

Ordinance No. 53518

Providing for the laying off, opening, widening, extending and establishing of WEST GARFIELD STREET, from Joliet Avenue westerly and southwesterly to an intersection with West Galer Street and Dartmouth Avenue

ENGROSSED BILL

Council Bill No. 43669

INTRODUCED:	BY:
REFERRED:	TO:
REFERRED:	
REPORTED: AUG 8	VETO:
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SIGNED:	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED: AUG 10 1927
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COMPARED BY:	AND

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COMPARED BY:	AND

ORDINANCE No. 53518

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of WEST GARFIELD STREET, from Joliet Avenue westerly and southwesterly to an intersection with West Galer Street and Dartmouth Avenue; providing for the changing and establishing of the grades of West Garfield Street, from 22nd Avenue West to Dartmouth Avenue, and of West Galer Street, from Dartmouth Avenue to Thorndyke Avenue, and of Dartmouth Avenue from West Galer Street to West Hayes Street; 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 upon said streets and avenues; and providing that the entire cost of said 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 West Garfield Street, from Joliet Avenue westerly and southwesterly to an intersection with West Galer Street and Dartmouth Avenue, be laid off, opened, widened, extended and established, and that the grades of the above mentioned streets and avenues, be changed and established; and

WHEREAS, such improvement shall 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 West Garfield Street, from Joliet Avenue westerly and southwesterly to an intersection with West Galer Street and Dartmouth Avenue, 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 and tracts of land, to-wit:

UNPLATTED

That portion of Government Lot Four (4), Section 23, Township 25 North, Range 3 East, T.M., described as follows:
Beginning at a point on the westerly margin of Joliet Avenue, said point being distant north $13^{\circ} 32' 58''$ east twenty-one and eleven one-hundredths (21.11) feet from the intersection of said westerly margin with the south margin of West Garfield Street as platted in Seattle Tide Lands; thence south $89^{\circ} 51' 38''$ west a distance of fifty-one and twenty-one-hundredths (51.20) feet to a point of curvature; thence continuing westerly and southwesterly along the arc of a curve to the left having a uniform radius of four hundred seventy and no one-hundredths (470.00) feet, a distance of three hundred seventy-two and fourteen one-hundredths (372.14) feet to an intersection with the north boundary line of Block Four (4) Magnolia Park Addition to The City

of Seattle, as recorded in Volume 15 of Plats, page 55, said point being distant fifty and twenty-four one-hundredths (50.24) feet west from the northeast corner of said block; thence south $89^{\circ}8'13''$ west along the north line of said block and said line produced west a distance of eighty-one and seventy-two one-hundredths (81.72) feet; thence north $40^{\circ}58'18''$ east a distance of twenty-five and fifty-nine one-hundredths (25.59) feet to a point of curvature; thence northeasterly along the arc of a curve to the right, having a uniform radius of five hundred thirty and no one-hundredths (530.00) feet, a distance of four hundred fifty-two and twenty-three one-hundredths (452.23) feet to a point of tangency; thence north $89^{\circ}51'38''$ east along the tangent to said curve at said point, a distance of seventy-one and fifty one-hundredths (71.50) feet to an intersection with the westerly line of Joliet Avenue; thence southerly along said westerly line a distance of sixty-three and thirty-four one-hundredths (63.34) feet to the point of beginning.

IN MAGNOLIA PARK ADDITION TO THE CITY OF SEATTLE.
as recorded in Volume 15 of Plats, Page 55.

That portion of Block Four (4) described as follows: Beginning at the northwest corner of Block Four (4); thence south $0^{\circ}31'36''$ west along the west line of said block, a distance of eighty-seven and thirty two one-hundredths (87.32) feet; thence north $40^{\circ}58'18''$ east a distance of eighty-nine and ten one-hundredths (89.10) feet to a point of curvature; thence northeasterly along the arc of a curve to the right, having a uniform radius of four hundred seventy and no one-hundredths (470.00) feet a distance of twenty-eight and ninety-one-hundredths (28.90) feet to a point on the north line of said block, said point being distant fifty and twenty-four one-hundredths (50.24) feet west from the northeast corner of said block; thence west along said north line a distance of seventy-seven and twenty-three one-hundredths (77.23) feet to the point of beginning.

That portion of block three (3), described as follows: Beginning at a point on the east line of said block, said point being distant sixty-four and one one-hundredth (64.01) feet north from the southeast corner of said block; thence continuing north $0^{\circ}31'36''$ east along the east line of said block, a distance of eighty-four and forty-one one-hundredths (84.41) feet; thence southwesterly along the arc of a curve to the right having a uniform radius of four hundred seventy and no one-hundredths (470.00) feet (the radius of said curve bearing north $47^{\circ}40'54''$ west from said point), a distance of two hundred seventy-three and sixty-one one-hundredths (273.61) feet to a point on the west line of said block, said point being distant twelve and ninety-two one-hundredths (12.92) feet north from the southwest corner of said block; thence south along the west line of said block, a distance of twelve and ninety-two one-hundredths (12.92) feet to the southwest corner thereof; thence east along the south line of said block, a distance of one-hundred thirty-five and eighty-three one-hundredths (135.83) feet; thence northeasterly

along the arc of a curve to the left, having a uniform radius of five hundred thirty and no one-hundredths (530.00) feet, a distance of one hundred fifteen and thirty-seven one-hundredths (115.37) feet to the point of beginning.

Section 2. That the curb grades of the following named streets and avenues, be and the same are hereby established at the following elevations above City Datum, to-wit:

On West Garfield Street, from 22nd Avenue West to Dartmouth Avenue; and West Galer Street, from Dartmouth Avenue to Thorndyke Avenue.

At the center line of 22nd Avenue West at a point of curvature of a vertical curve and at existing elevations:

North Curb	33.13 feet
South Curb	33.13 feet

At a point one hundred twenty (120) feet west of the last mentioned point, at the point of tangency of a vertical curve:

North Curb	37.58 feet
South Curb	37.58 feet

At a point six hundred eighteen and forty-seven one-hundredths (618.47) feet westerly from the last mentioned point, said point being near the westerly margin of Joliet Avenue:

North Curb	82.91 feet
South Curb	82.91 feet

At a point eighty (80) feet west of the last mentioned point, measured along the center line:

North Curb	88.77 feet
South Curb	87.97 feet

At a point eighty (80) feet westerly of the last mentioned point, measured along the center line:

North Curb	94.84 feet
South Curb	93.24 feet

At a point two hundred sixty-six and sixty-four one-hundredths (266.64) feet southwesterly from the last mentioned point, measured along the center line:

Northwesterly Curb	113.69 feet
Southeasterly Curb	112.09 feet

At a point eighty (80) feet southwesterly from the last mentioned point, measured along the center line, said point being at a point of tangency in said center line:

Northwesterly Curb	118.54 feet
Southeasterly Curb	117.74 feet

At a point one hundred (100) feet southwesterly from the last mentioned point, measured along the center line, said point being at a point of curvature of a curve to the right in said center line, said point being fourteen one-hundredths (0.14) feet northeasterly from the intersection of said center line with the center line of Ashurst Avenue:

Northwesterly Curb	124.27 feet
Southeasterly Curb	125.07 feet

At a point eighty (80) feet southwesterly from the last mentioned point, measured along the center line:

Northwesterly Curb	129.54 feet
Southeasterly Curb	131.14 feet

At a point two hundred sixty and thirty-two one-hundredths (260.32) feet westerly from the last mentioned point, measured along the center line, said point being within the intersection of Dartmouth Avenue and West Galer Street:

North Curb	147.93 feet
South Curb	149.53 feet

At a point eighty (80) feet west of the last mentioned point, measured along the center line, said point being the intersection of the center line of West Garfield Street as extended herein with the center line of West Galer Street, and being also two hundred forty-one and sixty-four one-hundredths (241.64) feet east from the intersection of the centerline of Thorndyke Avenue with the center line of West Galer Street:

North Curb	153.58 feet
South Curb	154.38 feet

At a point two hundred (200) feet east of the intersection of the center line of West Galer Street with the center line of Thorndyke Avenue at the point of curvature of a vertical curve:

North Curb	156.63 feet
South Curb	157.03 feet

At the intersection of the center line of West Galer Street with the center line of Thorndyke Avenue at a point of tangency of a vertical curve:

North Curb	165.59 feet
South Curb	165.59 feet

At the west Margin of Thorndyke Avenue; at existing elevations:

North Curb	166.25 feet
South Curb	166.25 feet

provided, that on West Garfield Street between 22nd Avenue West and the west margin of Joliet Avenue, the above established grades shall apply to an upper roadway only.

ON DARTMOUTH AVENUE

At the northerly margin of West Galer Street:

East Curb	148.05 feet
West Curb	149.30 feet

At the south margin of West Hayes Street produced east from the west:

East Curb	181.70 feet
West Curb	182.50 feet

That the curb gradients shall be of a uniform rate of grade, except in those cases where they are specified as lying in vertical curves, and except on entering and leaving the long curves of large radius where super elevation of the outer curb is necessary.

Section 3. That in the grading and regrading of the above named streets and avenues, except as herein otherwise specified, the City shall acquire the right in the case of a cut to remove the lateral support abutting on said streets and avenues. 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 streets and avenues, reserving unto the abutting property owners, respectively, the right at any time to remove such slopes upon providing other adequate lateral support for said streets and avenues.

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 public streets and highways; and that all lands, rights, privileges and other property necessary to be taken

used or damaged in the grading and regrading of said streets and avenues, 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 streets and avenues, 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.

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 County the 8 day of AUGUST 1927 and signed by me in open session in authentication of its passage this 8 day of

AUGUST, 1927 Philip T. ...

President, President of the City Council.

Approved by me this 10 day of ... 1927 ... Mayor.

Charles J. Landis

Filed by me this 10 day of ... 1927 ... Attest: City Comptroller and Ex-Officio City Clerk.

City Comptroller and Ex-Officio City Clerk.

(SEAL) By: Deputy Clerk.

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

By: Deputy Clerk.