

Ordinance No. 53239

Providing for the laying off, opening, widening, extending and establishing of WEST SPOKANE STREET between West Marginal Place and 23d Avenue Southwest, and of YOUNGSTOWN PLACE, between West Charlestown Street and West Spokane Street * * * * *

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Council Bill No. 48625

INTRODUCED: SEP 16 1929	BY: STREETS & SEWERS
REFERRED: SEP 16 1929	TO: STREETS & SEWERS
REFERRED:	
REPORTED: SEP 23 1929	VETO:
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ENGROSSED: VOL. 62 PAGE 547	BY: CMT
COMPARED BY:	

AND

5074

ORDINANCE NO. 58239

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of WEST SPOKANE STREET between West Marginal Place and 23d Avenue Southwest, and of YOUNGSTOWN PLACE between West Charlestown Street and West Spokane Street: providing for the changing and establishing of the curb grades of said street and place; and 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 that the entire cost of said improvement shall be paid by special assessment upon the property specially benefited or by such fund as the City Council of the City of Seattle, may direct, or by both special assessment and said fund, all in the manner provided by law.

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 changed and established:

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 SPOKANE STREET between West Marginal Place and 23d Avenue Southwest, and YOUNGSTOWN PLACE between West Charlestown Street and West Spokane Street, 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 or tracts of land, to-wit:

UNPLATTED

That portion of Government Lots Two (2) and Three (3), in Section thirteen (13), Township Twenty-four (24) North, Range Three (3) East, W.M., described as follows: Beginning at the intersection of the south margin of West Spokane Street as now established with the south-westerly margin of West Marginal Place as now established; thence west along the south margin of West Spokane Street a distance of six hundred sixty-six and thirty-seven one-hundredths (666.37) feet to a point of curvature

thence westerly, southwesterly and southerly along the arc of a curve to the left, having a radius of one hundred (100) feet, a distance of one-hundred fifty-five and sixty-six one-hundredths (155.66) feet to a point of tangency on the east margin of 22d Avenue Southwest as now established; thence south $0^{\circ}48'53''$ west along said east margin a distance of fifty-seven and twenty-six one-hundredths (57.26) feet; thence north $56^{\circ}30'00''$ east a distance of one hundred seventy-seven and thirteen one-hundredths (177.13) feet to a point of curvature; thence northeasterly along the arc of a curve to the right, having a radius of one-hundred ninety (190) feet, a distance of one-hundred eleven and nine one-hundredths (111.09) feet to a point of tangency on a line twenty-six and fifty one-hundredths (26.50) feet south from and parallel with the south margin of West Spokane Street, as now established; thence due east along said south margin a distance of four-hundred ninety-six and nine-five one-hundredths (496.95) feet to a point of curvature; thence easterly along the arc of a curve to the right, having a radius of ninety (90) feet a distance of fifty-six and eighty-three one-hundredths (56.83) feet to an intersection with the southwesterly margin of West Marginal Place, as now established; thence northwesterly along said southwesterly margin a distance of fifty-six and forty-two one-hundredths (56.42) feet to the point of beginning.

That portion of Government Lot Three (3), in Section Thirteen (13), Township Twenty-four (24) North, Range Three (3) East, W.M., described as follows: Beginning at the intersection of the south margin of West Spokane Street as now established, with the northwesterly margin of Youngstown Place as now established; thence west along said south margin a distance of ninety-seven and five one-hundredths (97.05) feet; thence easterly along the arc of a curve to the right, having a radius of two-hundred sixty and thirty one-hundredths (260.30) feet, a distance of fifty-nine and eighteen one-hundredths (59.18) feet to a point of tangency; thence south $76^{\circ}58'20''$ east a distance of ten and no one-hundredths (10.00) feet to a point of curvature; thence easterly along the arc of a curve to the left, having a radius of five hundred sixty-five and twenty-five one-hundredths (565.25) feet a distance of twenty-two and seventeen one-hundredths (22.17) feet to an intersection with the northwesterly margin of Youngstown Place as now established; thence northeasterly along the said northwesterly margin a distance of fifteen and twenty one-hundredths (15.20) feet to the point of beginning.

That portion of Government Lot Three (3), in Section Thirteen (13), Township Twenty-four (24) North, Range Three (3) East, W.M., described as follows: Beginning at a point on the west margin of 22d Avenue Southwest as now established, said point being distant thirty-seven and sixty-eight one-hundredths (37.68) feet north from the intersection of said west margin with the

north line of Lot Twelve (12), Block Two (2), Star Addition to West Seattle, now a portion of the City of Seattle, recorded in Volume 3 of Plats, Page 77; thence north along said west margin a distance of forty-seven and twenty-three one-hundredths (47.23) feet to an intersection with the southeasterly margin of Youngstown Place as now established; thence southwesterly along said southeasterly margin of Youngstown Place, a distance of - - - - - ninety-five and fifty-five one-hundredths (95.55) feet to an intersection with the north line of said Lot Twelve (12); thence east along said north line a distance of three and thirty one-hundredths (3.30) feet; thence northeasterly along the arc of a curve to the right, having a radius of one-hundred seventy-eight and nineteen one-hundredths (178.19) feet, a distance of fifty-five and no one-hundredths (55.00) feet to the point of beginning. 95.55

STAR ADDITION to West Seattle,
now a portion of The City of Seattle,
as recorded in Volume 3 of Plats, Page 77.

That portion of Lot Twelve (12), Block Two (2), described as follows:

Beginning at a point on the north line of said lot, said point being distant thirty-nine and fifteen one-hundredths (39.15) feet west from the northeast corner of said lot; thence west along said north line a distance of three and thirty one-hundredths (3.30) feet to an intersection with the southeasterly margin of Youngstown Place as now established; thence southwesterly along said southeasterly margin a distance of thirty and sixty-six one-hundredths (30.66) feet; thence northeasterly along the arc of a curve to the right, having a radius of one-hundred seventy-eight and nineteen one-hundredths (178.19) feet a distance of thirty-two and thirty-four one-hundredths (32.34) feet to the point of beginning.

Section 2. That the curb grades of WEST SPOKANE STREET between West Marginal Place and 23d Avenue Southwest, and of YOUNGSTOWN PLACE between West Charlestown Street and West Spokane Street, be and the same are hereby changed and established to the following elevations above City Datum, to-wit:

ON WEST SPOKANE STREET

Opposite the intersection of the southerly margin of West Spokane Street as established in Section 1 hereof, with the southwesterly margin of West Marginal Place, as now established, at elevations conforming to the established grade on West Marginal Place:

Southerly Curb 34.03-feet.

Opposite a point fifty-six and eighty-three one-hundredths (56.83) feet westerly, measured along the southerly margin of West Spokane Street as established in Section 1 hereof, at a point of curvature of a vertical curve:

Southerly Curb 33.75-feet

At a point forty (40) feet west of the last mentioned point, at the point of tangency of a vertical curve:

Southerly Curb 33.67-feet

At a point four hundred fifty-six and ninety-five one-hundredths (456.95) feet west of the last mentioned point:

Southerly Curb 36.52-feet

Opposite the intersection of the southerly margin of West Spokane Street as established in Section 1 hereof, with the northwesterly margin of Youngstown Place as now established:

Southerly Curb 19.20-feet

At a point ninety-three and nine one-hundredths (93.09) feet westerly from the last mentioned point, measured along the southerly margin of West Spokane Street as established in Section 1 hereof:

Southerly Curb 12.70-feet

At a point forty (40) feet west of the last mentioned point, at elevations conforming to the existing grade on West Spokane Street:

Southerly Curb 10.35-feet

The above established grades, all refer to an upper roadway to be constructed on the southerly portion of West Spokane Street between West Marginal Place and 23d Avenue Southwest.

ON YOUNGSTOWN PLACE

At a point thirty-seven and ninety-four one-hundredths (37.94) feet westerly, measured along the southeasterly margin of Youngstown Place as established in Section 1 hereof, from the intersection of the southeasterly margin of Youngstown Place with the south margin of West Spokane Street as established in Section 1 hereof at the point of curvature of a vertical curve: *southerly*

Southerly Curb 36.75-feet

At a point one-hundred fifty-three (153) feet southwesterly from the last mentioned point at a point of tangency of a vertical curve:

Southeasterly Curb 31.65-feet

At a point seventy and sixty one-hundredths (70.60) feet northeasterly from the intersection of the southeasterly margin of Youngstown Place as established in Section 1 hereof, with the east margin of 22d Avenue Southwest as now established:

Southeasterly Curb 29.93-feet

Opposite the intersection of the southeasterly margin of Youngstown Place as established in Section 1 hereof, with the east margin of 22d Avenue Southwest as now established:

Southeasterly Curb 25.88-feet

Opposite the intersection of the southeasterly margin of Youngstown Place as established in Section 1 hereof, with the west margin of 22d Avenue Southwest as now established:

Southeasterly Curb 21.72-feet

At a point twenty-one and seventy-six one-hundredths (21.76) feet southwesterly from the last mentioned point measured along the southeasterly margin of Youngstown Place as established in Section 1 hereof, at a point of curvature of a vertical curve:

Southeasterly Curb 20.40-feet

At a point forty (40) feet southwesterly from the last mentioned point at the point of tangency of a vertical curve:

Southeasterly Curb 19.90-feet

At a point twenty-five and fifty-eight one-hundredths (25.58) feet southwesterly from the last mentioned point measured along the southeasterly margin of Youngstown Place at existing elevations:

Southeasterly Curb 20.48-feet

The above established grades on Youngstown Place, apply to an upper roadway connecting Youngstown Place with the upper roadway to be constructed on West Spokane Street.

At a point two hundred twenty-one and fifty-eight one-hundredths (221.58) feet southwesterly from the intersection of the northwesterly margin of Youngstown Place as now established with the southerly margin of West Spokane Street as established in Section 1 hereof at existing elevations:

Northwesterly Curb 19.84-feet

At a point fifty-three and forty-eight one-hundredths (53.48) feet northeasterly from the last mentioned point measured along the curb line:

Northwesterly Curb 18.74-feet

The two last above grades established, apply to a lower roadway connecting Youngstown Place with the present existing grade on West Spokane Street at a point approximately two-hundred (200) feet easterly of the east margin of 22d Avenue Southwest.

Section 3. That in the grading and regrading 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 and maintaining other adequate lateral support for said street and place.

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 street and place, 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 street and place, 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 thereof, 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 fund as the City Council of the City of Seattle may direct, or by both special assessment and from such fund.

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 23 day of SEPTEMBER, 1929
and signed by me in open session in authentication of its passage this 23 day of
SEPTEMBER, 1929

John E. Carroll
President of the City Council.

Approved by me this 24 day of SEPTEMBER, 1929
Frank Edwards
Mayor.

Filed by me this 24 day of SEPTEMBER, 1929

Attest
City Comptroller and Ex-Officio City Clerk.

By Gustav
Deputy Clerk.

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By Gustav
Deputy Clerk.

(SEAL)

OCT -2 1929

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