

**Ordinance No. 78406**

AN ORDINANCE relating to the Seattle municipal light and power plant and system and providing for the acquisition by condemnation of certain properties, property rights and privileges in King and Snohomish Counties for electric transmission line right of way purposes, including the right to construct steel in lieu of wood towers.

**Council Bill No. 69735**

INTRODUCED: OCT 31 1949	BY: CITY UTILITIES
REFERRED: OCT 31 1949	TO: CITY UTILITIES
REFERRED:	
REPORTED: NOV 7 - 1949	VETO:
SECOND READING: NOV 7 - 1949	PUBLISHED:
THIRD READING: NOV 7 - 1949	VETO SUSTAINED:
SIGNED: NOV 7 - 1949	PASSED OVER VETO:
PRESENTED TO MAYOR: NOV 8 - 1949	APPROVED: NOV 8 - 1949
FILED: NOV 9 - 1949	PUBLISHED: NOV 12 1949
ENGROSSED:	BY: m D. ✓
VOL. R-2 PAGE 20	
COMPALED BY:	

AND

MSG

Light  
Cert. Counsel

See 0.7972-9  
79853

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*11/2/49 - Jones*

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VOL. <i>P-2</i> PAGE <i>20</i>	
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*M.S.*

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*See 0-79729  
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LIGHT  
CITY UTILITIES



ORDINANCE NO. 78406

AN ORDINANCE relating to the Seattle municipal light and power plant and system and providing for the acquisition by condemnation of certain properties, property rights and privileges in King and Snohomish Counties for electric transmission line right of way purposes, including the right to construct steel in lieu of wood towers.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity demands that the lands, property, property rights and privileges described in Section 2 hereof, be condemned, appropriated and taken for a public use, to-wit: As a necessary right of way for a transmission line for the conveyance of electric energy for the municipal light and power plant and system of the City of Seattle.

Section 2. That the lands and property affected, lying and being in the Counties of King and Snohomish, State of Washington are more particularly described as follows, to-wit:

In King County

In Section 4, Township 26 North, Range 4 East, W.M.

To Acquire Additional Rights.

Those portions of Section 4, Township 26 North, Range 4 East, W.M., contained within a 150 foot easement right of way heretofore acquired for the Skagit electric transmission system, said portions being described as follows:

Block 4, First Addition to Lake Forest Park;

The northwest one-quarter of the northeast one-quarter of said Section 4, also known as Tracts 1, 2, 3, 4, 5, 6, 7, and 8, Frauenthal Brothers Tracts (Unrecorded), Records of the Assessor of King County, Washington;

All of the east one-half of the northwest one-quarter of said Section 4, the affected portions thereof being also known as Tracts 12 to 14, both inclusive, and 17 to 20, both inclusive, Frauenthal Brothers Tracts (Unrecorded), Records of the Assessor of King County, Washington;

Block 4, Rose Addition No. 2, an Addition in King County, Washington.

Block 2, Rose Addition No. 1, an Addition in King County, Washington.

The portions of both of the foregoing additions being situate in the southwest one-quarter of the northwest one-quarter of said Section 4;

For the purpose of acquiring the rights to construct two steel

tower transmission lines and one wooden pole line upon said 150 foot easement.

In the northwest one-quarter of the southwest one-quarter of Section 4, Township 26 North, Range 4 East, W.M.

To Acquire Additional Rights.

Those portions of the northwest one-quarter of the southwest one-quarter of Section 4, Township 26 North, Range 4 East, W.M., contained within a 150 foot right of way easement heretofore acquired for the Skagit electric transmission system, said portions being described as follows:

Blocks 17, 16, and portions of Blocks 15 and 20, Lago Vista, an Addition in King County, Washington.

For the purpose of acquiring the rights to substitute steel towers in lieu of wood pole transmission lines upon the said 150 foot right of way easement.

In the southeast one-quarter of Section 5, Township 26 North, Range 4 East, W. M.

To Acquire Additional Rights.

Those portions of the southeast one-quarter of Section 5, Township 26 North, Range 4 East, W.M., contained within a 150 foot right of way easement heretofore acquired for the Skagit electric transmission system, said portions being described as follows:

Blocks 14 and portions of Blocks 15 and 20, Lago Vista Addition, an Addition in King County, Washington.

The southeast one-quarter of the southeast one-quarter of said Section 5;

Blocks 2, 3, and 4, Hemlock Acres, an Addition in King County, Washington;

For the purpose of acquiring the right to substitute steel towers in lieu of wooden pole transmission lines upon the said 150 foot right of way easement.

In the northwest one-quarter of the northeast one-quarter of Section 8, Township 26 North, Range 4 East, W.M.

To acquire Additional Rights.

Those portions of the northwest one-quarter of the northeast one-quarter of Section 8, Township 26 North, Range 4 East, W.M., contained within a 150 foot right of way easement heretofore acquired for the Skagit electric transmission system, said portions being described as follows:

Block 1, Northend Country Estates, an addition in King County, Washington;

Block 1, Bonnie Glen, an Addition in King County, Washington.

For the purpose of acquiring the rights to substitute steel towers in lieu of wooden pole transmission lines upon the said 150 foot right of way easement.



In Snohomish County

In Section 5, Township 27 North, Range 5 East, W.M.

Take the Fee Title.

That portion of the southeast one-quarter of the southeast one-quarter of Section 5, Township 27 North, Range 5 East, W.M., heretofore acquired as an easement by the City of Seattle for the Skagit electrical transmission system right of way. Said strip being 300 feet in width and extending from the easterly line of the southeast one-quarter of the southeast one-quarter of Section 5 aforesaid to the southerly line of the said southeast one-quarter of the southeast one-quarter of Section 5 aforesaid.

In Section 8, Township 27 North, Range 5 East, W.M.

Take the Easement Right on the 25 Foot Strip and Additional Rights on the existing 150 foot easement.

A strip of land 25 feet in width extending from the northerly line of the northeast one-quarter of the northeast one-quarter of Section 8, Township 27 North, Range 5 East, W. M., southerly in a straight line, south  $36^{\circ}45'$  west to the southerly line of the southwest one-quarter of the southwest one-quarter of Section 8, aforesaid; the southeasterly line of said 25 foot strip being coincident with the northwesterly line of a heretofore acquired 150 foot easement for the Skagit electric transmission system right of way extending over and across said Section 8. Together with the right to install steel towers in lieu of wooden poles on the abutting existing 150 foot easement adjoining.

In Section 17, Township 27 North, Range 5 East, W. M.,

Take the Easement Right on the 25 Foot Strip and Additional Rights on the Existing 150 Foot Easement.

That portion of the northwest one-quarter of Section 17, Township 27 North, Range 5 East, W.M., described as follows:

Beginning at a point in the northerly line of the northwest one-quarter of Section 17, Township 27 North, Range 5 East, W.M., said point being the point of intersection of said northerly line with the northwesterly right of way line of an existing 150 foot easement heretofore acquired for the Skagit electric transmission system; thence westerly along the said northerly line of said northwest one-quarter to a point 25 feet distant, measured at right angles to the said northwesterly right of way line of the 150 foot easement aforesaid; thence southwesterly along a straight line, distant 25 feet northwesterly measured at right angles to the said 150 foot easement right of way line a distance of 790 feet more or less; thence continuing along the same straight line a distance of 98.04 feet to an angle point; thence southwesterly along a straight line a distance of 600 feet more or less to a point in the aforesaid 150 foot easement right of way line; said point being distant 130 feet more or less northeasterly from the westerly line of Section 17, Township and range aforesaid; thence northeasterly along said northwesterly right of way line to the point of beginning.

Also,

A strip of land of increasing width up to and including a maximum width of 25 feet lying on the southeasterly side and contiguous to the southeasterly right of way line of an existing 150 foot easement for the Skagit electric transmission line right of way in the northwest one-quarter of Section 17, Township 27 North, Range 5 East, W.M., the said strip being described as follows: Beginning at a point in the southeasterly right of way line of the 150 foot easement aforesaid, distant 920 feet more or less southwesterly, measured along said southeasterly right of way line from the northerly line of the northwest one-quarter of said Section 17; thence continuing southwesterly along the said southeasterly margin produced from the northeast in a straight line, a distance of 100.53 feet; thence southwesterly a distance of 623 feet, more or less to a point distant 25 feet measured at right angles to the present southeasterly right of way line of the 150 foot easement aforesaid; thence southwesterly parallel to and distant 25 feet southeasterly of the aforesaid right of way line, a distance of 320 feet more or less to the westerly line of the northwest one-quarter of Section 17, aforesaid; thence northerly along the westerly line of said Section 17 to its intersection with the southeasterly right of way line of the 150 foot easement aforesaid; thence northeasterly along the said southeasterly right of way line to the point of beginning.

Together with the right to install steel towers in lieu of wooden poles on the abutting existing 150 foot easement.

In Section 18, Township 27 North, Range 5 East, W.M.

Take the Easement Right on a strip of variable width and additional rights on the existing 150 foot easement.

That portion of Section 18, Township 27 North, Range 5 East, W. M., described as follows:

A strip of land of diminishing width from a maximum of 25 feet with a final reduction to zero at the southwesterly end, the said strip lying on the southeasterly side and contiguous to the southeasterly right of way line of an existing 150 foot easement for the Skagit electric transmission system right of way over and across Section 18, Township 27 North, Range 5 East, W.M., said strip being more particularly described as follows:

Beginning at a point in the east line of Section 18 aforesaid, said point being the point of intersection of said east line with the existing southeasterly right of way line of the above mentioned existing 150 foot easement, thence southerly along said east line of Section 18 to a point in said line distant 25 feet southeasterly, measured at right angles to the aforesaid right of way line; thence southwesterly parallel to and distant 25 feet southeasterly from said right of way line a distance of 460 feet more or less to a point; thence southwesterly on a line of diminishing distance from the said southeasterly right of way line a distance of 945 feet more or less to an intersection with the said easement right of way line at a point 1,460 feet more or less southwesterly from the easterly line of Section 18 measured along said right of way line; thence northeasterly along said southeasterly right of way line to the point of beginning.



Also,

A strip of land with a maximum width of 25 feet, lying northwesterly of and contiguous to the existing 150 foot easement of the Skagit electric transmission system right of way in Section 18, Township 27 North, Range 5 East, W.M., described as follows:

Beginning at a point in the northwesterly right of way line of the above mentioned easement opposite Engineer's Station 123  $\angle$  01.08 of the survey for this improvement; thence southwesterly on a straight line a distance of 950 feet more or less to a point opposite Engineer's Station 132  $\angle$  49.44 said point being 25 feet distant northwesterly, measured at right angles to the northwesterly line of the 150 foot easement aforesaid; thence southwesterly parallel to and distant 25 feet, measured at right angles to the northwesterly line of said 150 foot easement to the centerline of said Section 18; thence continuing on the same parallel line through Tract 4, Block 10; Tract 14, Block 9; Tracts 10, 9, 8, 7, 6, 4, 3 and 14, Block 11; and Tract 15, Block 12; all in Alderwood Manor No. 5, an addition in Snohomish County, Washington; all in the southwest one-quarter of Section 18 aforesaid, to the southerly line of said Section 18; thence easterly along said southerly line of said Section 18 to a point, said point being the intersection of the said southerly section line and said southeasterly right of way line; thence northeasterly, along the said southeasterly right of way line to the point of beginning.

Together with the right to install steel towers in lieu of wooden poles upon the abutting 150 foot existing easement.

In Section 19, Township 27 North, Range 5 East, W.M.

Take the Easement Right on the 25 foot strip and additional rights on the existing 150 foot easement.

All that portion of the northwest one-quarter of Section 19, Township 27 North, Range 5 East, W.M., described as follows:

Those portions of Tracts 3, 16, 17, 18, 19, and 20, Block 12, Alderwood Manor No. 5, an Addition in Snohomish County, Washington, in the northwest one-quarter of Section 19, Township 27 North, Range 5 East, W.M., contained within a strip of land 25 feet in width, lying on the northwesterly side of the existing 150 foot easement, heretofore acquired for the Skagit electric transmission system, the southeasterly line of the 25 foot strip, and the northwesterly line of the 150 foot right of way easement being coincident.

Together with the right to install steel towers in lieu of wooden poles upon the existing 150 foot easement adjoining.

In Section 24, Township 27 North, Range 4 East, W.M.

Take the Easement Right on the 25 foot strip and additional rights on the existing 150 foot easement.

All that portion of Section 24, Township 27 North, Range 4 East, W.M., described as follows:

Those portions of Tracts 8, 9, 10, 23, 24, 25 and 26, Block 21, Alderwood Manor No. 5 an addition in Snohomish County, Washington; and Tracts 26, 27, 28, 29, 52, 53, 54, 55, and 56, Block 22, Tracts 18, 19, 20, 21, 22, 23, 24 and 25, Block 23; Tracts 1, 2, and 3, Block 24; Tracts 13, 14, and 15, Block 25; Tracts 2, 3, 11, 12 and 13, Block 27, all in Alderwood Manor No. 5, an Addition in Snohomish County, Washington; contained within a strip of land 25 feet in width, lying on the northwesterly side of the existing 150 foot easement heretofore acquired for the Skagit electric transmission system, the southeasterly line of the 25 foot strip and the northwesterly line of the 150 foot right of way easement being coincident.

Together with the right to install steel towers in lieu of wooden poles upon the existing 150 foot easement adjoining.

In Section 25, Township 27 North, Range 4 East, W.M.,

Take for easement on the 25 foot strip and additional rights on the existing 150 foot easement.

All that portion of Section 25, Township 27 North, Range 4 East, W.M., described as follows: Those portions of Tracts 14 and 15, Block 27 in Alderwood Manor No. 5 an Addition in Snohomish County, Washington, contained within a strip of land 25 feet in width lying on the northwesterly side of the existing 150 foot easement heretofore acquired for the Skagit electric transmission system.

The southeasterly line of the 25 foot strip and the northwesterly line of the 150 foot right of way easement being coincident.

Together with the right to install steel towers in lieu of wooden poles upon the existing 150 foot easement adjoining.

In Section 26, Township 27 North, Range 4 East, W.M.

Take for Easement on the 25 foot strip and additional rights on the existing 150 foot easement.

All that portion of Section 26, Township 27 North, Range 4 East, W.M., described as follows:

Those portions of Tracts 3, 4, 5, 6, and 7 of Block 10; Tracts 6, 7, 8, 9, 11, and 12, Block 11; Tract 6, Block 12; Tracts 3 and 4, Block 20; Tract 5, Block 19, all in Alderwood Manor No. 6, an Addition in Snohomish County, Washington. Also the south-east one-quarter of the northwest one-quarter of Section 26, said Township; Also Tracts 15, 16, 13, 18, 9, 12 and 10, Block 18 and Tracts 9, 10, 11, and 12, Block 17 of said Alderwood Manor No. 6, contained within a strip of land 25 feet in width over and across said Section 26, lying on the northwesterly side of the existing 150 foot easement heretofore acquired for the Skagit electric transmission system, the southeasterly line of the 25 foot strip and the northwesterly line of the 150 foot right of way easement being coincident.

Together with the right to install steel towers in lieu of wooden poles upon the existing 150 foot easement adjoining.



In Section 27, Township 27 North, Range 4 East, W.M.

Take for Easement on the 25 foot strip and additional rights on the 150 foot existing easement.

All that portion of the southeast one-quarter of the southeast one-quarter of Section 27, Township 27 North, Range 4 East, W.M., described as follows:

Those portions of Tract 7, Block 17 in Alderwood Manor No. 6, an Addition in Snohomish County, Washington, and Block 2 in Alderwood Manor No. 21, an addition in Snohomish County, Washington, contained within a strip of land 25 feet in width, over and across the southeast one-quarter of the southeast one-quarter of said Section 27, lying on the northwesterly side of the existing 150 foot easement heretofore acquired for the Skagit electric transmission system. The southeasterly line of the 25 foot strip and the northwesterly line of the 150 foot right of way easement being coincident.

Together with the right to install steel towers in lieu of wooden poles upon the 150 foot easement adjoining.

In Section 34, Township 27 North, Range 4 East, W.M.

Take for Easement the 25 foot strip and additional rights on the existing 150 foot easement.

All that portion of Section 34, Township 27 North, Range 4 East, W.M., described as follows:

That portion of the northeast one-quarter of the northeast one-quarter of Section 34.

Those portions of Lots 4, 5, 6, 10, 11, 12, 13, 27, 28, and 30, Shasta Park Tracts, Division No. 2, an Addition in Snohomish County, Washington.

That portion of the northwest one-quarter of the northeast one-quarter lying west of Shasta Park Tracts Division No. 2.

That portion of the southwest one-quarter of the northeast one-quarter of said Section 34.

That portion of the southeast one-quarter of the northwest one-quarter of said Section 34.

That portion of the southwest one-quarter of said Section 34.

Contained within a strip of land 25 feet in width over and across said Section 34, lying on the northwesterly side of the existing 150 foot easement heretofore acquired for the Skagit electric transmission system. The southeasterly line of the 25 foot strip and the northwesterly line of the 150 foot right of way easement being coincident.

Together with the right to install steel towers in lieu of wooden poles upon the 150 foot easement adjoining.

In Section 33, Township 27 North, Range 4 East, W.M.

Take for Easement on the 25 foot strip and additional rights on

the existing 150 foot easement.

All that portion of the southeast one-quarter of the southeast one-quarter of Section 33, Township 27 North, Range 4 East, W.M., described as follows:

That portion of Tracts 29, 30, and 31, Hansbury's North Race Track Addition, an addition in Snohomish County, Washington.

That portion of Tracts 7, 8, 9, 10, and 11 in Giebner Hendrickson's Acre Homes Addition, Division No. 2, an Addition in Snohomish County, Washington;

Contained within a strip of land 25 feet in width over and across said southeast one-quarter of the southeast one-quarter of said Section 33, lying on the northwesterly side of the existing 150 foot easement heretofore acquired for the Skagit electric transmission system, the southeasterly line of the 25 foot strip and the northwesterly line of the 150 foot right of way easement being coincident.

Together with the right to install steel towers in lieu of wooden poles on the 150 foot strip adjoining.

Section 3. That the Corporation Counsel is hereby authorized and directed to begin and prosecute the actions and proceedings in the manner provided by law to carry out the provisions of this ordinance.

Section 4. That in conducting said condemnation proceedings, the Corporation Counsel is authorized to stipulate for the purpose of minimizing damages.



(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 7 day of November, 1949,  
and signed by me in open session in authentication of its passage this 7 day of  
November, 1949 David Linn

President of the City Council.

Approved by me this 9 day of November, 1949,  
W. B. Thomas Mayor.

Filed by me this 9 day of November, 1949.

Attest: W. B. Thomas  
City Comptroller and Ex-Officio City Clerk.

By: John B. Kellum  
Deputy Clerk.

City Comptroller and Ex-Officio City Clerk.

By: \_\_\_\_\_  
Deputy Clerk.

(SEAL)

Published NOV 12 1949



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THE CITY OF SEATTLE  
LAW DEPARTMENT

515 COUNTY-CITY BUILDING

A. C. VAN SOELEN, CORPORATION COUNSEL

October 31, 1949

CITY PROSECUTOR  
BRUCE MACDOUGALL

LAW CLERK  
G. GRANT WILCOX

SECRETARY  
FAVE FORDE

CLAIM AGENT  
JOHN F. COOPER

City Council  
City of Seattle

Gentlemen:

We herewith transmit an ordinance relating to the Seattle municipal light and power plant and system and providing for the acquisition by condemnation of certain properties, property rights and privileges in King and Snohomish Counties for electric transmission line right of way purposes, including the right to construct steel in lieu of wood towers.

We also enclose copy of letter from the Superintendent of Lighting requesting the acquisition of this right-of-way.

Yours very truly,

A. C. VAN SOELEN  
Corporation Counsel

By

  
G. GRANT WILCOX

GGW:EC  
att.



C O P Y

THE CITY OF SEATTLE  
DEPARTMENT OF LIGHTING

E. R. HOFFMAN  
SUPERINTENDENT  
Member, Board of Public Works  
Seattle, 4, Washington

August 17, 1949

Mr. A. Van Soelen, Corporation Counsel  
City of Seattle  
Seattle 4, Washington

Dear Sir:

We have delivered this date by messenger to Mr. Logan of your office two sets of prints of Drawings TE-5135 to TE -5139 inclusive. We wish to secure additional rights on our Skagit Transmission Line Right-of-Way, from Section 4, Township 27 North, Range 5 East, W. M., to East 185th Street and 8th Avenue Northeast. These additional rights are more particularly described as follows:

In Sections 4 and 5, Township 27 North, Range 5 East, W.M., acquire the fee title to the existing 300-foot right-of-way since this right-of-way will become an approach to our Bothell Substation and the location and the spacing of towers will be determined by the approach span requirements.

From the north line of Section 8, Township 27 North, Range 5 East, W. M., to the Snohomish County line, acquire easement rights for three steel tower transmission lines in lieu of the existing easement rights for two wood pole transmission lines. Acquire easement rights over a 25-foot strip northwesterly of and adjacent to the existing 150-foot right-of-way.

From the Snohomish-King County line to East 195th Street, acquire easement rights for two steel tower transmission lines and one wood pole transmission line to be constructed along the northwesterly margin of the right-of-way.

From East 195th Street to East 185th Street and 8th Avenue Northeast, acquire substitution rights for steel towers in lieu of wood along the center lines indicated in the existing easements over this property.

Your attention is called to the fact that tower locations are not necessarily opposite the existing towers. Please note also that the right-of-way has been adjusted to miss the school building of School District No. 101 in Section 18, Township 27 North, Range 5 East, W. M.



City of Seattle--DEPARTMENT OF LIGHTING

Mr. A. Van Soelen

-2-

8-17-49

Rights for the construction, operation and maintenance of a telephone line shall be retained, together with the right to cut danger trees.

The maps delivered to you today will enable you to order a title report. As this title information becomes available, we will enter it upon our maps for your further use in the acquisition of the right-of-way.

Yours very truly,

E. R. HOFFMAN

Superintendent of Lighting

HVS:bd

cc: R/W Div.  
G. G. Smith  
Strandberg  
File  
x-File