

Ordinance No. 60676

Providing for the acquisition by condemnation or purchase of certain lands, property and property rights, for a right-of-way for sewer purposes across Blocks 27, 28, 29, 30, 32 and 33, Lake Washington Shore Lands, and certain other lands, and providing for the payment therefor.

Amended in Section 1 by Ordinance No. 62167
St

Council Bill No. 51148

INTRODUCED: JAN 26 1931	BY: STREETS & SEWERS
REFERRED: JAN 26 1931	TO: STREETS & SEWER
REFERRED:	FINANCE
REPORTED: FEB 2 1931	VETO:
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ENGROSSED:	BY: <i>cmj</i> ✓
VOL. <i>9-2</i> PAGE <i>314</i>	
COMPARED BY:	AND

136556-award

Cid 62920 - appx \$4900 into to pay judgement

Prepared at request of

SWK

Amended in Section 1. b; Ordinance No. 62167

*Ord 69670 - abolishing R. W. Shore Lands Condemn Fund. created by this Ord.
+ transfer \$82.63 in fund to Seaside Bonds 1926 Const Fund*

ORDINANCE NO. 60676

AN ORDINANCE Providing for the acquisition by condemnation or purchase of certain lands, property and property rights for a right-of-way for sewer purposes across Blocks 27, 28, 29, 30, 32 and 33, Lake Washington Shore Lands, and certain other lands, and providing for the payment therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that the following described property, to-wit:

In the REPLAT of JOHN J. MCGILVRA'S ADDITION to the City of Seattle, recorded in Volume 13 of Plats, Page 34.

A strip of land six (6) feet in width over and across Tracts 140 and 141 and vacated 40th Avenue North adjoining Tract 141, popularly known as Denny Blaine Lakeside Addition, unrecorded, the center line of said strip being described as follows:

Beginning at a point on the center line produced north of 40th Avenue North, as platted in Denny Blaine Park Addition, said point being distant one hundred fifty and twenty-six one-hundredths (150.26) feet north $1^{\circ}13'45''$ east from the intersection of said produced center line with the north line of said Denny Blaine Park Addition; thence north $45^{\circ}16'55''$ west a distance of three hundred ninety-two and fourteen one-hundredths (392.14) feet; thence north $25^{\circ}11'25''$ west to an intersection with the north line of said Tract 140.

A strip of land six (6) feet in width over and across Tracts 160 and 161, the center line of said strip being described as follows:

Beginning at a point on the south line of said Tract 161, said point being distant thirty-nine and seventy-four one-hundredths (39.74) feet west from the southeast corner of said tract; thence northeasterly along a straight line a distance of four hundred thirty-nine and eighty-three one-hundredths (439.83) feet to a point on the southeasterly line of said Tract 160, said point being one hundred forty-seven and thirty-seven one-hundredths (147.37) feet northeasterly from the southeast corner of said lot.

Also a strip of land six (6) feet in width over and across Tracts 160, 159 and 158, and 41st Avenue North vacated by Ordinance No. 26804, the center line of said strip being described as follows:

Beginning at a point on the southeasterly line of said Tract 160, said point being distant south $35^{\circ}23'24''$ west forty-six and twenty-nine one-hundredths (46.29) feet from the northeast corner of said tract; thence north $1^{\circ}8'22''$ east two hundred eleven and eighty-eight one-hundredths (211.88) feet; thence north $31^{\circ}32'55''$ east a distance of two hundred forty-two and seventy-eight one-hundredths (242.78) feet; thence north $58^{\circ}34'25''$ east a distance of one hundred eighty-five and eighty-one one-hundredths (185.81) feet to an intersection with the east margin of said vacated 41st Avenue North, said point being distant twenty-four and sixteen one-hundredths (24.16) feet north from the intersection of said east margin with the northwesterly margin of Block 30, Lake Washington Shore Lands.

LAKE WASHINGTON SHORE LANDS

A strip of land six (6) feet in width over and across Block 32, Lake Washington Shore Lands, the center line of said strip being described as follows:

Beginning at a point on the northwesterly margin of Block 32, said point being distant north $35^{\circ}23'24''$ east one hundred forty-seven and thirty-seven one-hundredths (147.37) feet from the southwest corner of said block; thence north $39^{\circ}38'09''$ east a distance of one hundred thirty-three and eighty-four one-hundredths (133.84) feet; thence north $1^{\circ}08'22''$ east a distance of seventeen and eleven one-hundredths (17.11) feet to an intersection with the northwesterly margin of said Block 32, said point being distant south $35^{\circ}33'24''$ west forty-six and twenty-nine one-hundredths (46.29) feet from the northwest corner of said block.

A strip of land six (6) feet in width over and across Block 30, the center line of said strip being described as follows:

Beginning at a point on the northwesterly line of said lot, said point being distant seventy-seven and seventeen one-hundredths (77.17) feet south $29^{\circ}38'24''$ east from the northwest corner of said block; thence north $58^{\circ}34'25''$ east a distance of forty-one and sixty-nine one-hundredths (41.69) feet; thence north $38^{\circ}03'25''$ east a distance of fifty-seven and twenty-seven one-hundredths (57.27) feet to a point on the north line of said block, said point being distant thirty-two and seventy-two one-hundredths (32.72) feet east from the northwest corner of said block.

In JOHN J. McGILVRA'S 2nd ADDITION to the City of Seattle, recorded in Volume 1 of Plats, Page 30.

That portion of Lot 1, Block 22, described as follows:

Beginning at a point on the west line of said lot, said point being distant north $0^{\circ}25'13''$ east twenty and sixty-three one-hundredths (20.63) feet from the most southerly corner of said lot; thence north $0^{\circ}25'13''$ east along said west line a distance of seven and six one-hundredths (7.06) feet; thence north $58^{\circ}34'25''$ east a distance of twenty-seven and ninety-five one-hundredths (27.95) feet to an intersection with the southeasterly line of said lot, said point of intersection being south $29^{\circ}38'24''$ west seventy and ninety-seven one-hundredths (70.97) feet from the most easterly corner of said lot; thence south $29^{\circ}38'24''$ west a distance of twelve and forty one-hundredths (12.40) feet; thence south $58^{\circ}34'25''$ west a distance of twenty and eighty-two one-hundredths (20.82) feet to the point of beginning.

In LAKE WASHINGTON SHORE LANDS.

A strip of land six (6) feet in width over and across Block 29, the center line of said strip being described as follows:

Beginning at a point on the center line of East Prospect Street as now established, said point being south $89^{\circ}34'47''$ east one hundred sixty-one and ninety-two one-hundredths (161.92) feet from the intersection of said center line of East Prospect Street with the center line of 41st Avenue North as now established; thence north $38^{\circ}03'25''$ east a distance of fifty-seven and twenty-eight one-hundredths (57.28) feet; thence north $23^{\circ}14'10''$ east a distance of four hundred twenty-eight and fifteen one-hundredths (428.15) feet to an intersection with the center line of East Highland Drive.

A strip of land six (6) feet in width over and across Lots 2 to 6, inclusive, Block 28, described as follows:

Beginning at a point on the center line of East Highland Drive as now established, said point being distant south $89^{\circ}34'47''$ east two hundred twelve and eighty-four one-hundredths (212.84) feet from the intersection of said center line of East Highland Drive with the center line of 42nd Avenue North as now established; thence north $37^{\circ}00'10''$ east a distance of two hundred forty-five and twenty-eight one-hundredths (245.28) feet; thence north $25^{\circ}18'29''$ east a distance of one hundred thirty-five and thirty one-hundredths (135.30) feet to an intersection with the south margin of a street deeded to the City of Seattle under Ordinance No. 54252.

That portion of Lot 1, Block 28, described as follows:

Beginning at a point on the east margin of a street deeded to the City of Seattle under Ordinance No. 54252, said point being distant fourteen and seven one-hundredths (14.07) feet south from the intersection of said east margin with the north line of said Lot 1; thence north along said east margin a distance of fourteen and seven one-hundredths (14.07) feet to an intersection with the north line of said Lot 1; thence east along said north line a distance of six and fifty-two one-hundredths (6.52) feet; thence southwesterly along a straight line a distance of fifteen and fifty one-hundredths (15.50) feet to the point of beginning.

Also that portion of said Lot 1, Block 28, described as follows:

Beginning at a point on the west margin of a street deeded to the City of Seattle under Ordinance No. 54252, said point being distant south thirty-five and twenty-two one-hundredths (35.22) feet from the intersection of said west margin with the north line of said Lot 1; thence south along said west margin a distance of three and no one-hundredths (3.00) feet to an intersection with the northwesterly margin of said street; thence southwesterly along said northwesterly margin a distance of four and fifty-six one-hundredths (4.56) feet; thence northeasterly along a straight line a distance of seven and eleven one-hundredths (7.11) feet to the point of beginning.

A strip of land six (6) feet in width over and across Lots 53 to 62, inclusive, Block 27, the center line of said strip being described as follows:

Beginning at a point on the south line of said Lot 62, said point being distant six and eighty-nine one-hundredths (6.89) feet east from the southwest corner of said lot; thence north $28^{\circ}49'10''$ east a distance of sixty-eight and twenty-one one-hundredths (68.21) feet to an intersection with the north line of said Lot 62, said point of intersection being thirty-eight and thirty-two one-hundredths (38.32) feet east from the northwest corner of said Lot 62; thence continuing north $28^{\circ}49'10''$ east a distance of fifty-nine and ninety-four one-hundredths (59.94) feet; thence north $4^{\circ}22'37''$ east a distance of three hundred forty-eight and eighty-two one-hundredths (348.82) feet; thence north $73^{\circ}43'56''$ west a distance of sixty-six and sixty-two one-hundredths (66.62) feet to a point on the northwesterly line of said Lot 53, said point being distant twenty-one and ninety-six one-hundredths (21.96) feet southerly from the northwest corner of said Lot 53.

In the REPLAT of JOHN J. MCGILVRA'S 3rd ADDITION to the City of Seattle, recorded in Volume 6 of Plats, Page 34.

That portion of Lots 14 to 17, inclusive, Block 1, and the Unplatted Reserve lying to the easterly of said Block 1 included within a strip of land six (6) feet in width, the center line of said strip being described as follows:

Beginning at a point on the westerly line of Lot 53, Block 27, Lake Washington Shore Lands, said point being distant twenty-one and ninety-six one-hundredths (21.96) feet south $15^{\circ}37'39''$ west from the northwest corner of said Lot 53, said point being also on the southeasterly margin of said Unplatted Reserve; thence north $73^{\circ}48'56''$ west a distance of fifty-one and twenty-five one-hundredths (51.25) feet; thence north $13^{\circ}45'31''$ west a distance of three hundred fifteen and seventy-five one-hundredths (315.75) feet to a point on the north line of said Unplatted Reserve, said point being distant fifty-eight and one one-hundredths (58.01) feet from the northwest corner of said Unplatted Reserve.

be acquired for a right-of-way for sewer purposes.

Section 2. That the right be acquired to encroach and occupy, use and damage in the original construction of said sewer the following described tract of land, to-wit:

A strip of land ten (10) feet in width over and across Blocks 27, 28, 29, 30, 31, 32 and 33, Lake Washington Shore Lands; Tracts 140, 141 of the Replat of John J. McGilvra's Addition to the City of Seattle, popularly known as Denny Blaine Lakeside Addition, Unrecorded; Tracts 158, 159, 160 and 161 in the Replat of John J. McGilvra's Addition to the City of Seattle; Block 22, John J. McGilvra's 2nd Addition to the City of Seattle; and Block 1, Replat of John J. McGilvra's 3rd Addition to the City of Seattle, and unplatted reserve abutting, the westerly and southerly lines of said strip being coincident with the easterly and northerly lines of said right-of-way described in Section 1 hereof.

Section 3. That only such rights in the lands described in Section 1 hereof shall be acquired as shall be necessary for the construction, reconstruction, operation and maintenance of said sewer, reserving unto the respective owners the

right to use said property in any way and for any purpose not inconsistent with the rights hereby authorized to be acquired.

Section 4. That the entire cost of the improvement provided for herein shall be paid from the Seattle Sewer Bonds, 1926 Construction Fund, created by Ordinance No. 51248, as amended by Ordinance No. 55496.

Section 5. That the City Engineer be and he is hereby authorized to acquire by purchase and agreement the lands, property and property rights necessary to carry out the provisions of this ordinance and in the case of a failure to so purchase and acquire that the Corporation Counsel be and he is hereby directed to begin and prosecute the actions and proceedings necessary in the manner provided by law to condemn, take, damage and appropriate the lands, property and property rights necessary to carry out the provisions of this ordinance.

(To be used for all Ordinances except Emergency.)

Section 6 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 FEBRUARY, 1931,
and signed by me in open session in authentication of its passage this 2 day of

FEBRUARY, 1931 Oliver J. Erickson
President.....of the City Council.

Approved by me this 3 day of FEBRUARY, 1931.

Franka Edwards
Mayor.

Filed by me this 3 day of FEBRUARY, 1931.

Attest: Wm. C. ...
City Comptroller and Ex-Officio City Clerk.

(SEAL)

By Arthur ...
Deputy Clerk.

Published FEB 10 1931

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

By Arthur ...
Deputy Clerk.