

Ordinance No. 55823

Providing for the laying off, opening, widening and establishing of NORTH BROADWAY, between East Thomas Street and East Roy Street, and of EAST ROY STREET, from North Broadway to 10th Avenue North; providing for the condemnation, appropriation, taking and damaging of lands and other property necessary therefor;*****

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Council Bill No. 45581

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Prepared at request of

ELY:HK
5-7-28

ORDINANCE NO. 55323

AN ORDINANCE Providing for the laying off, opening, widening, and establishing of NORTH BROADWAY, between East Thomas Street and East Roy Street, and of EAST ROY STREET, from North Broadway to 10th Avenue North; providing for the condemnation, appropriation, taking and damaging of lands and other property necessary therefor; providing for the establishing of the curb grades of said way and street as widened herein; providing for the necessary slopes for cuts and fills upon the property abutting on said way and street; 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.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That NORTH BROADWAY, between East Thomas Street and East Roy Street, and EAST ROY STREET, from North Broadway to 10th Avenue North, be and the same are hereby laid off, opened, widened, and established over and across the following lots, blocks and tracts of land, to-wit:

IN THE SUPPLEMENTAL PLAT OF A. PONTIUS ADDITION TO
THE CITY OF SEATTLE

That portion of Block Twenty-nine (29), described as follows:

Beginning at the northwest corner of Lot Six (6), said Block Twenty-nine (29); thence east along the north line of said Block Six (6), a distance of twenty-eight and thirty-one one-thousandths (28.031) feet; thence southerly along a straight line a distance of one hundred fifty-six and seven hundred seventy-nine one-thousandths (156.779) feet to a point on the south line of Lot Four (4), said block (said point being also the northwest corner of Lot One (1), in Block Sixty-four (64), Plat of John H. Nagle's Second Addition to the City of Seattle); thence west along said south line a distance of fifteen and six hundred fourteen one-thousandths (15.614) feet to the easterly margin of North Broadway, as now established; thence northerly along the easterly margin of said North Broadway a distance of one hundred fifty-eight and eighty one-hundredths (158.80) feet to the point of beginning.

That portion of Block 30, described as follows:

Beginning at the northwest corner of Lot 12, said Block 30; thence east along the north line thereof a distance of nineteen and one hundred thirty-seven one-thousandths (19.137) feet; thence southerly along a straight line a distance of three hundred fifty-seven and thirty one-hundredths (357.30) feet to a point on the south line of Lot 7, said block, said point being distant twenty-six and seven hundred sixty-nine one-thousandths (26.769) feet east from the southwest corner of said Lot 7; thence west along said south line a distance of twenty-six and seven hundred sixty-nine one-thousandths (26.769) feet to the southwest corner of said lot; thence north along the west line of said Block thirty (30) a distance of three hundred fifty-seven and eighteen one-hundredths (357.18) feet to the point of beginning;

That portion of Block 31, described as follows:

Beginning at the northwest corner of Lot 12, Block 31; thence east along the north line of said Lot 12, a distance of ten and two hundred forty-four one-thousandths (10.244) feet; thence southerly along a straight line a distance of three hundred fifty-six and nine hundred ninety-eight one-thousandths (356.998) feet to a point on the south line of Lot 7, said block, said point being distant seventeen and eight hundred seventy-six one-thousandths (17.876) feet east from the southwest corner of said lot; thence west along said south line a distance of seventeen and eight hundred seventy-six one-thousandths (17.876) feet to the southwest corner of said Lot 7; thence north along the west line of said Block 31, a distance of three hundred fifty-six and eight hundred eighty-six one-hundredths (356.886) feet to the point of beginning.

That portion of Block 32, described as follows:

Beginning at the southwest corner of said block; thence northerly along the westerly line of said block a distance of two hundred nineteen and eight hundred fifty-seven one-thousandths (219.857) feet to a point of curvature; thence northerly along the arc of a curve to the right having a uniform radius of twenty-nine and fifteen one-thousandths (29.015) feet a distance of twenty-three and six hundred sixty-seven one-thousandths (23.667) feet to a point of tangency on the southeasterly margin of East Roy Street as now established; thence northeasterly along said southeasterly margin a distance of twenty-seven and nine-hundred sixty-nine one-thousandths (27.969) feet to an intersection with the north line of Lot 10, said Block 32; thence east along

said north line a distance of fourteen and seven hundred fifty one-thousandths (14.750) feet; thence southwesterly along a line ten (10) feet southeasterly from and parallel with said southeasterly margin of East Roy Street, a distance of twenty-six and forty-four one-thousandths (26.044) feet to a point of curvature; thence southwesterly and southerly along the arc of a curve to the left, having a uniform radius of sixty-five (65) feet, a distance of fifty-four and four hundred nine one-thousandths (54.409) feet to a point of tangency; thence southerly along the tangent of said curve a distance of one hundred ninety-three and eight hundred thirty-five one-thousandths (193.835) feet to a point on the south line of Lot 6, said Block 32; thence west along said south line a distance of eight and nine hundred eighty-three one-thousandths (8.983) feet to the point of beginning;

That portion of Block 33, described as follows:

Beginning at the southeast corner of said block; thence northerly along the easterly line of said block a distance of two hundred nineteen and ninety one-thousandths (219.090) feet to a point of curvature; thence northwesterly along the arc of a curve to the left, having a uniform radius of forty-eight (48) feet, a distance of forty-two and four hundred sixty-two one-thousandths (42.462) feet; thence southerly along a straight line a distance of two hundred fifty-six and three hundred twenty-eight one-thousandths (256.328) feet to a point on the south line of Lot 5, said Block 33, said point being distant twelve and twenty-two one-thousandths (12.022) feet west from the southeast corner of said Lot 5; thence east along said south line a distance of twelve and twenty-two one-thousandths (12.022) feet to the point of beginning.

That portion of Block 34, described as follows:

Beginning at the northeast corner of Lot 1, said block; thence west along the north line of said Lot 1, a distance of ten and seven hundred sixty-one one-thousandths (10.761) feet; thence southerly along a straight line a distance of three hundred fifty-six and seven hundred seventy one-thousandths (356.770) feet to a point on the south line of Lot 6, said block, said point being distant three and one hundred thirty-three one-thousandths (3.133) feet west from the southeast corner of said Lot 6; thence east along said south line a distance of three and one hundred thirty-three one-thousandths (3.133) feet to the southeast corner of said Lot 6; thence north along the easterly line of said block a distance of three hundred fifty-six and seven hundred twenty-four one-thousandths (356.724) feet to the point of beginning;

That portion of Lots 1 and 2, Block 35, described as follows:

Beginning at the northeast corner of said Lot 1; thence west along the north line of said Lot 1, a distance of one and eight hundred seventy-two one-thousandths (1.872) feet; thence southerly along a straight line a distance of eighty-seven and five hundred eighty-four one-thousandths (87.584) feet to a point on the easterly line of said Lot 2, said point being distant thirty-one and four hundred thirty-two one-thousandths (31.432) feet north from the southeast corner of said Lot 2; thence northerly along the easterly line of Lots 2 and 1, a distance of eighty-seven and five hundred seventy-two one-thousandths (87.572) feet to the point of beginning.

IN MURTH'S ADDITION TO THE CITY OF SEATTLE

That portion of Lots 11, 12, and 13, Block 6, described as follows:

Beginning at the most southerly corner of said Lot 13; thence north along the west line of said Lot 13, a distance of thirteen and six hundred forty-two one-thousandths (13.642) feet; thence northeasterly along a line ten (10) feet northwesterly from and parallel with the northwesterly margin of East Roy Street, as platted in said addition, a distance of one hundred eight and forty-six one-thousandths (108.046) feet to a point of curvature; thence northeasterly along the arc of a curve to the left having a uniform radius of sixty-five (65) feet, a distance of fifty-three and four hundred eighty-four one-thousandths (53.484) feet to a point of tangency on the east line of said Lot 11; thence south along said east line a distance of thirty-one and five hundred eighty-two one-thousandths (31.582) feet to the southeast corner of said Lot 11; thence southwesterly along the southeasterly lines of said Lots 12 and 13, a distance of one hundred forty-five and six hundred thirty-seven one-thousandths (145.637) feet to the point of beginning.

That portion of Lots 1 and 2, Block 7, lying northwesterly of a line ten (10) feet southeasterly from and parallel with the southeasterly margin of East Roy Street, as platted in said addition, and said southeasterly margin produced north-easterly;

That portion of Lots 1 and 2, Block 6, Sarah B. Yeasler's First Addition to the City of Seattle, except those portions thereof previously condemned and replatted as streets, which lie south easterly of a line ten (10) feet northwesterly from and parallel with the northwesterly margin of East Roy Street as platted in Murth's Addition to the City of Seattle, and said northwesterly margin produced southwesterly.

Section 2. That the present established grades on North Broadway and East Roy Street be and the same are

hereby extended over and across the portions widened herein; and that the right be acquired in the case of a cut to remove the lateral support abutting on said 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 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 way and street.

Section 3. 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 of said 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 way and street, as set forth in said section, 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 4. 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 5. 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 21 day of MAY, 1928,
and signed by me in open session in authentication of its passage this 21 day of MAY, 1928

John E. Carroll
President of the City Council.

Approved by me this 28 day of MAY, 1928

Betha J. Rauder
Mayor.

Filed by me this 28 day of MAY, 1928

John E. Carroll
City Comptroller and Ex-Officio City Clerk.

(SEAL)

By John E. Carroll
Deputy Clerk.

Published JUN 6 1928

John E. Carroll
City Comptroller and Ex-Officio City Clerk.
By John E. Carroll
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