

Ordinance No. 65076

Providing for the laying off, opening, widening and establishing of 54th Ave. South, from Rainier Ave. to Hamlet Avenue . . . providing for the establishing of the curb grades . . . ; providing for the acquisition . . . by condemnation and providing for payment therefor.

*11/20-34
Cane.*

Council Bill No. 55945

INTRODUCED: NOV 19 1934	BY: STREETS & SEWERS
REFERRED: NOV 19 1934	TO: FINANCE
REFERRED:	STREETS & SEWERS
REPORTED: NOV 26 1934	VETO:
ADOPTED: NOV 26 1934	PUBLISHED:
THIRD READING: NOV 26 1934	VETO SUSTAINED:
ORDERED: NOV 26 1934	PASSED OVER VETO:
PRESENTED TO SENATE: NOV 26 1934	APPROVED: NOV 28 1934
FILED: NOV 28 1934	FILED: DEC 5 1934
ENROLLMENT: VOL. J-2 PAGE 58	BY: <i>Om</i> ✓
COMPALED BY:	AND

65386-Appropriating \$25,000 for PAV

ORDINANCE NO. 65076

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of 54TH AVENUE SOUTH, between Rainier Avenue and Hamlet Avenue; providing for the establishing of the curb grades of said avenue; providing for the acquisition, 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 upon said avenue, by condemnation; and providing for payment therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that the above named avenue be laid off, opened, widened, extended and established as a public street and highway, and that the curb grades of the same be established.

Section 2. That 54TH AVENUE SOUTH, between Rainier Avenue and Hamlet Avenue, 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 RAINIER BEACH

Now a Portion of the City of Seattle, recorded in Volume 8 of Plats, page 11.

That portion of block 98 described as follows: Beginning at the southwest corner of said block 98; thence north 79°43'14" east along the southerly line of said block 98 a distance of

one hundred fifty-two and thirty-seven one-hundredths (152.37) feet; thence westerly and northwesterly along the arc of a curve to the right having a uniform radius of two hundred ten (210) feet a distance of one hundred fifty-five and eighty-seven one-hundredths (155.87) feet to a point on the west boundary line of said block, said point being distant fifty-six and twenty-one one-hundredths (56.21) feet north from the southwest corner of said block; thence south along the west line of said block a distance of fifty-six and twenty-one one-hundredths (56.21) feet to the point of beginning; also

That portion of Tract G described as follows: Beginning at the southeast corner of said tract; thence southwesterly along the southeasterly line of said tract a distance of sixty-one and ninety-seven one-hundredths (61.97) feet; thence northerly along the arc of a curve to the left having a uniform radius of eighty-six and twenty-one one-hundredths (86.20) feet a distance of twenty-nine and seventy-four one-hundredths (29.74) feet to a point on the west line of said tract, said point being distant thirty and thirteen one-hundredths (30.13) feet north from the southwest corner of said tract; thence north along the west line of said tract a distance of eighty-one and fifty-eight one-hundredths (81.58) feet to the northwest corner of said tract; thence south $89^{\circ}44'52''$ east along the north line of said tract a distance of sixteen and nineteen one-hundredths (16.19) feet; thence south $41^{\circ}13'42''$ east a distance of five and forty-eight one-hundredths (5.48) feet to a point of curvature; thence southeasterly along the arc of a curve to the left having a radius of two hundred ten (210) feet a distance of sixty and fifty-six one-hundredths (60.56) feet to a point on the west line of said tract; thence south along said east line a distance of fifty-six and twenty-one one-hundredths (56.21) feet to the point of beginning;

That portion of lot 10, block 66, described as follows: Beginning at a point on the east line of said lot, said point being distant thirty and thirteen one-hundredths (30.13) feet north from the southeast corner of said lot; thence north along the east line of said lot a distance of sixty-six and fifty-eight one-hundredths (66.58) feet to the northeast corner of said lot; thence north $89^{\circ}35'31''$ west along the north line of said lot a distance of fifty and eighty-one one-hundredths (50.81) feet; thence south $41^{\circ}13'42''$ east a distance of fifty-one and thirty-five one-hundredths (51.35) feet to a point of curvature; thence southeasterly along the arc of a curve to the right having a radius of eighty-six and twenty one-hundredths (86.20) feet a distance of thirty-two and ninety-seven one-hundredths (32.97) feet to the point of beginning;

That portion of Tract F described as follows: Beginning at the northeast corner of said tract; thence west along the north line of said tract a distance of sixty-three and ninety one-hundredths (63.90) feet; thence southeasterly along a straight line a distance of nineteen and sixty-nine one-hundredths (19.69) feet to a point on the south line of said tract, said point being distant fifty and eighty-one one-hundredths (50.81) feet west from the southeast corner of said tract; thence east along the south line thereof a distance of fifty and eighty-one one-hundredths (50.81) feet to the southeast corner of said tract; thence north along the east line of said tract a distance of fourteen and eighty-nine one-hundredths (14.89) feet to the point of beginning;

UNPLATTED

That portion of Government lot 3, section 35, township 24 north, range 4 east, W.M., described as follows: Beginning at a point on the north boundary line of Tract G, Rainier Beach, now a portion of the City of Seattle, as recorded in Volume 8 of Plats, page 11, said point being distant forty-nine and eighty-one one-hundredths (49.81) feet west from the northeast corner of said Tract G; thence north 89° 44' 52" west along said north line and the north line of Tract F of said Rainier Beach a distance of eighty and nine one-hundredths (80.09) feet; thence north 41° 13' 42" west a distance of two hundred seventy-one and sixty-nine one-hundredths (271.69) feet to a point of curvature; thence northwesterly and northerly along the arc of a curve to the right having a uniform radius of seven hundred thirty-five (735.00) feet, a distance of four hundred ninety-four and fifty-three one-hundredths (494.53) feet to a point of tangency; thence north 2° 40' 40" west along the tangent to said curve at said point, a distance of three hundred sixteen and ninety-four one-hundredths (316.94) feet to a point on the south margin of Henderson Street, as established by Ordinance No. 39385; thence south 89° 50' 52" east along said south margin a distance of sixty and seven one-hundredths (60.07) feet; thence south 2° 40' 40" east a distance of three hundred thirteen and ninety-seven one-hundredths (313.97) feet to a point of curvature; thence southerly and southeasterly along the arc of a curve to the left having a uniform radius of six hundred seventy-five (675.00) feet a distance of four hundred fifty-four and sixteen one-hundredths (454.16) feet to a point of tangency; thence south 41° 13' 42" east along the tangent to said curve at said point a distance of three hundred twenty-four and seventy one-hundredths (324.70) feet to the point of beginning;

That portion of Government lots 2 and 3, section 35, township 24 north, range 4 east, W.M., described as follows: Beginning at the southeast corner of lot 1, block 11, C. D. Hillman's Atlantic City Addition to the City of Seattle, recorded in Volume 12 of Plats, Page 45; thence south 2° 40' 40" east along the east line of said lot 1 produced southerly, a distance of three hundred seven and ninety-nine one-hundredths (307.99) feet to the north margin of Henderson Street as established by Ordinance No. 39385; thence south 89° 50' 52" east along said north margin a distance of sixty and seven one-hundredths (60.07) feet; thence north 2° 40' 40" west a distance of three hundred eight and twenty-four one-hundredths (308.24) feet to an intersection with the south boundary line of said C. D. Hillman's Atlantic City Addition; thence west along said south boundary line a distance of sixty and six one-hundredths (60.06) feet to the point of beginning.

IN C. D. HILLMAN'S ATLANTIC CITY ADDITION
to the City of Seattle, recorded in Volume
12 of Plats, Page 45.

The west twenty (20) feet of block 16, known as Atlantic City Park.

Section 3. That the curb grades of said avenue be and the same are hereby established at the following elevations above City Datum, to-wit:

Opposite the intersection of the southwesterly curb line of 54th Avenue South as established herein with the northerly margin of Rainier Avenue, at elevations conforming to the established grades on Rainier Avenue:

Northeasterly curb,	28.00 feet
Southwesterly curb,	28.00 feet

At a point 23 feet northwesterly from the last mentioned point, at the point of curvature of a vertical curve:

Northeasterly curb,	27.31 feet
Southwesterly curb,	27.31 feet

At a point 320 feet northwesterly from the last mentioned point, at the point of tangency of a vertical curve:

Northeasterly curb,	21.70 feet
Southwesterly curb,	21.70 feet

At the south margin of Henderson Street as established by Ordinance No. 39385:

East curb,	17.37 feet
West curb,	17.37 feet

At the north margin of Henderson Street as established by Ordinance No. 39385:

East curb,	17.37 feet
West curb,	17.37 feet

At the ^{south} boundary line of G. D. Hillman's Atlantic City Addition to the City of Seattle, recorded in Volume 12 of Plats, page 45, at existing elevations:

East curb,	18.91 feet
West curb,	18.91 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 and regrading of the above named avenue the city shall acquire the right in the case of a cut to remove the lateral support abutting on said avenue. 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 (1½) feet for each foot of elevation of fill, for the purpose of acquiring lateral support for said avenue; 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 avenue.

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 2 hereof, be and the same are hereby condemned, appropriated, taken and damaged for the purpose of a public street and highway; and that all lands, rights, privileges and other property necessary to be taken, used or damaged in the grading and regrading of said avenue 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 avenue, 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 from funds realized from the sale of bonds authorized by the voters of The City of Seattle, November 8, 1932, pursuant to the terms of Ordinance No. 62995.

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 and appropriate the lands and other property 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 26 day of NOVEMBER, 1934,
and signed by me in open session in authentication of its passage this 26 day of
NOVEMBER, 1934 John E. Carroll
President PRO-TEM of the City Council.

Approved by me this 28 day of NOVEMBER, 1934
Wm. L. Lewis
Mayor.

Filed by me this 28 day of NOVEMBER, 1934.

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

By Clara A.
Deputy Clerk.

(SEAL)

DEC 5 1934

Published _____

City Comptroller and Ex-Officio City Clerk.

By _____
Deputy Clerk.