

Ordinance No. 75486

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AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of 14th AVENUE WEST, from Elliott Avenue West, to West Garfield Street, and for the widening of the intersection of 15th Avenue West and West Garfield Street; providing for the establishing of the curb grades for an elevated structure on West Garfield Street from a point on the West Garfield Street Viaduct to 14th Avenue West as established herein; etc.

10/22/46 - NO. 66761

Council Bill No. 66761

INTRODUCED: OCT 21 1946	BY: STREETS & SEWERS
REFERRED: OCT 21 1946	TO: FINANCE STREETS & SEWERS
REFERRED:	
REPORTED: OCT 28 1946	VETO:
SECOND READING: OCT 28 1946	PUBLISHED:
THIRD READING: OCT 28 1946	VETO SUSTAINED:
SIGNED: OCT 28 1946	PASSED OVER VETO:
PRESENTED TO MAYOR: OCT 29 1946	APPROVED: OCT 30 1946
FILED: OCT 30 1946	PUBLISHED: NOV 9 1946
ENGROSSED: VOL. P2 PAGE 305	BY: M.H. ✓
COMPARED BY:	

18 8-46 LAM 48

C.C.  
 0.76772 - app. Light  
 0.77823 - Just Light  
 0.87675 - Aviator sale of  
 por. 2.5 p. 142 Seattle  
 Tide Lands.  
 AMENDED ORD. 76077 - app. increased to 51,000.  
 F.194786 - Jerry Amos  
 0.76187 - B.P.H. & app.

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*1232 1st. No. 1557*  
Council Bill No. 66761

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VOL. <u>P2</u> PAGE <u>305</u>	
COMPARED BY:	

AND

*Q. 76188 - 2 P. H. & app.*

*F. 194286 - Jerry Amundson*

AMENDED ORD. 76077 - app. increased to \$1,000.

*0.76772 - app. lights C. C.*

*0.77823 - Just. Hanson*

*0.87675 - Provides for sale of  
per L.S. 8.142, Seattle  
Tide Lands.*



ORDINANCE NO. 75186

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of 14th AVENUE WEST, from Elliott Avenue West, to West Garfield Street, and for the widening of the intersection of 15th Avenue West and West Garfield Street; providing for the establishing of the curb grades for an elevated structure on West Garfield Street from a point on the West Garfield Street Viaduct to 14th Avenue West as established herein; of 14th Avenue West as established herein and of West Galer Street from Elliott Avenue West to 14th Avenue West as established herein; providing for the construction of a temporary roadway on the portion of West Garfield Street from 14th Avenue West as established herein to 15th Avenue West; and on a portion of 14th Avenue West as established herein; and 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 the said streets; by condemnation; and making an appropriation from the City Street Fund therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that 14th AVENUE WEST be laid off, opened, widened, extended, and established as a public street and highway, over and across portions of Blocks 133 and 142, Seattle Tide Lands, and Block 9 of James Addition; that the intersection of 15th Avenue West and West Garfield Street be widened, extended and established over and across a portion of Block 134, Seattle Tide Lands; and that curb grades be established for an elevated structure on West Garfield Street from a point on the West Garfield Street Viaduct 400 feet west of the west margin of 15th Avenue West on the north to 14th Avenue West as established herein; on 14th Avenue West as established herein; and on West Galer Street from 15th Avenue West to 14th Avenue West as established herein.

Section 2. That 14th AVENUE WEST be and the same is hereby laid off, opened, widened, extended and established as a public street and highway, over and across the lots, parcels, and tracts of land lying within the limits of the following descriptions to-wit:

IN SEATTLE TIDE LANDS

That portion of Block 133, beginning at a point in the easterly line of Lot 4, said Block 133, said point being 1.07 feet north-westerly measured along said easterly line from the southeast corner of said Lot 4; thence south  $13^{\circ} 38' 46''$  east, a distance of 217.05 feet to a point in the south line of Lot 11, said block 133, said point being distant 246.23 feet, measured along said south line from the southwest corner of said Lot 11; thence continuing south  $13^{\circ} 38' 46''$  east, a distance of 30.50 feet to a point of curvature; thence along the arc of a curve to the right having a radius of 483 feet, a distance of 14.62 feet to a point in the south line of Lot 13, said Block 133, said point being distant 219.13 feet, measured

easterly along said south line (the same being the north margin of West Galer Street) from the southwest corner of said Lot 13; thence north  $89^{\circ} 58' 00''$  east, along the said south line of Lot 13 a distance of 34.69 feet; thence northerly along the arc of a curve to the left having a radius of 517 feet, a distance of 22.78 feet to a point of tangency; thence north  $13^{\circ} 38' 46''$  west, along the tangent to said curve at said point, a distance of 124.07 feet to a point on the easterly line of Lot 8, said Block 133, said point being distant 24.09 feet measured southeasterly along said easterly line from the northeast corner of said Lot 8; thence north  $29^{\circ} 02' 29''$  west, along the easterly line of Lots 8 to 4 both inclusive said Block 133 a distance of 128.06 feet to the point of beginning.

That portion of Block 142 beginning at a point in the southwesterly line of Lot 7, said block, said point being 18.61 feet northerly of the most southerly corner of said Lot 7; thence north  $17^{\circ} 23' 34''$  west a distance of 22.98 feet to a point in the northwesterly line of said Lot 7, said point being 9.04 feet distant measured northeasterly along said northwesterly line from the most westerly corner of said lot; thence north  $5^{\circ} 39' 09''$  west a distance of 47.73 feet to a point in the northwesterly line of Lot 6 said block, said point being distant 36.35 feet distant measured northeasterly along said northwesterly line from the most westerly corner of said Lot 6; thence continuing north  $5^{\circ} 39' 09''$  west a distance of 1.24 feet to an angle point; thence north  $2^{\circ} 20' 42''$  east a distance of 51.68 feet to a point in the northwesterly line of Lot 5 said block; said point being 72.25 feet distant measured northeasterly along said northwesterly line from the most westerly corner of said Lot 5; thence continuing north  $2^{\circ} 20' 42''$  east a distance of 53.06 feet to a point in the southeasterly line of Lot 3 said Block 142, said point being distant 108.38 feet measured northeasterly along said southeasterly line from the most southerly corner of said Lot 3; thence continuing north  $2^{\circ} 20' 42''$  east a distance of 19.31 feet to a point of curvature; thence along the arc of a curve to the left having a radius of 517 feet, a distance of 20.88 feet to a point in the north line of said Lot 3, said point being a distance of 48.91 feet measured westerly along said north line (the same being the south margin of West Galer Street) from the most easterly corner of said Lot 3; thence south  $89^{\circ} 58' 00''$  west, along the north line of Lots 3 and 2 said Block 142, a distance of 34 feet; thence southerly along the arc of a curve to the right having a radius of 483 feet, a distance of 19.48 feet to a point of tangency; thence south  $2^{\circ} 20' 42''$  west, along the tangent to said curve at said point, a distance of 141.88 feet to a point in the southwesterly line of Lot 5, said Block 142, said point being distant 30.08 feet measured southeasterly along said southwesterly line (the same being the northeasterly margin of Elliott Avenue West) from the most westerly corner of said Lot 5; thence south  $40^{\circ} 32' 32''$  east along said southwesterly line of Lots 5, 6 and 7, said Block 142, a distance of 71.37 feet to the point of beginning.

IN JAMES' ADDITION

(Volume 2, King County Plats, Page 89)

That portion of Block 9, beginning at a point in the southwesterly line of Lot 23, said Block 9, said point being 10.49 feet distant measured northwesterly along said southwesterly line from the most southerly corner of said Lot 23; thence north  $13^{\circ} 38' 46''$  west, a distance of 150.62 feet to a point in the northeasterly line of Lot 28 said Block 9, said



point being distant 6.77 feet measured northwesterly along said northeasterly line (the same being the southeasterly margin of Van Buren Avenue) from the most easterly corner of said Lot 28; thence north  $29^{\circ} 02' 29''$  west, along the northeasterly line of Lots 28 to 31 inclusive, said Block 9, a distance of 96.82 feet to the most northerly corner of said Lot 31; thence south  $74^{\circ} 57' 31''$  west, along the northwesterly line of said Lot 31 (the same being the south margin of West Garfield Street), a distance of 29.12 feet to a point which is 12.09 feet distant, measured easterly along said northwesterly line from the most westerly corner of said Lot 31; thence southeasterly and southerly along the arc of a curve to the right, having a radius of 108 feet a distance of 68.17 feet to a point of tangency; thence south  $13^{\circ} 38' 46''$  east, a distance of 13.39 feet to a point in the southeasterly line of Lot 29 said Block 9, said point being 11.33 feet distant, measured northeasterly along said southeasterly line from the most southerly corner of said Lot 29; thence continuing south  $13^{\circ} 38' 46''$  east, a distance of 42.67 feet to a point in the southwesterly line of Lot 27, said Block 9, said point being distant 18.56 feet, measured northwesterly along said southwesterly line from the most southerly corner of said Lot 27; thence south  $29^{\circ} 02' 29''$  east, a distance of 128.07 feet to the point of beginning.

That the intersection of 15th AVENUE WEST and West Garfield Street be and the same is hereby laid off, opened, widened, extended and established over and across the following described property in Seattle Tide Lands;

That portion of Block 134 beginning at the most northeast corner of Lot 4, said Block 134; thence west along the north line thereof, a distance of 36.09 feet; thence easterly, southeasterly and southerly along the arc of a curve to the right having a radius of 20 feet; a distance of 29.41 feet to a point of tangency; thence southerly along the tangent to said curve of said point, a distance of 67.53 feet to a point in the southeasterly line of said Lot 4, said point being 12.51 feet distant measured southwesterly along said southeasterly line from the westerly margin of 15th Avenue West; thence continuing along said tangent a distance of 94.34 feet to a point in the east line of Lot 5, said Block 134; thence north along the east line of said Lots 5 and 4 (the same being the west margin of 15th Avenue West) a distance of 179.05 feet to the point of beginning.

Section 3. That the curb grades for an elevated structure on West Garfield Street from a point on the West Garfield Street viaduct to 14th Avenue West as established herein; of 14th AVENUE WEST as established herein; and of West Galer Street from Elliott Avenue West to 14th Avenue West as established herein; be and the same are hereby established to the following elevations above City Datum, to-wit:

ON WEST GARFIELD STREET

On an elevated structure to be constructed along the north side of said street:

At the point of connection to an existing structure, said point being 400 feet west of the west margin of 15th Avenue West on the North:

North Curb	27.92 feet
South Curb	27.92 feet

At a point opposite the East margin of 15th Avenue West:

North Curb	27.00 feet
South Curb	27.00 feet

At a point on the radial passing through the intersection of the South Margin of West Garfield Street with the westerly margin of 14th Avenue West as established herein:

Northeasterly Curb	24.37 feet
Southwesterly Curb	23.87 feet

ON 14th AVENUE WEST

At its intersection with Elliott Avenue West:

At existing elevations.

Opposite the intersection of 14th Avenue West with the south margin of West Galer Street:

East Curb	9.50 feet
West Curb	9.50 feet

Opposite the intersection of the westerly margin of 14th Avenue West with the north margin of West Galer Street:

East Curb	10.00 feet
West Curb	10.00 feet

Opposite a point 13.39 feet measured northerly along the westerly margin of 14th Avenue West from its intersection with the southerly line of Lot 29, Block 9, of James Addition:

East Curb	21.42 feet
West Curb	21.42 feet

At a point on the radial passing through the intersection of the westerly margin of 14th Avenue West with the south margin of West Garfield Street:

Northeasterly Curb	24.37 feet
Southwesterly Curb	23.87 feet

ON WEST GALER STREET

Opposite the intersection of the south margin of West Galer Street with the easterly margin of Elliott Avenue West:

North Curb	8.40 feet
South Curb	8.00 feet

Opposite the intersections of the respective margins of West Galer Street with the westerly margin of 14th Avenue West as established herein:

North Curb	9.75 feet
South Curb	9.50 feet

That the curb gradients shall be of a uniform rate of grade between the elevations established herein: PROVIDED HOWEVER, that until such time as the City Council shall by Ordinance provide for the construction of a grade separation for traffic at the inter-



section of 15th Avenue West and West Garfield Street, for which the above mentioned grades on 14th Avenue West, north of the north margin of West Galer Street and the above named grades on West Garfield Street to a connection with the West Garfield Street Viaduct shall be utilized, The City of Seattle shall have the right to construct, maintain and utilize a temporary surface roadway along and upon said portions of 14th Avenue West and of West Garfield Street without prejudice to its right to make such future development.

Section 4. That in the permanent grading of the above named streets and intersection, the City shall acquire the right in the case of a cut to remove the lateral support of the property abutting on the said streets and intersection. 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 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 ( $1\frac{1}{2}$ ) feet for each foot of elevation of fill for the purpose of acquiring lateral support for said streets and intersection, 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 streets and for said intersection.

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 all lands, rights privileges and other property necessary to be taken, used, or damaged in the grading or improving of said portion of West Garfield Street; 14th Avenue West, and of the above described portion of West Galer Street in conformity with the grades set forth in Section 3, hereof, and in the construction of the necessary slopes for cuts and fills upon the real property abutting upon said 14th Avenue West, said West Galer Street, and the intersection of West

Garfield Street and 15th Avenue West 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 owner thereof in the manner provided by law.

AMENDED-ORD. 76077 Section 6. That there be and there is hereby appropriated from the City Street Fund, the sum of Forty-five Thousand Dollars, (\$45,000.00), or so much thereof as may be necessary, for the purpose of carrying out the provisions of this ordinance, including all the necessary costs and expenses incidental thereto.

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, damage and appropriate the lands and other property necessary to carry out the provisions of this ordinance.

Section 8. That the City Comptroller be and he is hereby authorized and directed to draw and deliver; and the City Treasurer to honor and pay the warrants necessary to carry out the provisions of this ordinance.



(To be used for all Ordinances except Emergency.)

Section 9. 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 28 day of October, 1946, and signed by me in open session in authentication of its passage this 28 day of October, 1946, *M. B. Mitchell* President of the City Council.

Approved by me this 30 day of October, 1946, *M. F. Duran* Mayor.

Filed by me this 30 day of October, 1946, *H. Ashmore* Attest: City Comptroller and Ex-Officio City Clerk. By *C. E. Anderson* Deputy Clerk.

(SEAL)

Published NOV 9 1946

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

DEPARTMENT OF PUBLIC WORKS OF  
THE CITY OF SEATTLE

OFFICE OF CITY ENGINEER

C. L. WARTELLE, CITY ENGINEER

IN RE:

October 15, 1946

Honorable City Council  
Seattle, Washington

Gentlemen:

We are handing you herewith two council bills relating to the condemnation for a new approach to the West Garfield Street viaduct.

One proposes repeal of the existing ordinance, No. 75111, in order to clear the way for the other which proposes the immediate acquisition of all the rights necessary for the future construction of the overhead crossing of 15th Avenue West on West Garfield Street, rather than to postpone possible litigation which might arise out of such construction to a later date, when the area abutting on West Garfield Street may have been improved by expensive buildings.


Informal discussion of the problem with the Law Department discloses that no time will be saved and considerable confusion may arise from amending the existing ordinance instead of repealing it and starting anew.

We therefore respectfully recommend the immediate passage of both of the Council Bills herewith submitted.

Yours very truly,



C. L. WARTELLE,  
City Engineer.

 CRB:TM