

Ordinance 52768

Ordinance No. 52768

Relating to and providing for the acquisition by condemnation or purchase of a right of way for an aqueduct as an addition to the existing municipal waterworks system, providing for the taking and damaging of land and other property and property rights and privileges necessary for said aqueduct, etc. *Appealing Ord 52768*

Council Bill No. 42889

INTRODUCED MAR 28 1927	BY CITY UTILITIES
REFERRED MAR 28 1927	TO FINANCE CITY UTILITIES
REFERRED:	
REPORTED APR 4 1927	VETO:
SECOND READING: APR 4 1927	PUBLISHED:
THIRD READING: APR 4 1927	VETO SUSTAINED:
SIGNED: 1927	PASSED OVER VETO:
PRESENTED TO MAYOR: 1927	APPROVED:
FILED: APR 6 1927	PUBLISHED: APR 6 1927 APR 12 1927
ENGROSSED: VOL 12 PAGE 379	BY MCK
COMPARED BY:	AND

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Prepared at request of

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114592 - Award of Jury
114993 - Comm Corporation Council rel to awards
63735 - Treatment taking co for road
See Ord. 87925 re. Top 22 N. R. 6 E. W.M.
See Ord. 88314 re. Top 22 N. R. 6 E.

ORDINANCE NO. 52768

AN ORDINANCE relating to, and providing for the acquisition by condemnation or purchase of a right of way for an aqueduct as an addition to the existing municipal waterworks system; providing for the taking and damaging of land and other property and property rights and privileges necessary for said aqueduct, which is to be constructed for the purpose of furnishing the City of Seattle, and the inhabitants thereof, and any other persons, with an ample supply of water for domestic and other public uses; and providing for the ascertainment and payment of just compensation to be made therefor, and repealing Ordinance No. 52170.

WHEREAS, The City of Seattle owns and controls a waterworks system; and

WHEREAS, certain additions, betterments and extensions were authorized to be made to said system under authority of Ordinance No. 52,160; and,

WHEREAS, public necessity demands that the property, property rights and privileges herein specified be condemned, taken and damaged for such purposes; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the lands, property, property rights and privileges described in this section, lying and being in the County of King, State of Washington, be, and the same hereby are, condemned, appropriated, taken and damaged for a public use, to-wit: As a necessary right of way for an aqueduct, as authorized by Ordinance No. 52160; the taking and damaging of said property being necessary for the purpose of furnishing the City of Seattle, and the inhabitants thereof, and any other persons, with an ample supply of water for domestic and other public uses; said lands and property being more particularly described as follows, to-wit:

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SECTION 24, TOWNSHIP 22 NORTH, RANGE 6 EAST, W.M.

Beginning at the southeast corner of Section 24, Township 22 North, Range 6 East, Willamette Meridian; thence north $0^{\circ}03'05''$ west a distance of 851.97 feet along the east line of said Section 24, to a point of beginning; thence north $72^{\circ}12'55''$ west a distance of 1559.61 feet; thence north $89^{\circ}31'50''$ west a distance of 1144.33 feet to the southwest corner of Lot 11 of said section; thence north $0^{\circ}28'45''$ west a distance of 868.47 feet; thence north $40^{\circ}35'50''$ west a distance of 603.87 feet; thence north $89^{\circ}27'10''$ west along the south line of Government Lot 7 a distance of 919.55 feet to the southwest corner of said Government Lot 7; thence south $88^{\circ}21'30''$ west a distance of 1308.67 feet to the west line of said Section 24; thence north $0^{\circ}35'30''$ west a distance of 50 feet to the one-quarter corner between Sections 23 and 24, Township 22 North, Range 6 East, W.M.; thence north $1^{\circ}36'30''$ west along the westerly line of said Section 24 a distance of 660 feet; thence north $89^{\circ}58'30''$ east to the west bank of Cedar River; thence southeasterly along the west and south bank of Cedar River to the south marginal line of the Cedar River Pipe Line Right-of-way, southeasterly along said south marginal line to a point on the east line of said Section 24; thence south $0^{\circ}03'05''$ east along said section line a distance of 232.41 feet to the point of beginning, containing 53.23 acres, more or less.

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SECTION 23, TOWNSHIP 22 NORTH, RANGE 6 EAST, W.M.

Beginning at the east quarter corner of Section 23, Township 22 North, Range 6 East, Willamette Meridian; thence south $0^{\circ}35'30''$ east along the east line of said Section 23 a distance of 50 feet; thence south $88^{\circ}32'30''$ west a distance of 1096.85 feet; thence south $47^{\circ}14'50''$ west a distance of 305.74 feet to a point on west line of the northeast quarter of the southeast quarter of said Section 23; thence north $0^{\circ}30'05''$ west on said west line a distance of 81.06 feet; thence south $47^{\circ}14'50''$ west a distance of 2034.38 feet; thence south $67^{\circ}22'20''$ west a distance of 730.25 feet; thence north $83^{\circ}50'40''$ west a distance of 462.22 feet to a point on the west line of the southeast quarter of the southwest quarter of said Section 23; thence north $0^{\circ}32'00''$ west along said west line a distance of 100.68 feet; thence south $83^{\circ}50'40''$ east a distance of 448.29 feet; thence north $67^{\circ}22'20''$ east a distance of 686.84 feet; thence north $47^{\circ}14'50''$ east a distance of 2107.46 feet to a point on the east line of the northwest quarter of the southeast quarter of said Section 23; thence north $0^{\circ}30'05''$ west along said east line a distance of 45.83 feet to the southeast corner of Government Lot 9 of said Section 23; thence south $88^{\circ}59'10''$ west along the south line of said Government Lot 9, a distance of 1009.25 feet; thence north $41^{\circ}35'15''$ east a distance of 1504.97 feet to a point on the east line of said Lot 9; thence south $0^{\circ}31'30''$ east along said east line a distance of 1019.08 feet; thence north $88^{\circ}32'30''$ east a distance of 1321.21 feet to the east line of said Section 23; thence south $1^{\circ}36'30''$ east on said east line a distance of 100 feet to the east quarter corner of said section and to the point of beginning, containing 25.78 acres, more or less.

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SECTION 22, TOWNSHIP 22 NORTH, RANGE 6 EAST, W.M.,

Beginning at a point on the east line of Section 22, Township 22 North, Range 6 East, Willamette Meridian, which said point is 758.93 feet north $0^{\circ}39'15''$ west from the southeast corner of said Section 22; thence south $67^{\circ}35'00''$ west a distance of 285.69 feet; thence on the arc of a curve to the right having a radius of 300 feet a distance of 329.18 feet; thence north $49^{\circ}32'50''$ west a distance of 2938.56 feet to the east and west center line of Section 22, Township 22 North, Range 6 East, W.M.; thence south $89^{\circ}40'05''$ west along said east and west center line a distance of 197.87 feet, more or less, to the northeasterly marginal line of the Maple Valley - Black Diamond Highway; thence along said northeasterly marginal line in a northwesterly direction a distance of 3194.20 feet, more or less, to a point on the west line of said Section 22; thence north $0^{\circ}02'15''$ west along said west line a distance of 373.04 feet to a point which is 19.80 feet from the northwest corner of said section; thence south $34^{\circ}51'40''$ east a distance of 248.71 feet; thence south $46^{\circ}52'30''$ east a distance of 287.65 feet; thence south $62^{\circ}40'30''$ east a distance of 687.83 feet; thence south $66^{\circ}50'20''$ east, a distance of 890.08 feet; thence south $12^{\circ}31'50''$ west a distance of 319.54 feet; thence south $31^{\circ}26'50''$ east a distance of 691.51 feet; thence south $49^{\circ}32'50''$ east a distance of 3581.25 feet; thence on the arc of a curve to the left having a radius of 100 feet a distance of 109.73 feet; thence north $67^{\circ}35'00''$ east a distance of 365.53 feet to a point on the east line of said Section 22; thence south $0^{\circ}39'15''$ east on said section line a distance of 215.34 feet to the point of beginning, containing 34.24 acres, more or less.

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SECTION 21, TOWNSHIP 22 NORTH, RANGE 6 EAST, W.M.

Beginning at a point on the east line of Section 21, Township 22 North, Range 6 East, Willamette Meridian, said point being a distance of 370.02 feet south $0^{\circ}02'15''$ east from the northeast corner of said section; thence north $34^{\circ}51'40''$ west a distance of 308.97 feet; thence north $23^{\circ}42'00''$ west a distance of 128.35 feet to a point on the north line of said section; thence south $89^{\circ}45'10''$ east a distance of 227.93 feet to the northeast corner of said section; thence south $0^{\circ}02'15''$ east along the east line of said section a distance of 370.02 feet to the point of beginning, containing 1.03 acres, more or less.

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SECTION 16, TOWNSHIP 22 NORTH, RANGE 6 EAST, W.M.

Beginning at a point on the south line of Section 16, Township 22 North, Range 6 East, Willamette Meridian, a distance of 9.09 feet from the southeast corner of said section; thence north $89^{\circ}45'10''$ west along the south line of said section a distance of 218.84 feet; thence north $23^{\circ}42'30''$ west a distance of 439.09 feet; thence on the arc of a curve to the left having a radius of 100 feet, a distance of 82.01 feet; thence north $70^{\circ}41'20''$ west a distance of 524.06 feet; thence north $89^{\circ}23'30''$ west a distance of 46.75 feet; thence north $0^{\circ}14'30''$ west a distance of 15.85 feet; thence north $70^{\circ}41'20''$ west a distance of 354.33 feet to a point on the west line of the southeast quarter of the southeast quarter of said Section 16; thence north $0^{\circ}14'55''$ west along said west line to a point which is 825.45 feet distant from the southeast corner of the southwest quarter of the southeast quarter of said section; thence south $87^{\circ}14'40''$ west a distance of 4008.83 feet to the west line of said section; thence north $0^{\circ}05'10''$ west along the west line of said section a distance of 100.11 feet; thence north $87^{\circ}14'40''$ east a distance of 4008.54 feet to a point on the east line of the southwest quarter of the southeast quarter of said section; thence north $0^{\circ}14'55''$ west along said east line a distance of 44.64 feet; thence south $70^{\circ}41'20''$ east a distance of 998.88 feet; thence on the arc of a curve to the right having a radius of 300 feet a distance of 246.03 feet; thence south $23^{\circ}42'30''$ east a distance of 527.91 feet to a point on the south line of said section, which is the point of beginning, containing 16.87 acres, more or less.

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SECTION 17, TOWNSHIP 22 NORTH, RANGE 6 EAST, W.M.

Beginning at a point on the east line of Section 17, Township 22 North, Range 6 East, Willamette Meridian, said point being 614.95 feet from the southeast corner of said section; thence south $87^{\circ}14'40''$ west a distance of 453.39 feet; thence north $57^{\circ}11'00''$ west a distance of 668.85 feet; thence north $39^{\circ}41'00''$ west a distance of 449.40 feet; thence south $89^{\circ}36'05''$ west a distance of 48.66 feet; thence north $0^{\circ}21'40''$ east a distance of 47.80 feet; thence north $69^{\circ}08'30''$ west a distance of 513.86 feet; thence north $59^{\circ}45'40''$ west a distance of 870.58 feet; thence north $75^{\circ}33'50''$ west a distance of 1839.63 feet; thence south $81^{\circ}11'30''$ west a distance of 1025.50 feet to a point on the west line of said section; thence north $0^{\circ}08'25''$ west a distance of 101.15 feet; thence north $81^{\circ}11'30''$ east a distance of 1030.82 feet; thence south $75^{\circ}33'50''$ east a distance of 1874.10 feet; thence south $59^{\circ}45'40''$ east a distance of 876.26 feet; thence south $69^{\circ}08'30''$ east a distance of 552.63 feet; thence south $39^{\circ}41'00''$ east a distance of 515.48 feet; thence south $57^{\circ}11'00''$ east a distance of 621.38 feet; thence north $87^{\circ}14'40''$ east a distance of 425.97 feet to a point on the east line of said section; thence south $0^{\circ}5'10''$ east along the east line of said section, a distance of 100.11 feet to the point of beginning, containing 13.81 acres, more or less.

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SECTION 18, TOWNSHIP 22 NORTH, RANGE 6 EAST, W.M.

Beginning at a point on the east line of Section 18, Township 22 North, Range 6 East, Willamette Meridian, said point being 328.21 feet south $0^{\circ}08'25''$ east from the quarter corner between Sections 17 and 18; thence south $81^{\circ}11'30''$ west a distance of 706.02 feet; thence south $83^{\circ}39'10''$ west a distance of 3502.49 feet; thence south $67^{\circ}42'50''$ west a distance of 1164.87 feet to a point on the west line of said section; thence north $0^{\circ}23'45''$ west along said west line of said section a distance of 107.77 feet; thence north $67^{\circ}42'50''$ east a distance of 1138.69 feet; thence north $83^{\circ}39'10''$ east a distance of 3514.38 feet; thence north $81^{\circ}11'30''$ east a distance of 719.14 feet to a point on the east line of said Section 18; thence south $0^{\circ}08'25''$ east along said east line a distance of 101.15 feet to the point of beginning, containing 12.31 acres, more or less.

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SECTION 13, TOWNSHIP 22 NORTH, RANGE 5 EAST, W.M.

Beginning at a point on the east line of Section 13, Township 22 North, Range 5 East, Willamette Meridian, said point being distant 1228.75 feet south $0^{\circ}23'45''$ east from the east quarter corner of said section 13; thence south $67^{\circ}42'50''$ west a distance of 239.87 feet; thence south $80^{\circ}55'00''$ west a distance of 767.19 feet; thence on the arc of a curve to the right having a radius of 260 feet a distance of 157.39 feet; thence north $64^{\circ}24'00''$ west a distance of 174.49 feet; thence south $88^{\circ}41'40''$ west a distance of 31.53 feet; thence north $0^{\circ}30'40''$ west a distance of 15.89 feet; thence north $64^{\circ}24'00''$ west a distance of 1861.03 feet; thence north $51^{\circ}07'20''$ west a distance of 1111.53 feet; thence north $37^{\circ}06'20''$ west a distance of 1253.14 feet; thence north $30^{\circ}19'30''$ west a distance of ~~81~~ 81 feet; thence north $23^{\circ}52'30''$ west a distance of 426.05 feet to a point on the west line of said section; thence north $0^{\circ}13'05''$ west along said west line a distance of 127.39 feet to the northwest corner of said section; thence north $88^{\circ}59'45''$ east along the north line of said section a distance of 53.11 feet; thence south $23^{\circ}52'30''$ east a distance of 516.86 feet; thence south $30^{\circ}19'30''$ east a distance of 959.26 feet; thence south $37^{\circ}06'20''$ east a distance of 1234.92 feet; thence south $51^{\circ}07'20''$ east a distance of 1087.59 feet; thence south $64^{\circ}24'00''$ east a distance of 2058.99 feet; thence on the arc of a curve to the left having a radius of 160 feet a distance of 27.27 feet; thence north $88^{\circ}41'40''$ east a distance of 110.71 feet; thence north $80^{\circ}55'00''$ east a distance of 713.34 feet; thence north $67^{\circ}42'50''$ east a distance of 268.48 feet to the east line of said section; thence south $0^{\circ}23'45''$ east along said east line a distance of 107.77 feet to the point of beginning, and containing 15.90 acres, more or less.

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SECTION 14, TOWNSHIP 22 NORTH, RANGE 5 EAST, W.M.

Beginning at the northeast corner of Section 14, Township 22 North, Range 5 East, Willamette Meridian; thence south $0^{\circ}13'05''$ east a distance of 127.39 feet; thence north $23^{\circ}52'30''$ west a distance of 138.73 feet to a point on the north line of said section; thence north $89^{\circ}36'15''$ east a distance of 55.67 feet to the point of beginning, containing 0.08 of an acre, more or less.

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Section 2. That the Corporation Counsel be, and he is hereby, authorized and directed to initiate and prosecute the actions and proceedings, in the manner required by law, to purchase, condemn, take, damage and appropriate the lands and other property, property rights and privileges necessary to carry out the provisions of this ordinance.

Section 3. That, in conducting said condemnation proceedings and for the purpose of minimizing damages, the Corporation Counsel be, and he is hereby, authorized to reserve to any owner, any use of the property to be condemned not inconsistent with the use thereof for aqueduct purposes by the City of Seattle.

Section 4. That the entire cost of the improvement herein provided for shall be paid from the "Cedar River Aqueduct Fund", created by Ordinance No. 52160.

Section 5. That Ordinance No. 52174, entitled "AN ORDINANCE relating to, and providing for the acquisition by condemnation or purchase of a right of way for an aqueduct as an addition to the existing municipal waterworks system; providing for the taking and damaging of land and other property and property rights and privileges necessary for said aqueduct, which is to be constructed for the purpose of furnishing the City of Seattle, and the inhabitants thereof, and any other persons, with an ample supply of water for domestic and other public uses; and providing for the ascertainment and payment of just compensation to be made therefor", be and the same is hereby repealed.

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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 County the 4 day of APRIL, 1927

and signed by me in open session in authentication of its passage this 4 day of APRIL, 1927

President.....of the City Council.

Approved by me this 6 day of APRIL, 1927
Bertie G. Landes
Mayor.

Filed by me this 6 day of APRIL, 1927
Attest: W. W. Carroll
City Comptroller and Ex-Officio City Clerk.
By W. W. Carroll
Deputy Clerk.

(SEAL)

APR 13 1927

Published.....
By W. W. Carroll
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By W. W. Carroll
Deputy Clerk.

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