

## Ordinance No. 54996

Providing for the laying off, opening, widening, extending and establishing of BEACH DRIVE, from Juneau Street to a point approximately 800 feet northerly from the intersection of the east margin of Beach Drive, as platted in Lincoln Beach Addition as recorded in Volume 11 of Plats, Page 91, with the westerly margin of 48th Avenue Southwest; providing for the grades of said Beach Drive etc.

## Council Bill No. 54996

INTRODUCED: MAY 26 1928	BY: STREETS & SEWER
REFERRED: MAY 26 1928	TO: STREETS & SEWER
REFERRED:	
REPORTED:	VETO:
SECOND READING:	PUBLISHED:
THIRD READING:	VETO SUSTAINED:
SIGNED:	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED:
FILED:	PUBLISHED:
ENGROSSED:	BY:
VOL. D 2 PAGE 127	MCK
COMPARED BY:	
AND	

655606 - Milk Council to make certain stipulations  
117755 - award of jury (parties)  
56122 - Apr 1884 137 for 97 and condemn shoring  
118734 - Report C.C. on Judgments entered  
~~54776~~ - 18958 - Report C.C. Council on Judgments  
119044 - Report C.C. on Judgments  
119357 - award (Partise)  
119472 - award  
120085 - award of jury  
119814 - award - Black Drive A 2  
= To 96 Spring Hill Park 2nd

Prepared at request of

*Stow*

ORDINANCE NO. 54996

210612  
70-50

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of BEACH DRIVE, from West Juneau Street to a point approximately 800 feet northerly from the intersection of the east margin of Beach Drive, as platted in Lincoln Beach Addition as recorded in Volume 11 of Plats, Page 91, with the westerly margin of 48th Avenue Southwest; providing for the establishing of the grades of said Beach Drive; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor, and for the making of the necessary slopes for cuts and fills upon the property abutting on said Beach Drive and providing that the entire cost of such improvement shall be paid from the General Fund of the City of Seattle; all in the manner provided by law.

WHEREAS, Public necessity and convenience demand that the above named Beach Drive be laid off, opened, widened, extended and established, and that the curb grades of said Beach Drive be established and that said Beach Drive be graded in conformity with such established grades; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Beach Drive, from West Juneau Street to a point approximately 800 feet northerly from the intersection of the east margin of Beach Drive as platted in Lincoln Beach Addition, as recorded in Volume 11 of Plats, Page 91, with the westerly margin of 48th Avenue Southwest, be and the same is hereby laid off, opened, widened, extended and established over and across the following lots, blocks and tracts of land, to-wit:

All portions of any lot, block or tract of land, platted or unplatted, and not heretofore dedicated or deeded for street purposes, lying within the limits of a strip of land sixty (60) feet in width being thirty (30) feet on each side of the following described center line, as the same is now located and monumented on the ground: Beginning at a point on the line between Government Lots 1 and 2, Section 22, Township 24 North, Range 3 East, W.M., said point being eight and forty-six one-hundredths (8.46) feet west from the quarter corner common to said government lots; thence southeasterly along the arc of a curve to the right, having a uniform radius of five hundred (500) feet (the radius of said curve bearing south 68°03'02" west from said point) a distance of one hundred ninety-seven and thirty-eight one-hundredths (197.38) feet to a point of tangency; thence south 0°40'07" west along the tangent to said curve a distance of three hundred sixty-nine and ninety one-hundredths (369.90) feet to a point of curvature; thence southerly and south-westerly along the arc of a curve to the right, having a uniform radius of 1000 feet a distance of three hundred

fifty-six and fifty-one one-hundredths (356.51) feet to a point of tangency; thence south  $21^{\circ}05'42''$  west along the tangent to said curve at said point a distance of four hundred forty-eight and ninety-two one-hundredths (448.92) feet to a point of curvature; thence southerly along the arc of a curve to the left having a uniform radius of three hundred eight and forty-nine one-hundredths (308.49) feet a distance of two hundred thirty-nine and forty-one one-hundredths (239.41) feet to a point of tangency; then south  $23^{\circ}22'18''$  east along the tangent to said curve at said point a distance of one hundred fifty-five and forty-seven one-hundredths (155.47) feet to a point of curvature; thence southerly along the arc of a curve to the right having a uniform radius of three hundred (300) feet a distance of one hundred thirty-four and seventy-four one-hundredths (134.74) feet to a point of reverse curve; thence southeasterly along the arc of a curve to the left having a uniform radius of three hundred fifty-nine and five one-hundredths (359.05) feet a distance of two hundred and ten one-hundredths (200.10) feet to a point of tangency; thence south  $29^{\circ}34'08''$  east along the tangent to said curve at said point a distance of eighty-seven and forty-five one hundredths (87.45) feet to a point of curvature; thence southeasterly along the arc of a curve to the left having a uniform radius of two thousand (2000) feet a distance of two hundred twenty-four and fifty-seven one-hundredths (224.57) feet to a point of tangency; thence south  $36^{\circ}00'08''$  east along the tangent to said curve at said point a distance of three hundred and nineteen and fifty-one one-hundredths (319.51) feet to a point of curvature; thence southeasterly along the arc of a curve to the right having a uniform radius of two hundred (200) feet a distance of eighty-one and fifty-two one-hundredths (81.52) feet to a point on the north margin of Lincoln Beach Addition, as recorded in Volume 11 of Plats, Page 91; thence continuing along the said arc of curve to the right a distance of twenty-eight and forty-five one-hundredths (28.45) feet to point of tangency on centerline of Beach Drive as recorded in said Lincoln Beach Addition.

Section 2. That the curb grades of Beach Drive, from Juneau Street to a point approximately eight hundred (800) feet northerly from the intersection of the east margin of said Beach Drive with the westerly margin of 48th Avenue Southwest, be and the same are hereby established at the following elevations above City datum, to-wit:

At a point thirty and nineteen one-hundredths (30.19) feet northwesterly from the intersection of the centerline of Beach Drive with the line between Government Lots 1 and 2,

Section 22, Township 24 North, Range 3 East, W.M., at elevations established by Ordinance No. 42738:

Northeasterly Curb	17.00 feet
Southwesterly Curb	17.00 "

At a point two hundred twenty-seven and fifty-seven one-hundredths (227.57) feet southerly, measured along the center line of Beach Drive, from the last mentioned point:

Easterly Curb	18.60 feet
Westerly Curb	18.60 "

At Station 23 + 26.36 on the center line of Beach Drive, said station being approximately four hundred seventy (470) feet southerly of the north margin of West Juneau Street, at a point of curvature of a vertical curve:

Easterly Curb	20.70 feet
Westerly Curb	19.95 "

At a point two hundred (200) feet southerly of the last mentioned point, at a point of tangency of a vertical curve:

Easterly Curb	27.10 feet
Westerly Curb	26.35 "

At Station 26 + 22.55 on the center line of Beach Drive, at a point of curvature of a vertical curve:

Easterly Curb	32.30 feet
Westerly Curb	31.55 "

At a point three hundred twenty (320) feet southerly from the last mentioned point, at a point of tangency of a vertical curve:

Easterly Curb	41.90 feet
Westerly Curb	41.15 "

At Station 32 + 41.71 on the center line of Beach Drive:

Easterly Curb	42.80 feet
Westerly Curb	42.80 "

At Station 36 + 58.31 on the center line of Beach Drive:

Easterly Curb	45.00 feet
Westerly Curb	45.00 "

At Station 37 + 04.05 on the center line of Beach Drive:

Easterly Curb	45.10 feet
Westerly Curb	45.10 "

At Station 42 + 80.11 on the center line of Beach Drive:

Easterly Curb	52.15 feet
Westerly Curb	52.15 "

At Station 44 + 79.46 on said center line, at a point of curvature of a vertical curve:

Easterly Curb	55.30 feet
Westerly Curb	54.55 "

At a point two hundred forty (240) feet southerly of the last mentioned point, at a point of tangency of a vertical curve:

Easterly Curb	49.50 feet
Westerly Curb	48.75 "

the last mentioned point being approximately eight hundred (800) feet northerly of the intersection of the easterly margin of Beach Drive with the westerly margin of 48th Avenue Southwest;

That the curb gradients shall be of a uniform rate of grade between the elevations established herein, except in those cases where they are specified as lying in vertical curves.

Section 3. That in the grading of said Beach Drive, from Juneau Street to a point approximately eight hundred (800) feet northerly from the intersection of the east margin of said Beach Drive with the westerly margin of 48th Avenue Southwest, the City shall acquire the right, in the case of a cut, to remove the lateral support of the property abutting on said Drive; and, 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; provided, however, that in that portion of the improvement from a point approximately four hundred seventy (470) feet southerly from the north margin of West Juneau Street to Atlas Place, the right shall be acquired to extend the slopes back into and extending upon the abutting real property at least two (2) feet for each foot of depth of cut; and in the case of a fill, the right shall be acquired to extend and maintain upon the adjoining and abutting real property slopes of one and one-half ( $1\frac{1}{2}$ ) feet for each foot of depth of fill, for the purpose of acquiring lateral support for said fill; reserving unto the abutting property

owners respectively the right to remove such slopes upon providing other adequate lateral support for said drive.

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 Beach Drive 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 drive, 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 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.

(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 2 day of \_\_\_\_\_, 1928,  
and signed by me in open session in authentication of its passage this 2 day of \_\_\_\_\_, 1928  
*John C. Erroll*  
President of the City Council.

Approved by me this 6 day of \_\_\_\_\_, 1928  
*Bertie K. Lauder*  
Mayor.

Filed by me this 6 day of \_\_\_\_\_, 1928.

(SEAL)

Attest: *[Signature]*  
City Comptroller and Ex-Officio City Clerk.

By: *[Signature]*  
Deputy Clerk.

Published \_\_\_\_\_  
City Comptroller and Ex-Officio City Clerk.

By: *[Signature]*  
Deputy Clerk.