

**Ordinance No. 64085**

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of 4th AVENUE SOUTH, between a point approximately 175 feet north of the northwesterly margin of Diagonal Avenue and 4th Avenue South as established by deed accepted by Ordinance No. 36167, etc.

**Council Bill No. 54826**

INTRODUCED: <b>OCT 2 1933</b>	BY: <b>LEWIS</b>
REFERRED: <b>OCT 2 1933</b>	TO: <b>STREETS &amp; SEWER FINANCE</b>
REFERRED:	
REPORTED: <b>OCT 9 1933</b>	VETO:
SECOND READING: <b>OCT 9 1933</b>	PUBLISHED:
THIRD READING: <b>OCT 9 1933</b>	VETO SUSTAINED:
SIGNED: <b>OCT 9 1933</b>	PASSED OVER VETO:
PRESENTED TO MAYOR: <b>OCT 9 1933</b>	APPROVED: <b>OCT 11 1933</b>
FILED: <b>OCT 11 1933</b>	PUBLISHED: <b>OCT 16 1933</b>
ENGROSSED: VOL. <b>H.2</b> PAGE <b>323</b>	BY: <b>cm</b> ✓
COMPARED BY:	AND

64342 - Establisher of *Boave S.* - condemn fund

~~64342~~ 146144 - award of jury

65355 - offer for part award, etc

~~64342~~ 66561 - bill of *L. B. M. Callahan*  
70344 211027 - commercial of *Thomas M. Callahan*

Prepared at request of

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*JWM*

64085

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of 4th AVENUE SOUTH, between a point approximately 175 feet north of the northwesterly margin of Diagonal Avenue and 4th Avenue South as established by deed accepted by Ordinance No. 36167; providing for the acquisition, appropriation, taking and damaging of land and other property necessary therefor by purchase and/or condemnation; 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 4th AVENUE SOUTH, between a point approximately 175 feet north of the northwesterly margin of Diagonal Avenue and 4th Avenue South as established by deed accepted by Ordinance No. 36167, be laid off, opened, widened, extended and established as a public street and highway, and that certain lands, premises and other property necessary therefor be acquired by purchase and/or condemnation.

Section 2. That 4th AVENUE SOUTH, between a point approximately 175 feet north of the northwesterly margin of Diagonal Avenue and 4th Avenue South as established by deed accepted by Ordinance No. 36167, be and the same is hereby laid off, opened, widened, extended and established as a public street and highway over and across the following lots, blocks and tracts of land, to-wit:

In SEATTLE TIDE LANDS

That portion of a tract of land comprised of Lots 5 and 6, Block 269, and Lots 9, 10, 11 and 12, Block 270, and vacated Dakota Street lying between Blocks 269 and 270, described as follows:  
Beginning at the most southerly corner of Lot 6, Block 269; thence north 0° 52' 28" west along the west line of Lots 5 and 6, said Block 269, and

said west line produced north to the southwest corner of Lot 12, Block 270, and north along the west line of Lots 11 and 12, Block 270, a distance of one hundred ninety-nine and thirty-two one-hundredths (199.32) feet to the southeasterly margin of Diagonal Avenue as now established; thence north  $42^{\circ} 05' 14''$  east along said southeasterly margin a distance of one hundred twelve and thirty one-hundredths (112.30) feet; thence south  $10^{\circ} 22' 34''$  west a distance of two hundred fifty-one and sixty-seven one-hundredths (251.67) feet to an intersection with the southeasterly boundary line of Lot 5, Block 269; thence south  $38^{\circ} 10' 54''$  west along said southeasterly boundary line and the southeasterly boundary line of Lot 6, Block 269, a distance of forty and thirty-one one-hundredths (40.31) feet; thence south  $24^{\circ} 04' 13''$  west a distance of four and eighty-two one-hundredths (4.82) feet to the point of beginning;

That portion of a tract of land comprised of Lots 25, 26, 27 and 28, Block 302, described as follows:

Beginning at a point on the east line of said Lot 28, said point being distant ten and seventeen one-hundredths (10.17) feet south from the northeast corner of said Lot 28; thence south along the east line of said Block 302 a distance of one hundred seventy-five and thirty-two one-hundredths (175.32) feet to the northwesterly margin of Diagonal Avenue as now established; thence southwesterly along said northwesterly margin a distance of sixty and seven one-hundredths (60.07) feet; thence northeasterly along a straight line a distance of two hundred twenty-three and fifty-six one-hundredths (223.56) feet to the point of beginning.

In SOUTH SEATTLE, now a portion of the City of Seattle, recorded in Volume 1 of Plats, page 35.

That portion of Lots 5 and 6, Block 1, described as follows:

Beginning at the southwest corner of said Lot 6; thence north along the west line of said Lot 6 a distance of thirty-two and forty-nine one-hundredths (32.49) feet to the northwesterly boundary line of said Lot 6; thence north  $24^{\circ} 04' 13''$  east a distance of five and fifty-six one-hundredths (5.56) feet; thence north  $38^{\circ} 10' 54''$  east along the northwesterly boundary line of said Lots 5 and 6 a distance of forty and thirty-one one-hundredths (40.31) feet; thence south  $10^{\circ} 22' 34''$  west a distance of thirty-nine and sixty-eight one-hundredths (39.68) feet; thence south  $0^{\circ} 23' 08''$  east a distance of thirty (30) feet to the south boundary line of said Lot 6; thence west along said south boundary line a distance of twenty (20) feet to the point of beginning;

The westerly twenty (20) feet of Lots 7 and 8, Block 1.

In LADD'S FIRST ADDITION TO SOUTH SEATTLE, now a portion of the City of Seattle, recorded in Volume 10 of Plats, page 75.

The west twenty (20) feet of Lots 3 and 4, Block 25;

The west twenty (20) feet of vacated Adams Street lying between Blocks 25 and 24;

The west twenty (20) feet of Lots 7 to 12, inclusive, Block 24;

The west twenty (20) feet of vacated Nevada Street lying between Blocks 24 and 21;

The west twenty (20) feet of Lots 7 to 12, inclusive, Block 21;

The west twenty (20) feet of vacated Genesee Street lying between Blocks 21 and 20;

The west twenty (20) feet of Lots 7 to 12, inclusive, Block 20;

The west twenty (20) feet of vacated Oregon Street lying between Blocks 20 and 17;

The west twenty (20) feet of Lots 7 to 12, inclusive, Block 17;

The west twenty (20) feet of vacated Snoqualmie Street lying between Blocks 17 and 16;

16. The west twenty (20) feet of Lot 12, Block

In McALLISTER'S ADDITION TO THE CITY OF SEATTLE, recorded in Volume 1 of Plats, page 239.

The east forty (40) feet of Lots 1 and 12, Block 7;

The east forty (40) feet of Lots 1 and 12, Block 6;

The east forty (40) feet of Lots 1 and 12, Block 5;

The east forty (40) feet of Lots 1 and 12, Block 8;

In COMMERCIAL STREET STEAM MOTOR ADDITION TO THE CITY OF SEATTLE, recorded in Volume 3 of Plats, page 85.

29. The east fifteen (15) feet of Lot 11, Block

All of Lot 12, Block 29;

The east forty (40) feet of Lots 13, 14 and 15, Block 29;

The east fifteen (15) feet of Lot 11, Block 30;

All of Lot 12, Block 30;

The east forty (40) feet of Lots 13 and 14, Block 30;

The east forty (40) feet of Lots 9, 10, 11 and 12, Block 31.

#### UNPLATTED

That portion of Government Lot 3, Section 20, Township 24 North, Range 4 East, W. M., described as follows:

Beginning at the intersection of the center line of 4th Avenue South, as platted, and the south margin of Fidalgo Street from the west; thence south  $0^{\circ} 22' 58''$  west along said center line of 4th Avenue South produced a distance of twenty-five and thirteen one-hundredths (25.13) feet; thence north  $67^{\circ} 35' 04''$  east a distance of thirty-three and forty-eight one-hundredths (33.48) feet; thence due south a distance of one hundred sixty-seven and twenty one-hundredths (167.20) feet to an intersection with the east margin of 4th Avenue South as deduced to the City of Seattle, Ordinance No. 36167; thence south  $78^{\circ} 36' 50''$  west a distance of one hundred two and one one-hundredth (102.01) feet to an intersection with the west margin of said 4th Avenue South as deduced; thence due north a distance of two hundred and thirty-three one-hundredths (200.33) feet to the south margin of Fidalgo Street; thence south  $89^{\circ} 28' 41''$  east along said south margin a distance of sixty-nine and twenty-two one-hundredths (69.22) feet to the point of beginning.

Also any and all lands and property not heretofore described or heretofore dedicated to the City of Seattle, lying within the limits of a strip of land one hundred (100) feet in width, being fifty (50) feet on either side of the following described center line:

Beginning at a point on the center line of Diagonal Avenue as now established, said point being distant one hundred fifty-eight and three one-hundredths (158.03) feet south  $42^{\circ} 05' 14''$  west from the intersection of said center line with the center line of 4th Avenue South, as established, north of said Diagonal Avenue; thence

south 0° 23' 08" east a distance of two thousand one hundred eleven and forty one-hundredths (2,111.40) feet; thence south 1° 24' 35" west a distance of one thousand five hundred one and five one-hundredths (1,501.05) feet; thence south 0° 22' 58" west a distance of two thousand six hundred twelve and nine one-hundredths (2,612.09) feet; thence due south a distance of eight hundred seventy-six and eighty-one one-hundredths (876.81) feet to an intersection with the center line of Front Street from the east.

Section 3. That all lands, rights, privileges and other property lying within the limits of the lots, blocks or tracts of land, and in the said one hundred (100) foot strip, described in Section 2 hereof, be and the same are hereby condemned, appropriated, taken and damaged for public street and highway. Said lands, rights, privileges and other property to be condemned, appropriated, taken and damaged only after just compensation has been made or paid into court for the owners thereof in the manner provided by law.

Section 4. That the entire cost of the improvement provided for herein shall be paid from the General Fund of the City of Seattle.

Section 5. That the City Engineer be, and he is hereby authorized and directed to acquire the above lands, rights, privileges and other property by purchase, said lands, rights, privileges and other property to be conveyed to the City of Seattle by a warranty deed accompanied by an owner's policy of title insurance; said deed and policy to be approved as to form and sufficiency by the Corporation Counsel. And in case of the failure to so purchase and acquire, the Corporation Counsel be, and he is hereby directed to begin and prosecute the actions and proceedings in the

manner provided by law to condemn, take, damage and appropriate said lands, rights, privileges and other property, and to take such other actions 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 9 day of OCTOBER, 1933,  
and signed by me in open session in authentication of its passage this 9 day of  
OCTOBER, 1933 [Signature]

President \_\_\_\_\_ of the City Council.

Approved by me this 11 day of OCTOBER, 1933.  
[Signature]  
Mayor.

Filed by me this 11 day of OCTOBER, 1933.

Attest: [Signature]  
City Comptroller and Ex-Officio City Clerk.

By: [Signature]  
Deputy Clerk.

By: [Signature]  
City Comptroller and Ex-Officio City Clerk.

By: [Signature]  
Deputy Clerk.

(SEAL)

Published OCT 16 1933