

Ordinance No. 66339

Providing for laying off, opening, widening, extending and establishing of a public street and highway to be known as ANNORY WAY, from the intersection of Stewart St. and Pine St. northwesterly to the intersection of Western Avenue & Bell Street; **** providing for the changing and establishing of the curb grades *** providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor **** providing for the payment therefor.

Amended in Section 112 By Ordinance No. 67125
page

Council Bill No. 57317

INTRODUCED: MAY 18 1936	BY: STREETS & SEWERS
REFERRED: MAY 18 1936	TO: STREETS & SEWERS
REFERRED:	FINANCE
REPORTED: MAY 25 1936	VETO:
SECOND READING: MAY 25 1936	PUBLISHED:
THIRD READING: MAY 25 1936	VETO SUSTAINED:
SIGNED: MAY 25 1936	PASSED OVER VETO:
PRESENTED TO MAYOR: MAY 26 1936	APPROVED: MAY 28 1936
FILED: MAY 28 1936	PUBLISHED: JUN 8 1936
ENROBSED: 563, 564, 565 VOL. 2 PAGE 566	BY: B. D. J. <i>[Signature]</i>
COMPARED BY:	AND

163156 - ^{sub report on} Awards of Jury
154834 - ^{157234 - Report} Report of Counsel for instructions re to condemn
163662 - Comm. Comptroller re notices
0.77086 - Approve ^{Al. Wy. Violated}
68549 - ^{See proposed reversal of}
161762 - Report C. Counsel on awards - Cause 292884
approx #1500 for 7 C. Counsel directed to proceed with Condemn.

Prepared at request of

copy

11

69535-acceptance of awards + creating award fund + offer from city of land
69718-Dedaway intent of city to restore property of condemn + agreement not consummated by city.
69719-damaging + accepting agreements with respondents
Amended in Section 422 By Ordinance No. 62125
and 72782- appropriation #171, 492 82 from city ST fund in 1927 Condem awards
64997-agreements of respondents

ORDINANCE NO. 66339

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of a public street and highway to be known as ARMORY WAY, from the intersection of Stewart Street and Pine Street northwesterly to the intersection of Western Avenue and Bell Street; of Elliott Avenue, from its intersection with Pike Street to Pine Street, and of the intersection of Elliott Avenue, as condemned by Ordinance No. 12502, with Armory Way as established herein; providing for the changing and establishing of the curb grades of said way and avenues, of Lenora Street from Western Avenue to Armory Way as established herein, and of Blanchard Street from Elliott Avenue to Western Avenue; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor and for making the necessary slopes for cuts and fills upon the property abutting on said way, streets and avenues; and providing for the payment therefor.

WHEREAS, public necessity and convenience demand that the above named way, streets and avenues be laid off, opened, widened, extended and established as public streets and highways, and that the curb grades of the above named way, streets and avenues be changed and established, and that slope rights be acquired therefor; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That ARMORY WAY, from the intersection of Stewart Street and Pine Street northwesterly to the intersection of Western Avenue and Bell Street, Elliott Avenue from its intersection with Pike Street to Pine Street, and the intersection of Elliott Avenue, as condemned by Ordinance No. 12502, with Armory Way as established herein, 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 and tracts of land, to-wit:

IN SEATTLE TIDE LANDS

✓

That portion of Block 174 described as follows:
Beginning at a point on the southeasterly line of said block, said point being distant four and ninety-four one-

hundredths (4.94) feet southwesterly from the most easterly corner of said block; thence southwesterly along the southeasterly line of said block a distance of fifty-five and seventy-five one-hundredths (55.75) feet; thence northwesterly along the southwesterly line of said block a distance of one hundred eighty-one and four one-hundredths (181.04) feet to the most northerly corner of said block; thence southeasterly along the northeasterly line of said block a distance of one hundred seventy-five and forty one-hundredths (175.40) feet; thence southeasterly along a straight line a distance of fourteen and seventy-five one-hundredths (14.75) feet to the point of beginning.

In the PLAT of AN ADDITION TO THE TOWN (NOW CITY) OF SEATTLE, as laid off by A. A. DENNY, recorded in Volume 1 of Plats, page 69.

That portion of Lots 1, 4, 5, 8, 9 and 12, Block H, lying southwesterly of a line thirty-one and twenty-five one-hundredths (31.25) feet southwesterly from and parallel with the southwesterly margin of the alley as platted in said Block H of said addition.

In the PLAT OF AN ADDITION TO THE CITY OF SEATTLE, as laid off by A. A. DENNY, recorded in Volume 1 of Plats, page 99.

That portion of Block 36 and the southeasterly one-half of Virginia Street vacated by Ordinance No. 9126, described as follows: Beginning at the most southerly corner of said block; thence north $41^{\circ} 10' 10''$ east along the southeasterly line of said block a distance of sixty-three and four one-hundredths (63.04) feet; thence north $31^{\circ} 45' 10''$ west a distance of seventy-two and sixty-four one-hundredths (72.64) feet to a point of curvature; thence continuing northwesterly along the arc of a curve to the left having a radius of nine hundred eighty-nine and forty-two one-hundredths (989.42) feet a distance of one hundred sixty-nine and no one-hundredths (169.00) feet to a point on the northeasterly line of Lot 5, said Block 36; thence north $48^{\circ} 49' 50''$ west along the northeasterly line of said Lot 5 and of Lots 4 and 1, said Block 36, and said line produced northwesterly, a distance of one hundred fifty-eight and fifty-six one-hundredths (158.56) feet to a point on the center line of Virginia Street produced southwesterly; thence south $41^{\circ} 10' 10''$ west along said center line produced a distance of seventy-two and no one-hundredths (72.00) feet; thence south $48^{\circ} 49' 50''$ east a distance of thirty-three and no one-hundredths (33.00) feet to a point of curvature; thence southeasterly along the arc of a curve to the right having a radius of nine hundred nine and forty-two one-hundredths (909.42) feet a distance of two hundred seventy-one and six one-hundredths (271.06) feet to a point of tangency; thence south $31^{\circ} 45' 10''$ east along the tangent to said curve at said point a distance of twenty-six and ninety one-hundredths (26.90) feet to a point on the southwesterly line of Lot 9, said Block 36, said point being distant fifty-two and seventy-

nine one-hundredths (52.79) feet southeasterly from the most westerly corner of said lot; thence southeasterly along the southwesterly line of said lot and of Lot 12, said block, a distance of sixty-seven and twenty-one one-hundredths (67.21) feet to point of beginning;

The northeasterly seventy-two (72) feet of Lots 1, 4, 5, 8, 9 and 12, Block 35;

The northeasterly seventy-two (72) feet of the northwesterly one-half of Virginia Street, vacated by Ordinance No. 9126, adjoining Lot 12, said Block 35;

That portion of the southeasterly one-half of Lenora Street adjoining Lot 1, Block 35, vacated by Ordinance No. 9125, that lies northeasterly of a line seventy-two (72) feet southwesterly from and parallel with the northeasterly line of Lot 1, Block 35, produced northwesterly;

That portion of the alley in Block 35 vacated by Ordinance No. 11003, and that portion of Lenora Street vacated by Ordinance No. 18189, that lies southwesterly of a line eight (8) feet northeasterly from and parallel with the northeasterly line of Lots 1, 4, 5 and 8, said block, and said northeasterly line produced northwesterly;

The northeasterly seventy-two (72) feet of Lots 4, 5, 8, 9 and 12, Block 34;

The northeasterly seventy-two (72) feet of the northwesterly one-half of Lenora Street, vacated by Ordinance No. 9125, adjoining Lot 12, Block 34;

That portion of Lot 1, Block 34, lying northeasterly of a line seventy-two (72) feet southwesterly from and parallel with the southwesterly line of the alley as platted in Block 34 and said southwesterly line produced northwesterly;

* That portion of Lots 3, 6 and 7, Block 34, described as follows: Beginning at a point on the southwesterly line of said Lot 7, said point being distant thirty-three and fifty-one one-hundredths (33.51) feet northwesterly from the most southerly corner of said Lot 7; thence northwesterly along the southwesterly line of said lots a distance of one hundred twenty-six and forty-four one-hundredths (126.44) feet to the southwesterly margin of Elliott Avenue as established by deed under Ordinance No. 23570; thence southeasterly along the southwesterly margin of said Elliott Avenue a distance of sixty-two and three one-hundredths (62.03) feet; thence southeasterly along the arc of a curve to the left, having a radius of three hundred thirty-five (335) feet a distance of seventy-three and eleven one-hundredths (73.11) feet to the point of beginning;

That portion of Lots 2 and 3, Block 34, described as follows: Beginning at a point on the northwesterly line of said Lot 2, said point being distant eleven and twenty-three one-hundredths (11.23) feet southwesterly from the most northerly corner of said Lot 2; thence southwesterly along the northwesterly line of said Lot 2 a distance of seventy and twenty-five one-hundredths (70.25) feet to an intersection with the northeast margin of Elliott Avenue as established by deed under Ordinance No. 23570; thence southeasterly along the northeasterly margin of said Elliott Avenue a distance of seventy-three and sixty-five one-hundredths (73.65) feet; thence northwesterly along the arc of a curve to the left, having a radius of six hundred forty-five (645) feet, a distance of eighty and eighteen one-hundredths (80.18) feet to the point of beginning;

The northeasterly fourteen (14) feet of Lots 2 and 3, Block 33;

That portion of Blanchard Street vacated by Ordinance No. 9124 lying between Blocks 33 and 34, said addition, described as follows: Beginning at a point on the northwesterly line of Lot 1, said Block 34, said point being distant forty-eight and no one-hundredths (48.00) feet northeasterly from the most westerly corner of said Lot 1; thence northeasterly on the northwesterly line of said Lot 1 a distance of fifty-five and twenty one-hundredths (55.20) feet to an intersection with the southwesterly margin of Elliott Avenue as condemned under Ordinance No. 12502; thence north $71^{\circ} 06' 25''$ west along said southwesterly margin a distance of seventy-one and thirty-seven one-hundredths (71.37) feet to an intersection with the southeasterly line of Lot 12 of said Block 33; thence southwesterly along the said southeasterly line a distance of twenty-eight and fourteen one-hundredths (28.14) feet; thence southeasterly along a straight line a distance of sixty-six (66) feet to the point of beginning;

That portion of Lots 9 and 12, Block 33, described as follows: Beginning at a point on the southeasterly line of said Lot 12, said point being distant forty-eight (48) feet northeasterly from the most southerly corner of said Lot 12; thence northeasterly along the southeasterly line of said Lot 12 a distance of twenty-eight and fourteen one-hundredths (28.14) feet to a point on the southwesterly margin of Elliott Avenue as condemned by Ordinance No. 12502; thence north $71^{\circ} 06' 25''$ west along said southwesterly margin a distance of seventy-four and twenty-four one hundredths (74.24) feet; thence southeasterly along a straight line a distance of sixty-eight and seventy one-hundredths (68.70) feet to the point of beginning;

That portion of Lots 6, 7, 10 and 11, Block 33 described as follows: Beginning at a point on the southeasterly line of said Lot 11, said point being distant sixty-seven and fifty-one one-hundredths (67.51) feet southwesterly from the most easterly corner of said Lot 11; thence along said southeasterly line a distance of sixty-seven and fifty-one one-hundredths (67.51) feet to the most easterly corner of

said Lot 11; thence northwesterly along the northeasterly line of said Lots 6, 7, 10 and 11 a distance of two hundred forty (240) feet to the most northerly corner of said Lot 6; thence southwesterly along the northwesterly line of said Lot 6, a distance of fourteen (14) feet; thence southeasterly along the arc of a curve to the right having a radius of five hundred sixty-five (565) feet, a distance of two hundred forty-seven and eighty-seven one-hundredths (247.87) feet to the point of beginning.

Section 2. That the curb grades of Armory Way, from Stewart Street northwesterly to an intersection with Western Avenue and Bell Street, of Elliott Avenue from its intersection with Pike Street to Pine Street, of the intersection of Elliott Avenue, as condemned by Ordinance No. 12502, with Armory Way as established herein, of Lenora Street from Western Avenue to Armory Way as established herein, and of Blanchard Street from Elliott Avenue to Western Avenue, be and the same are hereby changed and established at the following elevations above city datum, to-wit:

✓ On ELLIOTT AVENUE and ARMORY WAY

At a point ten and no one-hundredths (10.00) feet north of the center line of Pike Street, at elevations conforming to the existing grade at the intersection of Elliott Avenue and Railroad Avenue:

Northeasterly Curb	7.00 feet
Southwesterly Curb	7.00 feet

At a point fifty-seven and forty-five one-hundredths (57.45) feet northwesterly from the intersection of the center line of Armory Way as established herein with the center line of Stewart Street as now established, at a point of curvature of a vertical curve:

Northeasterly Curb	37.09 feet
Southwesterly Curb	36.49 feet

At a point one hundred sixty (160) feet northwesterly, measured along the center line, from the last mentioned point, at the point of tangency of a vertical curve:

Northeasterly Curb	44.40 feet
Southwesterly Curb	43.80 feet

At the southeasterly margin of Virginia Street as now established, from the east:

Northeasterly Curb	50.43 feet
Southwesterly Curb	49.83 feet

At a point sixty-six and no one-hundredths (66.00) feet south of the northwesterly margin of Lenora Street:

Northeasterly Curb	64.70 feet
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At the northwesterly margin of Lenora Street, as now established, from the east:

Northeasterly Curb	66.92 feet
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At a point eighty and eighty one-hundredths (80.80) feet northwesterly from the northwesterly margin of Lenora Street as now established:

Northeasterly Curb	69.62 feet
Southwesterly Curb	69.02 feet

Opposite the intersection of the northeasterly margin of Armory Way as established herein with the southwesterly margin of Elliott Avenue as now established:

Northeasterly Curb	77.00 feet
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At a point five and no one-hundredths (5.00) feet north, measured along the northeasterly margin of Armory Way, as established herein, from the intersection of said northeasterly margin with the northeasterly margin of Elliott Avenue as now established:

Northeasterly Curb	76.50 feet
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Opposite the intersection of the northeasterly margin of Armory Way as established herein with the southwesterly margin of Blanchard Street:

Northeasterly Curb	78.15 feet
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Opposite the intersection of the southwesterly margin of Armory Way as established herein, with the northwesterly margin of Blanchard Street:

Southwesterly Curb	76.00 feet
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At a point one hundred nineteen and ninety-five one-hundredths (119.95) feet southeasterly from the intersection of the center line of Armory Way as established herein, with the southeasterly margin of Bell Street, at existing elevations:

Southwesterly Curb	76.47 feet
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At the southeasterly margin of Bell Street, at existing elevations:

Northeasterly Curb	75.37 feet
Southwesterly Curb	74.67 feet

At the Intersection of ELLIOTT AVENUE, as condemned by Ordinance No. 12502, with ARMORY WAY as established herein.

At a point on the southerly margin of Elliott Avenue, as established by Condemnation Ordinance No. 12502:

Southwesterly Curb	67.20 feet
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At a point opposite the southeasterly margin of Blanchard Street, as platted in the Plat of an Addition to the City of Seattle as laid off by A. A. Denny, recorded in Volume 1 of Plats, page 99:

Southwesterly Curb	71.30 feet
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At a point fifty-five (55) feet southeasterly of the last mentioned point, at a point of curvature of a vertical curve:

Southwesterly Curb	73.56 feet
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At a point eighty (80) feet southeasterly of the last mentioned point, at the point of tangency of a vertical curve:

Southwesterly Curb	73.86 feet
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ON LENORA STREET

At the northeasterly margin of Armory Way as established herein:

Northwesterly Curb	67.00 feet
Southeasterly Curb	66.10 feet

At a point five and no one-hundredths (5.00) feet southwestly from the intersection of the northwesterly margin of Lenora Street with the southwestly margin of Elliott Avenue, as established by Condemnation Ordinance No. 12502, at existing elevations:

Northwesterly Curb	86.05 feet
Southeasterly Curb	85.58 feet

ON BLANCHARD STREET

At the northeasterly margin of Elliott Avenue as now established, at existing elevations:

Northwesterly Curb 71.45 feet

Opposite the intersection of the northwesterly margin of Blanchard Street with the southwesterly margin of Armory Way, as established herein:

Northwesterly Curb 75.10 feet

Opposite the intersection of the southeasterly margin of Blanchard Street with the northeasterly margin of Armory Way, as established herein:

Southeasterly Curb 79.00 feet

At the southwesterly margin of Western Avenue, at existing elevations:

Southeasterly Curb 80.68 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 3. That in the grading and regrading of the above named way, streets and avenues, the City shall acquire the right, in the case of a cut, to remove the lateral support abutting on said way, streets and avenues. 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 (1-1/2) feet for each foot of elevation of fills, for the purpose of acquiring lateral support for said way, streets and avenues, 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 way, streets and avenues.

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 way, streets and avenues, 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 way, streets and avenues, as set forth in Section 3 hereof, are hereby condemned, appropriated, taken and damaged for the public use for such purpose; 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 5. That the entire cost of the improvement provided herein shall be paid from such funds as the City Council may direct.

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.

(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 25 day of MAY, 1936,
and signed by me in open session in authentication of its passage this 25 day of
MAY, 1936 Frank J. Laube
President _____ of the City Council.

Approved by me this 28 day of MAY, 1936.
Charles P. Smith
Mayor.

Filed by me this 28 day of MAY, 1936.

Attest: H. W. Cannon
City Comptroller and Ex-Officio City Clerk.

By [Signature]
Deputy Clerk.

(SEAL)

Published JUN 8 1936

City Comptroller and Ex-Officio City Clerk.

By _____
Deputy Clerk.