

# Ordinance No. 62906

Providing for the acquisition by condemnation or purchase of certain lands, property and property rights for a sewer right-of-way for sewer purposes over and across Seward Park, The Uplands, an addition to The City of Seattle, Brighton Beach, an addition to the City of Seattle, Wildwood, now a portion of The City of Seattle, C.D. Hillman's Atlantic City Addition to The City of Seattle, Pritchard Island Addition to The City of Seattle and unplatted lands \* \* \*

## Council Bill No. 53509

INTRODUCED: AUG 1 1932	BY: STREETS & SEWERS
REFERRED: AUG 1 1932	TO: Finance STREETS & SEWERS
REFERRED:	
REPORTED: AUG 8 1932	VETO:
SECOND READING: AUG 8 1932	PUBLISHED:
THIRD READING: AUG 8 1932	VETO SUSTAINED:
SIGNED: AUG 8 1932	PASSED OVER VETO:
PRESENTED TO MAYOR: AUG 8 1932	APPROVED: AUG 16 1932
FILED: AUG 16 1932	PUBLISHED: SEP 24 1932
ENGROSSED: VOL. H-2 PAGE 63	BY: Cm ✓
COMPARED BY:	

AND

64992 - appn to acquire A/W  
65232 - " " " " for easements  
65523 - " " " " acquisition of A/W  
65855 - acquisition A/W  
66470 - appn

148667 - award  
ORD. 96332 AUTH EXEC OF SUPPL EASEMENT & AGRMNT RE TO  
CERTAIN PROP IN B.17, BRIGHTON BEACH ADDN, ETC.

Prepared at request of \_\_\_\_\_

*Adm*

ORDINANCE NO. 62906

AN ORDINANCE Providing for the acquisition by condemnation or purchase of certain lands, property and property rights for a sewer right-of-way for sewer purposes over and across Seward Park, The Uplands, an addition to the City of Seattle, Brighton Beach, an addition to the City of Seattle, Wildwood, now a portion of the City of Seattle, C. D. Hillman's Atlantic City Addition to the City of Seattle, Pritchard Island Addition to the City of Seattle and unplatted lands in Government Lot 3, Section 26, Township 24 North, Range 4 East, W.M., and in Government Lot 1, Section 35, Township 24 North, Range 4 East, W.M., 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 a right of way for sewer purposes be acquired over and across the following described property, to-wit:

A strip of land 6 feet in width over and across a tract of land known as Seward Park, the center line of said strip being described as follows:

Beginning at a point on a line 23.08 feet south from and parallel with the center line produced east of Juneau Street, said point being 105.27 feet east from the intersection of said parallel line with the east line produced north of lot 21, block 1, The Uplands, an addition to the City of Seattle; thence south  $3^{\circ}44'44''$  east a distance of 334.74 feet; thence south  $13^{\circ}29'50''$  west a distance of 426.33 feet to a point on the northeasterly line of lot 13, block 1, said Uplands, said point being 31.70 feet south  $51^{\circ}18'37''$  east from the intersection of said northeasterly line with the east line of said lot 13, together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width over and across said property, the westerly margin of said strip coinciding with the easterly margin of the 6-foot strip described above.

A strip of land 6 feet in width over and across Reserve D and tracts or lots 7, 8, 9, 10, 11, 12 and 13, block 1, The Uplands, an addition to The City of Seattle, the center line of said strip being described as follows:

Beginning at a point on the northeasterly line of tract or lot 13, said point being 31.70 feet south  $51^{\circ}18'37''$  east from the intersection of said northeasterly line with the east line of said lot; thence south  $13^{\circ}29'50''$  west a distance of 253.04 feet; thence south  $0^{\circ}22'01''$  east a distance of 720.04 feet to an intersection with the center line of Eddy Street; together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width over and across said property, the westerly margin of said strip coinciding with the easterly margin of the 6 foot strip described above.

A strip of land 6 feet in width over and across blocks 17, 18, 20, 21, 11, 10 and 9, Brighton Beach, an addition to The City of Seattle, and vacated Myrtle Street, and any lands accruing to said property by reason of the lowering of the level of Lake Washington, the center line of said strip being described as follows:

Beginning at a point on the center line of Eddy Street, said point being distant south  $89^{\circ}44'25''$  east 243.41 feet from the intersection of the center line of Eddy Street with the center line of Lake Shore Drive; thence south  $0^{\circ}22'01''$  east a distance of 145.01 feet; thence south  $12^{\circ}56'55''$  west a distance of 220.12 feet; thence south  $14^{\circ}47'18''$  west a distance of 304.66 feet; thence south  $29^{\circ}38'40''$  west a distance of 308.75 feet; thence south  $42^{\circ}10'45''$  west a distance of 230.44 feet; thence south  $49^{\circ}54'01''$  west a distance of 231.34 feet; thence south  $39^{\circ}16'36''$  west a distance of 278.35 feet; thence south  $33^{\circ}03'30''$  west a distance of 452.86 feet; thence south  $8^{\circ}01'40''$  east a distance of 365.28 feet to a point on the south line of said Brighton Beach Plat, the same being the north line of Government Lot 3, section 26, township 24 north, range 4 east, W.M., said point being distant north  $89^{\circ}59'19''$  east 562.97 feet from its intersection with the east margin of 55th Avenue South: together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width over and across said property, the westerly margin of said strip coinciding with the easterly margin of the 6 foot strip described above.

A strip of land 6 feet in width over and across Government Lot 3, section 26, township 24 north, range 4 east, W.M., the center line of said strip being described as follows:

Beginning at a point on the north boundary line of said subdivision, said point being north  $89^{\circ}59'19''$  east 562.97 feet from the intersection of said north boundary line with the east margin of 55th Avenue South; thence south  $8^{\circ}01'40''$  east a distance of 8.48 feet; thence south  $0^{\circ}16'36''$  east a distance of 434.90 feet; thence south  $21^{\circ}04'58''$  west a distance of 294.40 feet; thence south  $23^{\circ}10'18''$  west a distance of 406.88 feet; thence south  $26^{\circ}24'14''$  west a distance of 281.02 feet to an intersection with the north boundary line of Wildwood Addition, said point of intersection being south  $89^{\circ}41'00''$  east 861.11 feet from the center line of Seward Park Avenue: together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width over and across said property, the westerly margin of said strip coinciding with the easterly margin of the 6 foot strip described above.

A strip of land 6 feet in width over and across the tract named Wildwood and tracts 16, 17, 18, 19, 20 and 21, Wildwood, an addition to The City of Seattle, the center line of said strip being described as follows:

Beginning at a point on the north boundary line of said addition, said point being south  $89^{\circ}41'00''$  east 861.11 feet from the center line of Seward Park Avenue; thence south  $14^{\circ}43'52''$  west, a distance of 268.41 feet; thence south  $7^{\circ}41'13''$  west a distance of 338.74 feet; thence south  $24^{\circ}06'21''$  east a distance of 593.74 feet; thence south  $3^{\circ}19'56''$  west a distance of 155.04 feet to an intersection with the

center line of Kenyon Street at a point north  $89^{\circ}48'22''$  east 760.88 feet from the center line of Seward Park Avenue from the north: together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width over and across said property, the westerly margin of said strip coinciding with the easterly margin of the 6 foot strip described above.

A strip of land 6 feet in width across Government Lot 1, section 35, township 24 north, range 4 east, W.M., the center line of said strip being described as follows:

Beginning at a point on the center line of Kenyon Street north  $89^{\circ}48'22''$  east 760.88 feet from the center line of Seward Park Avenue from the north; thence south  $3^{\circ}19'56''$  west a distance of 271.49 feet; thence south  $1^{\circ}55'31''$  west a distance of 319.75 feet; thence south  $1^{\circ}11'28''$  west a distance of 334.37 feet; thence south  $1^{\circ}44'22''$  east a distance of 219.80 feet to a point on the north boundary line of C. D. Hillman's Atlantic City Addition to The City of Seattle, said point being 113.00 feet north  $89^{\circ}55'39''$  east from the northwest corner of block 15, said addition: together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width over and across said property, the westerly margin of said strip coinciding with the easterly margin of the 6 foot strip described above.

A strip of land 6 feet in width over and across a portion of Government Lot 1, section 35, township 24 north, range 4 east, W.M., the center line of said strip being described as follows:

Beginning at a point on the north boundary line of block 15, C. D. Hillman's Atlantic City Addition to The City of Seattle, said point being north  $89^{\circ}55'39''$  east 113.00 feet from the northwest corner of said block 15; thence north  $1^{\circ}44'22''$  west 217.58 feet to the true point of beginning; thence north  $84^{\circ}11'16''$  east a distance of 221.56 feet to a point on the west boundary line of Pritchard Island Addition to The City of Seattle, said point being distant north  $11^{\circ}55'49''$  east 245.01 feet from the intersection of said west boundary line with the north boundary line of C. D. Hillman's Atlantic City Addition to The City of Seattle, together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width: the southerly line of said strip coinciding with the northerly line of the 6 foot strip described above.

A strip of land six (6) feet in width over and across blocks 15 and 16, C. D. Hillman's Atlantic City Addition to The City of Seattle, the center line of said strip being described as follows:

Beginning at a point on the north boundary line of said block 15, said point being north  $89^{\circ}55'39''$  east a distance of 113.00 feet from the northwest corner of said block; thence south  $2^{\circ}37'47''$  east a distance of 1100.47 feet; thence south  $0^{\circ}21'59''$  east a distance of 240.43 feet; thence south  $34^{\circ}43'32''$  west a distance of 274.16 feet to a point on the south boundary line of said block 16, said point being north  $89^{\circ}57'40''$  east a

distance of 178.44 feet from the southwest corner of said block, the south boundary line of said block 16 being the north boundary line of a tract of land condemned for sewer purposes under Ordinance No. 39385; together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width over and across said property, the westerly margin of said strip coinciding with the easterly margin of the 6 foot strip described above.

A strip of land 6 feet in width over and across a portion of block 16, C. D. Hillman's Atlantic City Addition to The City of Seattle and the lands accruing thereto by reason of the lowering of the waters of Lake Washington, the center line of said strip being described as follows:

Beginning at a point on the south line of said block 16, said point being north 89°57'40" east 178.44 feet from the southwest corner of said block; thence north 34°43'32" east a distance of 274.16 feet to the true point of beginning; thence south 39°11'22" east a distance of 364.41 feet to an intersection with the westerly boundary line of Pritchard Island Addition to The City of Seattle, together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width over and across said property, the westerly margin of said strip coinciding with the easterly margin of the 6 foot strip described above.

A strip of land 6 feet in width over and across tracts 7 to 14, both inclusive, tracts 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, and tracts 58 to 65, both inclusive, Pritchard Island Addition to The City of Seattle, the center line of said strip being described as follows:

Beginning at a point on the westerly line of tract 7, said point being 81.76 feet northerly, measured along said westerly line, from the southwest corner of said tract 7; thence north 84°11'16" east a distance of 102.14 feet; thence south 44°58'02" east a distance of 199.05 feet; thence south 56°35'52" east a distance of 59.46 feet; thence south 38°06'56" east a distance of 268.88 feet; thence south 8°19'29" east a distance of 259.47 feet; thence south 6°15'38" east a distance of 222.54 feet; thence south 1°51'47" east a distance of 366.78 feet; thence south 5°48'20" east a distance of 299.67 feet; thence south 13°04'02" west a distance of 201.43 feet; thence south 45°48'09" west a distance of 171.12 feet; thence north 86°00'01" west a distance of 103.09 feet; thence north 43°38'32" west a distance of 107.03 feet to an intersection with the center line of Park Drive; together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width, the southwesterly, westerly, northwesterly and northerly line of said strip coinciding with the northeasterly, easterly, southeasterly and southerly line of the 6 foot strip described above.

A strip of land 6 feet in width over and across tract 78, Pritchard Island Addition to The City of Seattle, and Shorelands adjoining, the center line of said strip being described as follows:

Beginning at a point on the westerly line of said tract, said point being south 6°04'11" east 58.47 feet from the northwest corner of said tract; thence south 39°11'22" east to the north margin of Henderson Street as condemned by Ordinance No. 39385; together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width, the southwesterly line of said strip coinciding with the northeasterly line of the 6 foot strip described above.

Section 2. 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 3. 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 4. 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 case of failure so to 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 5. 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 8 day of AUGUST, 1932

and signed by me in open session in authentication of its passage this 8 day of AUGUST, 1932 Otto Kase

President of the City Council.

Approved by me this 16 day of AUGUST, 1932

Julius F. Dow  
Mayor.

Filed by me this 16 day of AUGUST, 1932

W. W. Canell  
City Comptroller and Ex-Officio City Clerk.  
By Chas. Stueck  
Deputy Clerk.

(SEAL)

Published \_\_\_\_\_

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City Comptroller and Ex-Officio City Clerk.  
By \_\_\_\_\_  
Deputy Clerk.