39	
COMPARED BY:	

118641 - award of jury
120889 - Report & transcript on roll

Prepared at request of

Ed. Shaw

106166

ELY:C
11-5-26

ORDINANCE NO. 52039

AN ORDINANCE Providing for laying off, opening, widening and establishing 15th Avenue Northwest, from a point approximately two hundred thirty-three (233) feet south of the south margin of West 65th Street to West 85th Street; providing for the changing and establishing of the grades of said 15th Avenue Northwest; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor, and for the necessary slopes for cuts and fills upon the property abutting on said avenue; providing that the entire cost of such improvement shall be paid by special assessment on the property specially benefited in the manner provided by law.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That 15th Avenue Northwest, from a point approximately two hundred thirty-three (233) feet south of the south margin of West 65th Street to West 85th Street, be, and the same is hereby, laid off, opened, widened and established as a public street and highway over and across the following lots, blocks and tracts of land, to-wit:

In the Map of Gilman Park^{SE}, Addition to the City of Seattle, (Volume 3 of Plate, Page 40).

That portion of Block five (5) described as follows: Beginning at a point on the east line of said block, said point being twenty-five (25) feet south of the northeast corner of Lot twelve (12), said Block; thence north along the east line of said block a distance of ninety-four and sixtyseven one-hundredths (94.67) feet to a point of curvature; thence northwesterly along the arc of a curve to the left, having a uniform radius of thirty (30) feet a distance of forty-seven and twenty-three one-hundredths (47.23) feet to a point of tangency on the north line of said block; thence west along the north line of said block a distance of twenty-two and eighty one-hundredths (22.80) feet; thence southeasterly along the arc of a curve to the right having a uniform radius of twenty (20) feet a distance of nineteen and thirty-three one-hundredths (19.33) feet to a point of compound curve; thence, continuing southeasterly along the arc of the curve to the right having a uniform radius of two hundred three (203) feet a distance of one hundred twenty-three and forty-nine one-hundredths (123.49) feet to the point of beginning.

In the Replat of Lots 8, 9 and 10, Block "A", Hamblet's Acre Gardens, an Addition to the City of Seattle, (Volume 5 of Plats, Page 46.)

That portion of Block 1 described as follows: Beginning at the intersection of the east margin of 15th Avenue Northwest, (as now established) with the north line of said block; thence south along said easterly margin a distance of two hundred twenty two and thirty-one one-hundredths (222.31) feet; thence northerly along the arc of a curve to the right having a uniform radius of one hundred fifty-five (155) feet a distance of fifty-six and ninety-six one-hundredths (56.96) feet to a point of tangency; thence north along the tangent to said curve a distance of one hundred sixty-two and thirty-eight one-hundredths (162.38) feet to a point on the north line of said block, said point being distant fifteen (15) feet east from the intersection of said north line with the east margin of said 15th Avenue Northwest, as now established; thence west along said north margin a distance of fifteen (15) feet to the point of beginning.

In Hamblet's Acre Gardens, an Addition to the City of Seattle, (Volume 4 of Plats, Page 60.)

That portion of Lot one (1) Block "A", which lies west of a line fifteen (15) feet east from and parallel with the east margin of 15th Avenue Northwest, as established by Ordinance No. 18153.

In the Replat of Blocks "C" and "D", Hamblet's Acre Gardens, an Addition to the City of Seattle, (Volume 8 of Plats, Page 23)

The West fifteen (15) feet of Lot two (2), Block one (1), except portion condemned under Ordinance No. 21008.

The west fifteen (15) feet of Lots three (3) to twenty-four (24) inclusive, Block one (1).

In Salmon Bay Park Addition to the City of Seattle, (Volume 4 of Plats, Page 76)

That portion of Block one (1) described as follows: Beginning at the northeast corner of said block; thence west along the north line of said block a distance of fifteen and nineteen one-hundredths (15.19) feet; thence southerly along a straight line a distance of two hundred sixty-seven and eighty-one one-hundredths (267.81) feet to a point on the north line of West 65th Street, as established by Ordinance No. 24146, said point being distant fifteen and thirty-five one-hundredths (15.35) feet west from the intersection of said north margin with the east line of said block; thence east along said north margin a distance of fifteen and thirty-five one-hundredths (15.35) feet to the east line of said block; thence north along said east line a distance of two hundred sixty-seven and eighty-two one-hundredths (267.82) feet to the point of beginning.

That portion of Block four (4) described as follows:
Beginning at the northeast corner of said block;
thence west along the north line thereof a distance
of fifteen (15) feet; thence south along a straight
line a distance of three hundred (300) feet to a
point on the south line of said block, said point
being fifteen and nineteen one-hundredths (15.19)
feet west from the southeast corner of said block;
thence east along said south line a distance of fif-
teen and nineteen one-hundredths (15.19) feet to the
southeast corner of said block; thence north along the
east line of said block a distance of three hundred
(300) feet to the point of beginning.

That portion of Block five (5) lying east of a line
forty-five (45) feet west from and parallel with the
center line of 15th Avenue Northwest as now established.

That portion of block eight (8) which lies east of a
line forty-five (45) feet west from and parallel with
the center line of 15th Avenue Northwest as now es-
tablished.

That portion of Block nine (9) which lies east of a
line forty-five (45) feet west from and parallel with
the center line of 15th Avenue Northwest as now
established.

That portion of Block twelve (12) which lies east of
a line forty-five (45) feet west from and parallel
with the center line of 15th Avenue Northwest as now
established.

That portion of Block thirteen (13) which lies east
of a line forty-five (45) feet west from and parallel
with the center line of 15th Avenue Northwest as now
established.

That portion of Block sixteen (16) which lies east
of a line forty-five (45) feet west from and parallel
with the center line of 15th Avenue Northwest as now
established.

In Ballard Park Addition to the City of
Seattle, (Volume 4 of Plats, Page 80)

The west fifteen (15) feet of Lots twenty-six (26) to
fifty (50) inclusive, Block eleven (11).

The west fifteen (15) feet of Lots twenty-six (26) to
forty-nine (49) inclusive, Block ten (10).

The West fifteen (15) feet of Lot fifty (50) Block
ten (10), except portion condemned under Ordinance
No. 21222.

In Hoyt's Garden Acre Tracts to the City
of Ballard, now a portion of the City
of Seattle, (Volume 9 of Plats,
Page 62).

The west fifteen (15) feet of Tract one (1).

The west fifteen (15) feet of Tract three (3).

The west fifteen (15) feet of Tract four (4);
The west fifteen (15) feet of Tract five (5); except
portion condemned by Ordinance No.47618;
The west fifteen (15) feet of Tract six(6), except
portion condemned by Ordinance No.47618;
The west fifteen (15) feet of Tract seven (7);
The west fifteen (15) feet of Tract eight (8);
The west fifteen (15) feet of Tract nine (9);
The west fifteen (15) feet of Tract **Ten** (10), except
portion condemned by Ordinance No.47618.

In C. J. Sheriff's Addition to the City of
Seattle, (Volume 20 of Plats, Page 20).

The west fifteen (15) feet of Tract one (1);
The west fifteen (15) feet of Tract two (2);
The west fifteen (15) feet of Tract three (3);

In Burke & Farrar's 5th Addition to the
City of Seattle, (Volume 18 of Plats,
Page 79).

The east twelve (12) feet of Lots seventeen to thirty-
two (17 to 32) inclusive, Block six (6);
The east twelve (12) feet of Lots sixteen to thirty
(16 to 30) inclusive, Block five (5);

In Schuermann's Garden Acre Tracts to
the City of Ballard, now a portion
of the City of Seattle, (Volume 9
of Plats, Page 53.)

The east twelve (12) feet of Tract one (1), except por-
tion condemned under Ordinance No. 47618;
The east twelve (12) feet of Tract two (2);
The east twelve (12) feet of Tract three (3);
The east twelve (12) feet of Tract four (4);
The east twelve (12) feet of Tract five (5);
The east twelve (12) feet of Tract six (6);
The east twelve (12) feet of Tract seven (7);
The east twelve (12) feet of Tract eight (8), except
portion condemned under Ordinance No.49094;
The east twelve (12) feet of Tract nine (9); except
portion condemned under Ordinance No.49094;

The east twelve (12) feet of Tract ten (10);
The east twelve (12) feet of Tract eleven (11);
The east twelve (12) feet of Tract twelve (12);
The east twelve (12) feet of Tract thirteen (13);
The east twelve (12) feet of Tract fourteen (14);
The east twelve (12) feet of Tract fifteen (15); except
portion condemned under Ordinance No. 45447.

In Ballard Heights Addition to the City of
Seattle, (Volume 21 of Plats, Page 12).

West fifteen (15) feet of Lots one (1) to ten (10)
inclusive, Block one (1).

In Scheuermann's Garden Acre Tracts No. 2
to the City of Ballard, now a portion
of the City of Seattle (Volume 9 of
Page, Page 91).

The west fifteen (15) feet of Tract one (1);
The west fifteen (15) feet of Tract two (2), except portion
condemned by Ordinance No. 47619;
The west fifteen (15) feet of Tract three (3);
The west fifteen (15) feet of Tract four (4);
The west fifteen (15) feet of Tract five (5), except
portion condemned by Ordinance No. 45447.

Section 2. That the curb grades now existing on 15th
Avenue Northwest be, and the same are hereby, established over
the widened portions of said 15th Avenue Northwest, as set
forth in Section 1 hereof; 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 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 in-
clude 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 one (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 avenue in conformity with the grades established in Section two (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 three (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

(To be used for all Ordinances except Emergency.)

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 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 15 day of NOVEMBER, 1926.

and signed by me in open session in authentication of its passage this 15 day of NOVEMBER, 1926.

President Pro Tem of the City Council.

Approved by me this 16 day of NOVEMBER, 1926.

Wm. Williamson Moore
Acting Mayor.

Filed by me this 16 day of NOVEMBER, 1926.

Chas. Marshall
Attest:
City Comptroller and Ex-Officio City Clerk.

(SEAL)

Chas. Marshall
By Deputy Clerk.

Published

NOV 20 1926

Chas. Marshall
City Comptroller and Ex-Officio City Clerk.
By Chas. Marshall
Deputy Clerk.