

**Ordinance No. 56480**

Providing for the laying off,  
opening, widening, extending and  
establishing of WEST BARTON STREET,  
between 35th Avenue Southwest and  
24th Avenue Southwest, and of a  
public street and highway to be  
known as WEST BARTON PLACE, \*\*\*\*\*

AMENDED

SECTION 3

ORDINANCE NO. 58933

**Council Bill No. 46740**

INTRODUCED:	BY:
REFERRED:	TO:
REFERRED:	
REPORTED: NOV 26 1928	VETO:
SECOND READING: NOV 26 1928	PUBLISHED:
THIRD READING: NOV 26 1928	VETO SUSTAINED:
SIGNED: NOV 26 1928	PASSED OVER VETO:
PRESENTED TO MAYOR:	APPROVED: NOV 27 1928
FILED: NOV 27 1928	PUBLISHED: DEC 1 1928
ENGROSSED:	BY:
VOL. 82 PAGE 56	CM
COMPARED BY:	

AND

128955 - Award of Jury

130295 - Report CC on hearing

130359 - Eminent Domain Commission on defect in roll

0.77103 -

SEE BACK COVER

ORD 100173 TRANSFERRING JURISDICTION OVER CERTAIN DEPT OF PRKS & REC PROPERTY IN VICINITY OF S.W. BARTON ST & 27TH AVE S.W. TO ENGR. DEPT FOR STREET PURPOSES & ACCEPTING A DEED OF DEDICATION FROM THE JOINT VENTURE KNOWN AS WESTWOOD VILLIAGE IN CONNECTION THEREWITH.

Prepared at request of

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*Stony*

AMENDED

3

ORDINANCE NO. 58333

ORDINANCE NO. 56480

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of WEST BARTON STREET, between 35th Avenue Southwest and 24th Avenue Southwest, and of a public street and highway to be known as WEST BARTON PLACE, from the intersection of West Barton Street and 24th Avenue Southwest northeasterly to an intersection with West Henderson Street, between 22nd Avenue Southwest and 21st Avenue Southwest; Providing for the establishing of the curb grades of said street and place; 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 street and place; and providing for the condemnation in fee simple of land and other property for general municipal purposes; 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, except as herein otherwise provided.

WHEREAS, Public necessity and convenience demand that the above named street and place be laid off, opened, widened, extended and established as public streets and highways and that the curb grades of the above named street and place be established and that certain land and other property be taken for general municipal purposes, 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 Barton Street, between 35th Avenue Southwest and 24th Avenue Southwest, and a public street and highway to be known as West Barton Place, from the intersection of West Barton Street and 24th Avenue Southwest northeasterly to an intersection with West Henderson Street, between 22nd Avenue Southwest and 21st Avenue Southwest, be, and the same are, hereby laid off, opened, widened, extended and established as public streets and highways over and across the following lots, blocks and tracts of land, to-wit:

UNPLATTED

The north thirty (30) feet of that portion of the southwest quarter of the southwest quarter of Section 36, Township 24 North, Range 3 East, W.M., lying easterly of 34th Avenue Southwest, as platted in McKenzie Addition to the City of Seattle, recorded in Volume 20 of Plats, Page 42.

The north thirty (30) feet of the southeast quarter of the southwest quarter of Section 36, Township 24 North, Range 3 East, W.M.

The south thirty (30) feet of that portion of the northeast quarter of the southwest quarter of Section 36, Township 24 North, Range 3 East, W.M., lying east of 29th Avenue Southwest, as platted in Little City Farms, Division Number 4, an addition to the City of Seattle, recorded in Volume 26 of Plats, Page 9.

The south thirty (30) feet of that portion of the northwest quarter of the southeast quarter of Section 36, Township 24 North, Range 3 East, W.M., lying west of 25th Avenue Southwest, as platted in Little City Farms, Division Number 5, an addition to the City of Seattle, recorded in Volume 26 of Plats, Page 26.

The north thirty (30) feet of the west five hundred twelve and fifty-nine one-hundredths (512.59) feet of the southwest quarter of the southeast quarter of Section 36, Township 24 North, Range 3 East, W.M.

In LITTLE CITY FARMS, DIVISION NUMBER 5, an Addition to the City of Seattle, recorded in Volume 26 of Plats, Page 26.

That portion of Lot 16, Block 36, described as follows: Beginning at the southeast corner of said lot; thence northeasterly along the southeasterly line of said lot a distance of thirty-nine and fifty-four one-hundredths (39.54) feet; thence southwesterly along the arc of a curve to the right having a radius of three hundred seventy and no one-hundredths (370.00) feet a distance of one hundred thirty-nine and eighty-five one-hundredths (139.85) feet to a point on the west line of said Lot 16, said point being distant sixty-six and twenty-two one-hundredths (66.22) feet south from the northwest corner of said lot; thence south along said west line a distance of one and twenty-three one-hundredths (1.23) feet to the southwest corner of said lot; thence east along the south line thereof a distance of one hundred twenty-three and eighty-four one-hundredths (123.84) feet to the point of beginning.

That portion of Lots 9, 12, 13, 16, 17 and 20, Block 35, described as follows:

Beginning at a point on the northwesterly line of said Lot 17, said point being distant three and fifty-eight one-hundredths (3.58) feet southwesterly from the northwest corner of said Lot 17; thence south  $19^{\circ} 20' 52''$  west along the northwesterly line of said Lot 17 a distance of forty-five and eighty one-hundredths (45.80) feet to a point of curvature; thence southwesterly along the arc of a curve to the left having a radius of one thousand sixty and no one-hundredths (1060.00) feet a distance of seventy-one and twelve one-hundredths (71.12) feet to a point on the westerly line of said Lot 20, from which the radius of said curve bears south  $74^{\circ} 29' 47''$  east; thence northeasterly along the arc of a curve to the left having a radius



of four hundred thirty and no one-hundredths (430.00) feet (the radius of said curve bearing north  $34^{\circ} 03' 30''$  west from said point) a distance of ninety-six and eighty-seven one-hundredths (96.87) feet to a point of tangency; thence north  $43^{\circ} 02' 03''$  east along the tangent to said curve at said point a distance of one hundred eighty-five and six one-hundredths (185.06) feet to a point on the easterly line of Lot 13, said block; thence north  $14^{\circ} 29' 04''$  east along the easterly line of said Lot 13 and of said Lot 12, said block, a distance of seventy-five and no one-hundredths (75.00) feet to a point of curvature; thence northerly along the arc of a curve to the left having a radius of twelve hundred sixty-three and forty-five one-hundredths (1263.45) feet a distance of forty-eight and eighty-two one-hundredths (48.82) feet to a point on said curve, from which the radius bears north  $77^{\circ} 43' 46''$  west; thence south  $43^{\circ} 02' 03''$  west a distance of two hundred eighty-three and thirty-five one-hundredths (283.35) feet to the point of beginning.

That portion of Lots 3, 6, 7, 10, 11 and 14, Block 35, described as follows:

Beginning at a point on the westerly line of said Lot 14, said point being distant forty-nine and nineteen one-hundredths (49.19) feet north  $14^{\circ} 29' 04''$  east from the southwest corner of said Lot 14; thence north  $43^{\circ} 02' 03''$  east a distance of two hundred thirteen and eighty-three one-hundredths (213.83) feet to a point on the easterly line of Lot 7, said Block 35; thence northerly along the easterly line of Lots 7, 6 and 3 a distance of one hundred fifteen and sixty-seven one-hundredths (115.67) feet; thence southwesterly along a straight line a distance of two hundred seven and four one-hundredths (207.04) feet to a point on the westerly line of said Lot 10, said point being distant fourteen and sixty-four one-hundredths (14.64) feet southerly from the northwest corner of said lot; thence southerly along the westerly line of said Lots 10, 11 and 14, one hundred twenty-one and forty-four one-hundredths (121.44) feet to the point of beginning.

That portion of Lots 1, 4 and 5, Block 34, described as follows:

Beginning at a point on the westerly line of said Lot 1, said point being distant thirty-eight and fifty one-hundredths (38.50) feet southerly from the northwest corner of said Lot 1; thence southerly along the westerly line of Lots 1, 4 and 5, the same being the arc of a curve to the right having a radius of eight hundred five and no one-hundredths (805.00) feet a distance of ninety-two and sixty-nine one-hundredths (92.69) feet to a point on said curve, from which the radius bears north  $81^{\circ} 17' 38''$  west; thence north  $43^{\circ} 02' 03''$  east a distance of fifteen and ten one-hundredths (15.10) feet to a point of curvature; thence northeasterly along the arc of a curve to the right having a radius of three hundred seventy and no one-hundredths (370.00) feet a distance of one hundred fifty-one and eleven one-hundredths (151.11) feet to a point on the easterly line

of said Lot 1, said point being distant twenty-nine and sixty-three one-hundredths (29.63) feet north from the southeast corner of said Lot 1; thence northerly along the easterly line of said Lot 1 a distance of thirty and fifty-four one-hundredths (30.54) feet to the northeast corner of said Lot 1; thence west along the north line of said Lot 1 a distance of seventy-four and thirty-six one-hundredths (74.36) feet; thence southwesterly along the arc of a curve to the left having a radius of four hundred thirty and no one-hundredths (430.00) feet a distance of sixty-seven and no one-hundredths (67.00) feet to the point of beginning.

That portion of Lot 2, Block 34, described as follows:

Beginning at a point on the east line of said lot, said point being distant fifty-nine and ninety-nine one-hundredths (59.99) feet north from the southeast corner of said lot; thence north along the said east line a distance of one one-hundredths (.01) feet to the northeast corner of said lot; thence west along the north line of said lot a distance of one hundred twenty-eight and forty-four one-hundredths (128.44) feet to the northwest corner of said lot; thence southerly along the westerly line of said lot a distance of twenty-three and eighty-three one-hundredths (23.83) feet; thence northeasterly along the arc of a curve to the right having a radius of three hundred seventy and no one-hundredths (370.00) feet a distance of one hundred thirty-three and eight one-hundredths (133.08) feet to the point of beginning.

Section 2. That the following lots, blocks, tracts or parcels of land and the appurtenances thereunto belonging be, and the same are, hereby condemned, appropriated and taken in fee simple for general municipal purposes, to-wit:

That portion of Lot 1, Block 34, Little City Farms, Division Number 5, an addition to the City of Seattle, recorded in Volume 26 of Plats, Page 26, lying northwesterly of West Barton Place, as established in Section 1 hereof.

That portion of Lot 1, Block 34, Little City Farms, Division Number 5, an addition to the City of Seattle, recorded in Volume 26 of Plats, Page 26, lying southeasterly of West Barton Place, as established in Section 1 hereof.

and that said lands and appurtenances thereunto belonging are to be condemned <sup>taken</sup> and appropriated only after just compensation has been made or paid into court for the owners thereof, in the manner provided by law.



Section 3. That the curb grades of West Barton Street, between 35th Avenue Southwest and 24th Avenue Southwest, and of a public street and highway to be known as West Barton Place, from the intersection of West Barton Street and 24th Avenue Southwest northeasterly to an intersection with West Henderson Street, between 22nd Avenue Southwest and 21st Avenue Southwest, be, and the same are, hereby established at the following elevations above City datum, to-wit:

At the east margin of 35th Avenue Southwest, at elevations conforming with the existing grade on 35th Avenue Southwest:

North Curb	304.50 feet
South Curb	303.80 feet

At the west margin of 34th Avenue Southwest:

North Curb	307.30 feet
South Curb	307.30 feet

At the east margin of 34th Avenue Southwest:

North Curb	308.10 feet
South Curb	308.10 feet

At the west margin of 32nd Avenue Southwest:

North Curb	311.80 feet
South Curb	311.80 feet

At the east margin of 32nd Avenue Southwest:

North Curb	311.80 feet
South Curb	311.80 feet

At the west margin of 31st Avenue Southwest:

North Curb	296.80 feet
South Curb	296.80 feet

At the east margin of 31st Avenue Southwest:

North Curb	296.50 feet
South Curb	296.50 feet

At the west margin of 30th Avenue Southwest:

North Curb	295.10 feet
South curb	295.10 feet

At the east margin of 34th Avenue Southwest:

North Curb	294.80 feet
South Curb	294.80 feet

At the west margin of 29th Avenue Southwest:

North Curb	281.00 feet
South Curb	281.00 feet

At a point sixty and no one-hundredths (60.00) feet east of the west margin of 29th Avenue Southwest:

North Curb	278.00 feet
South Curb	278.00 feet

At a point three hundred twenty and no one-hundredths (320.00) feet east of the west margin of 29th Avenue Southwest:

North Curb	265.00 feet
South Curb	265.00 feet

At a point three hundred eighty and no one-hundredths (380.00) feet east of the west margin of 29th Avenue Southwest:

North Curb	264.44 feet
South Curb	264.44 feet

At a point six hundred forty and no one-hundredths (640.00) feet east of the west margin of 29th Avenue Southwest:

North Curb	262.00 feet
South Curb	262.00 feet

At a point seven hundred and no one-hundredths (700.00) feet east of the west margin of 29th Avenue Southwest:

North Curb	262.00 feet
South Curb	262.00 feet

At a point nine hundred sixty and no one-hundredths (960.00) feet east of the west margin of 29th Avenue Southwest:

North Curb	264.89 feet
South Curb	264.89 feet

At a point three hundred forty-nine and thirty-four one-hundredths (349.34) feet west from the west margin of 25th Avenue Southwest, as now established:

North Curb	265.56 feet
South Curb	265.56 feet

At a point ten and no one-hundredths (10.00) feet east of the last mentioned point at the point of curvature of a vertical curve:

North Curb	265.67 feet
South Curb	265.67 feet



At a point two hundred forty and no one-hundredths (240.00) feet east of the last mentioned point at the point of tangency of a vertical curve:

North Curb	273.85 feet
South Curb	273.85 feet

At the west margin of 25th Avenue Southwest, as now established:

North Curb	279.51 feet
South Curb	279.51 feet

At a point three hundred twenty-seven and eighteen one-hundredths (327.18) feet northeasterly, measured along the center line of West Barton Place, from the intersection of said center line with the center line of West Barton Street, as established herein,

at a point of tangency of a curve in said center line with a center line radius of four hundred and no one-hundredths (400.00) feet:

Northwesterly Curb	298.16 feet
Southeasterly Curb	298.16 feet

At a point five hundred sixty-nine and seventeen one-hundredths (569.17) feet northeasterly, measured along the center line of West Barton Place, from the last mentioned point at a point of curvature of the arc of a curve to the right in said center line, having a radius of four hundred and no one-hundredths (400.00) feet, said point being approximately eighteen and seven one-hundredths (18.07) feet northeasterly from the intersection of said center line with the center line of 22nd Avenue Southwest, as now established:

Northwesterly Curb	330.66 feet
Southeasterly Curb	330.66 feet

At a point three hundred twenty-six and seventy-eight one-hundredths (326.78) feet northeasterly from the last mentioned point, measured along the center line of said West Barton Place, said point being at the west margin of 21st Avenue Southwest.

North Curb	348.50 feet
South Curb	349.30 feet

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 4. That in the grading of the above named street and place the City shall acquire the right in the case of a cut to remove the lateral support of the property abutting on said street and place. 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 street and place, reserving unto the abutting property owners, respectively, the right at any time to remove such slopes upon providing other adequate lateral support for said street and place.

Section 5. 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 street and place in conformity with the grades established in Section 3 hereof, and in the construction of the necessary slopes for cuts and fills upon the real property abutting upon said street and place, as set forth in Section 4 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 6. 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, provided, however, that that portion of the improvement provided for in Section 2 hereof shall be paid from the General Fund of the City of Seattle.

Section 7. 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 8 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 26 day of NOVEMBER, 1928,

and signed by me in open session in authentication of its passage this 26 day of NOVEMBER, 1928. Oliver J. Erickson

President PRO TEM of the City Council.

Approved by me this 27 day of NOVEMBER, 1928.

Filed by me this 27 day of NOVEMBER, 1928.

Wm. E. Carroll  
Acting Mayor.

Attest: W. M. Carroll  
City Comptroller and Ex-Officio City Clerk.

(SEAL)

By W. M. Carroll  
Deputy Clerk.

Published DEC 12 1928

By W. M. Carroll  
City Comptroller and Ex-Officio City Clerk.

By W. M. Carroll  
Deputy Clerk.