

Ordinance No. 56456

Providing for the laying off, opening, widening, extending and establishing of WEST MICHIGAN STREET, from 4th Avenue Southwest to 2nd Avenue Southwest, and of a public street and highway to be known as 1st Avenue Southwest, from Peninsula Place southwesterly to 2nd Avenue Southwest and West Michigan Street, and from 2nd Avenue Southwest and West Michigan Street southeasterly to an intersection with 1st Avenue South, at a point approximately 78 feet south of West Myrtle Street *****

DED
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No. 58775

Council Bill No. 40701

INTRODUCED: 5 1928	BY: RUTHER F. GARDNER
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ENGROSSED: VOL. E-2, page 48	BY: OM
COMPARED BY:	AND

ELY:IP
11-2-28.

SW

Amended in Section 7 by Ordinance No. 58725

ORDINANCE No. 56456

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of WEST MICHIGAN STREET, from 4th Avenue Southwest to 2nd Avenue Southwest, and of a public street and highway to be known as 1st Avenue Southwest, from Peninsula Place southwesterly to 2nd Avenue Southwest and West Michigan Street, and from 2nd Avenue Southwest and West Michigan Street southeasterly to an intersection with 1st Avenue South, at a point approximately 78 feet south of West Myrtle Street; providing for the establishing of the curb grades of said streets; 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 streets; and providing that the entire cost of such improvement be paid by special assessment upon the property specially benefited, in the manner provided by law, or from such other fund as the City Council of the City of Seattle may direct.

WHEREAS, Public necessity and convenience demand that the above named streets be laid off, opened, widened, extended and established as public streets and highways, and that the curb grades of the above named streets be established; and

WHEREAS, Such improvement will 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 Michigan Street, from 4th Avenue Southwest to 2nd Avenue Southwest, and a public street and highway to be known as 1st Avenue Southwest, from Peninsula Place southwesterly to 2nd Avenue Southwest and West Michigan Street, and from 2nd Avenue Southwest and West Michigan Street southeasterly to an intersection with 1st Avenue South, at a point approximately 78 feet south of West Myrtle Street; and the same are hereby laid off, opened, widened, extended and established as public streets and highways over and across the following lots, blocks or tracts of land, to-wit:

|| In JOSEPH R. McLAUGHLIN'S WATER FRONT ADDITION to the City of Seattle, as recorded in Volume 13 of Plats, Page 28.

That portion of Lots Two to Seven inclusive, Block Twenty-one, described as follows:
Beginning at a point on the west line of said Lot Seven (7), said point being distant Eight and Ninety-seven one-hundredths (8.97) feet north from the southwest corner of said lot; thence east along a straight line a distance of One Hundred Forty-four and Forty-seven one-hundredths (144.47) feet to a point on the southeasterly line of Lot Four (4), said Block, said point being distant Two (2) feet northeasterly from the most southerly corner of said Lot Four (4); thence northeasterly along the southeasterly line of Lots Four (4), Three (3) and Two (2), a distance of Ninety-six and Forty-nine one-hundredths (96.49) feet to the intersection of the west margin of 3rd Avenue Southwest; thence north

along said west margin a distance of Twenty-two and Sixty one-hundredths (22.60) feet; thence west along a straight line a distance of One Hundred Thirty-nine and Fifty-one one-hundredths (139.51) feet to a point on the northwesterly line of said Lot Four (4), said point being distant Thirty-eight and Fifty-four one-hundredths (38.54) feet southwesterly from the most northerly corner of said Lot Four; thence southwesterly along the northwesterly line of Lots Four (4) to Seven (7) inclusive, a distance of One Hundred Three and Twelve one-hundredths (103.12) feet to the east margin of 4th Avenue Southwest; thence south along said east margin a distance of Eighteen and Sixty-four one-hundredths (18.64) feet to the point of beginning.

That portion of Lot Sixteen, Block Twenty-one, described as follows: Beginning at the most northerly corner of said Lot; thence south along the east line of said lot, a distance of Thirty-six and Thirty one-hundredths (36.30) feet; thence west along a straight line a distance of Forty-five and Fifty-three (45.53) feet to a point on the northwesterly line of said lot, said point being distant Sixty and Sixty-nine one-hundredths (60.69) feet southwesterly of the most northerly corner of said lot; thence northeasterly along said northwesterly line a distance of Sixty and Sixty-nine one-hundredths (60.69) feet to the point of beginning.

That portion of Lots Nine to Twelve inclusive, Block Twenty, described as follows:

Beginning at a point on the east line of said Lot Nine (9), said point being distant Eighty-four and Four one-hundredths (84.04) feet south from the northeast corner of said Lot Nine (9); thence south $84^{\circ}54'45''$ west a distance of One Hundred and Forty one-hundredths (100.40) feet to an intersection with the east margin of 3rd Avenue Southwest at a point Three and Ninety-nine one-hundredths (3.99) feet south from the intersection of said east margin with the southeasterly margin of the alley in said Block Twenty (20); thence due south along said east margin a distance of Eighty and Thirty-two one-hundredths (80.32) feet; thence north $84^{\circ}54'45''$ east a distance of Ninety-eight and Seventy one-hundredths (98.70) feet to a point of curvature; thence easterly along the arc of a curve to the right having a radius of Two Hundred (200) feet, a distance of One and Sixty-nine one-hundredths (1.69) feet to an intersection with the east line of Lot Eleven (11), said Block; thence north along the east line of Lots Eleven (11), Ten (10) and Nine (9), a distance of Eighty and Thirty-one one-hundredths (80.31) feet to the point of beginning.

That portion of Lots Twenty-one to Twenty-four inclusive, Block Twenty, described as follows:

Beginning at a point on the east margin of said Lot Twenty-one (21), said point being distant Twenty-one and Ninety-three one-hundredths (21.93) feet north from the southeast corner of said Lot; thence north along the east line of said Lots Twenty-one (21) to Twenty-four (24) inclusive, a distance of One Hundred Twenty-nine and Ninety one-hundredths (129.90) feet; thence westerly along the arc of a curve to the right having a radius of Two Hundred (200) feet (the radius of said curve bearing north $25^{\circ}55'12''$ west from said point), a distance of Seventy-two and Seventy-two one-hundredths (72.72) feet to a point of tangency; thence westerly along the tangent of said curve at said point, a distance of Thirty and Forty-three one-hundredths (30.43) feet to an intersection with the west line of said Lot Twenty-four (24); thence south along the west line of Lots

Twenty-four (24), Twenty-three (23) and Twenty-two (22), a distance of Eighty-one and Ten one-hundredths (81.10) feet; thence easterly along the arc of a curve to the right having a radius of Two Hundred (200) feet (the radius of said curve bearing south $0^{\circ}0'50''$ east from said point), a distance of One Hundred Four and Seventy-one one-hundredths (104.71) feet to the point of beginning.

That portion of Lots Fifteen to Twenty-six inclusive, Block Nineteen, described as follows:

Beginning at the southeast corner of said Lot Fifteen (15); thence north along the east line of Lots Fifteen (15) to Twenty-six (26) inclusive, a distance of Four Hundred Fifty-five and Eight one-hundredths (455.08) feet; thence south $41^{\circ}09'45''$ west a distance of One Hundred Forty-seven and Fifteen one-hundredths (147.15) feet to a point of curvature; thence southwesterly along the arc of a curve to the right having a radius of Two Hundred (200) feet a distance of Four and Seventy-two one-hundredths (4.72) feet to an intersection with the east margin of 2nd Avenue Southwest; thence south along said east margin a distance of Two Hundred Twenty-seven and Forty-one one-hundredths (227.41) feet; thence south $39^{\circ}43'54''$ east a distance of One Hundred Forty-eight and Four one-hundredths (148.04) feet to a point on the south line of said Lot Fifteen (15); said point being distant Ninety-five and no-one-hundredths (95.00) feet easterly from the southwest corner of said lot; thence easterly along said south line a distance of Five and Forty one-hundredths (5.40) feet to the point of beginning.

That portion of Lots One to Seven inclusive, Block Nineteen, described as follows:

Beginning at the northeast corner of said Lot One (1); thence south along the east line of Lots One (1) to Four (4) inclusive, a distance of One Hundred Twenty-one and Eighty-eight one-hundredths (121.88) feet; thence south $41^{\circ}09'45''$ west a distance of One Hundred Five and Twenty-one one-hundredths (105.21) feet to a point of curvature; thence southwesterly along the arc of a curve to the left having a radius of Two Hundred (200) feet, a distance of Fifty-six and Fifty-six one-hundredths (56.56) feet to a point on the west line of said Lot Seven (7), said point being distant Five and Sixteen one-hundredths (5.16) feet north from the southwest corner of said Lot Seven (7); thence north along the west line of Lots Seven (7), Six (6), Five (5), Four and Three (3), a distance of One Hundred Sixty-four and no-one-hundredths (164.00) feet; thence northeasterly along a straight line a distance of One Hundred Twenty-two and Eighty-seven one-hundredths (122.87) feet to a point on the northeasterly line of said Lot One (1), said point being distant Twenty and Eighty one-hundredths (20.80) feet northwesterly from the northeast corner of said Lot One (1); thence southeasterly along the northeasterly line of said lot a distance of Twenty and Eighty one-hundredths (20.80) feet to the point of beginning.

That portion of Lots Twelve (12) to Fourteen (14) inclusive, Block Nineteen (19), described as follows:

Beginning at the southwest corner of said Lot Fourteen (14); thence north $84^{\circ}54'45''$ east along the south line of said Lot Fourteen (14), a distance of One Hundred and Nine one-hundredths (109.09) feet; thence north $39^{\circ}43'54''$ west a distance of One Hundred Twelve and Ninety-three one-hundredths (112.93) feet to a point of curvature; thence northwesterly along the arc of a curve to the right having a radius of Two Hundred (200) feet, a distance of Fifty-one and Fifty-seven one-hundredths (51.57) feet to the intersection of the west line of said Lot Twelve (12) at a point Three and Sixty-three one-hundredths (3.63) feet south from the northwest corner of said Lot Twelve (12); thence south along the west line of Lots Twelve (12) to Fourteen (14) inclusive, a distance of One Hundred Thirty-nine and Seventeen one-hundredths (139.17) feet to the point of beginning.

In SEAPORT ADDITION to the City of Seattle, as recorded in Volume 19 of Plats, Page 60.

That portion of Lots Eleven (11) to Fourteen (14) inclusive, Block Four (4), described as follows:

Beginning at the northeast corner of said Lot Fourteen (14); thence south $84^{\circ} 54' 45''$ west along the northerly line of said Lot Fourteen (14), a distance of Seventy-five and Eighty-three one-hundredths (75.83) feet; thence south $39^{\circ} 43' 54''$ east a distance of One Hundred Seventy-two and Forty-eight one-hundredths (172.48) feet to an intersection with the easterly line of said Lot Eleven (11); thence north along the easterly line of Lots Eleven (11) to Fourteen (14) inclusive, a distance of One Hundred Forty-four and Thirty-five one-hundredths (144.35) feet to the point of beginning.

That portion of Lots Two (2) to Six (6) inclusive, Block Five (5), described as follows:

Beginning at a point on the westerly line of said Lot Two (2), said point being distant Thirty-seven and Ninety-four one-hundredths (37.94) feet southerly from the northwesterly corner of said Lot Two (2); thence southeasterly along the southwestery line of Lots Two (2) to Six (6) inclusive, a distance of One Hundred Eighty-two and Eighty one-hundredths (182.80) feet; thence northwesterly along a straight line a distance of One Hundred Seventy-nine and Ninety-one one-hundredths (179.91) feet to the point of beginning.

Section 2. That the curb grades of West Michigan Street, from 4th Avenue South to 2nd Avenue South, and of the public streets and highways established in Section 1 hereof, be and the same are hereby established at the following elevations above City datum, to-wit:

C. On WEST MICHIGAN STREET, as extended herein.

At the east margin of 4th Avenue South;

North Curb	6.50 feet
South Curb	6.50 feet

At the west margin of 2nd Avenue South:

North Curb	8.95 feet
South Curb	8.95 feet

On the public street and highway established in Section 1 hereof, from 2nd Avenue South northeasterly to Peninsula Place.

Opposite the intersection of the northwesterly margin of said public street and highway with the east margin of 2nd Avenue South:

Northwesterly Curb	9.45 feet
Southeasterly Curb	9.45 feet

Opposite the intersection of the northwest margin of said public street with the southerly margin of Peninsula Place:

Northwesterly Curb	11.30 feet
Southeasterly Curb	11.30 feet

On the public street and highway established in Section 1 hereof,
from 2nd Avenue South southeasterly to 1st Avenue South:

Opposite the intersection of the southwesterly margin of
said public street and highway with the east margin of
2nd Avenue South:

Northeasterly Curb	9.00 feet
Southwesterly Curb	9.00 feet

At a point 600 feet southeasterly from the last mentioned
point:

Northeasterly Curb	7.20 feet
Southwesterly Curb	7.20 feet

That the curb gradients shall be of a uniform rate of grade between
the elevations established herein.

Section 3. That in the grading of the above named streets
the city shall acquire the right in the case of a cut to remove the
lateral support of the property abutting on said streets. 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
(1½) feet for each foot of elevation of fill for the purpose of
acquiring lateral support for said streets, reserving unto the
abutting property owners, respectively, the right at any time to re-
move said slopes upon providing other adequate lateral support for
said streets.

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 of said streets, 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,
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, or from such other fund as the City Council of the City of Seattle may direct.

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 Council the 19 day of NOVEMBER, 1928,
and signed by me in open session in authentication of its passage this 19 day of
NOVEMBER, 1928. *John E. Garro*
President of the City Council.

Approved by me this 21 day of NOVEMBER, 1928.
Frank Edwards
Mayor.

Filed by me this 21 day of NOVEMBER, 1928.
John W. Carrall
Attest: City Comptroller and Ex-Officio City Clerk.

(SEAL)

Published Nov 16-1928

By *W. Carrall*
City Comptroller and Ex-Officio City Clerk.
By *W. Carrall*
Deputy Clerk.