

Ordinance No.

81237

81237

AN ORDINANCE providing for the laying off \*\*\* of 23rd Avenue from Terrace Street to Alder Street; providing for the widening of (portions of) 23rd Avenue South \*\*\*; providing for establishing the curb grades \*\*\*; providing for the condemnation, taking and damaging of land and other property necessary therefor; and for the making of the necessary slopes \*\*\* upon the property abutting on said streets; and providing that the entire cost \*\*\* shall be paid from the City Street Fund.

7/29/52 P.C.M.

Council Bill No.

INTRODUCED: JUL 28 1952	BY: Streets & Sewers
REFERRED: JUL 28 1952	TO: Streets & Sewers Finance
REFERRED:	
REPORTED: AUG 4 1952	VETO:
SECOND READING: AUG 4 1952	PUBLISHED:
THIRD READING: AUG 4 1952	VETO SUSTAINED:
SIGNED: AUG 4 1952	PASSED OVER VETO:
PRESENTED TO MAYOR: AUG 4 1952	APPROVED: AUG 12 1952
FILED: AUG 12 1952	PUBLISHED: AUG 18 1952
ENGROSSED:	BY: J.P.
VOL. 82. PAGE 439.	
COMPARED BY:	AND:

CM 4-20 L. E. H. CO. 4114

0-81770- auditing Appointments by Eng. & Sew. 1  
0-82127- accepts amended  
0-82892- appropriation from City St. Fund  
8081

## Ordinance No.

AN ORDINANCE providing for the laying off ~~xxx~~ of 73rd Avenue from Spruce Street to Alder Street; providing for the widening of (portions of) 23rd Avenue South ~~xxx~~; providing for establishing the curb grades ~~xxx~~; providing for the condemnation, taking and draining of land and other property necessary therefor; and for the making of the necessary slopes ~~xxx~~ upon the property abutting on said streets; and providing that the entire cost ~~xxx~~ shall be paid from the City Sunset Fund.

7/29/52 *Parr*

## Council Bill No.

INTRODUCED: JUL 28 1952	BY: <i>Streets &amp; Sowers</i>
REFERRED: JUL 28 1952	TO: <i>Streets &amp; Sowers Finance</i>
REFERRED:	
REPORTED: AUG 4 1952	VETO:
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ENGROSSED:	BY:
VOL <i>22</i> PAGE <i>409</i>	<i>J.P.</i>
COMPARED BY:	

AND

*Part: ✓  
John C. ✓  
Eng. ✓  
Parr ✓*

*0-81770 - another appropriation by Eng. & Pav.  
0-82127 - accepts amendments  
0-182992 - appropriation from City of J. Carr  
(84081)*

ORDINANCE NO 81987

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of 23rd Avenue from Terrace Street to Alder Street; providing for the widening of the intersection of 23rd Avenue South and Norman Street; and for the extension and widening of 23rd Avenue South from Grand Street to Holgate Street; providing for establishing the curb grades of said portions of 23rd Avenue, 23rd Avenue South, and an approach thereto on Norman Street; providing for the condemnation, 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 on said streets; and providing that the entire cost of such improvement shall be paid from the City Street Fund.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that

23RD AVENUE from Terrace Street to Alder Street;  
THE INTERSECTION of 23rd Avenue South and Norman Street; and  
23RD AVENUE SOUTH from Grand Street to Holgate Street;

be laid off, opened, widened, extended and established as public streets and highways.

Section 2. That 23rd Avenue from Terrace Street to Alder Street; the intersection of 23rd Avenue South and Norman Street; and 23rd Avenue South from Grand Street to Holgate Street; 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 Sander Boman Real Estate Co.'s 1st Addition to The City of Seattle, as recorded in Volume 3, King County Plats, Page 114:

That portion of Lots 1 and 2, Block 1, beginning at a point in the northeasterly line of said Lot 2, said point being distant 5.44 feet, measured northwesterly along said northeasterly line from the most easterly corner of said Lot 2, thence southeasterly along the northeasterly and easterly margins of said Lots 2 and 1, a distance of 101.50 feet to the most easterly corner of said Lot 1, thence west along the south line of said Lot 1, a distance of 16.32 feet, thence northerly along the arc of a curve to the left, having a radius of 891 feet, a distance of 27.96 feet to a point of tangency, thence northerly along the tangent to said curve at said point, a distance of 56.13 feet to a point in the northwesterly line of said Lot 1; said point being distant 5.71 feet, measured southeasterly along said northeasterly line from the most northerly corner of said Lot 1; thence continuing northwesterly along said tangent,

a distance of 9.68 feet to the point of beginning.

That portion of Lot 18, Block 1, described as follows:

Beginning at the northeast corner of said lot, thence south along the east line thereof, a distance of 99.46 feet to the southeast corner of said lot, thence northerly along the arc of a curve to the left, having a radius of 891 feet, a distance of 100.47 feet to a point in the north line of said Lot 18, thence east along said north line, a distance of 13.86 feet to the point of beginning.

In Fairmont Addition to the City of Seattle, as recorded in Volume 4, King County Plats, Page 9:

That portion of Lots 3 to 7, both inclusive, Block 2 described as follows:

Beginning at a point in the east line of said Lot 3, said point being distant 10.36 feet, measured north along said east line from the southeast corner of said lot; thence due south along the east line of said Lots 3 to 7, both inclusive, to a point 23.40 feet distant measured north along said east line from the southeast corner of said Lot 7; thence southeasterly along the arc of a curve to the right, having a radius of 142 feet, a distance of 26.16 feet to a point in the south line of said Lot 7, said point being distant 11.59 feet, measured west along said south line from the southeast corner of said Lot 7; thence west along the south line of said Lot 7, a distance of 31.61 feet to a point which is distant 56.80 feet, measured east along said south line from the southwest corner of said Lot 7; thence northeasterly along a straight line, a distance of 56.10 feet to a point in the north line of said Lot 7, said point being distant 24.94 feet, measured west along said north line from the northeast corner of said Lot 7; thence continuing along said straight line a distance of 7.03 feet to a point of curvature; thence northerly along the arc of a curve to the left, having a radius of 394 feet a distance of 73.68 feet to a point of compound curvature, the radial of said curves at said point bears north  $81^{\circ}42'39''$  west, thence northerly along the arc of a curve to the left having a radius of 794 feet a distance of 52.55 feet to the point of beginning.

In Seattle Homestead Association's first Addition to The City of Seattle, as recorded in Volume 1 of King County Plats, at Page 129:

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

Beginning at a point in the west line of said Lot 5, said point being 16.81 feet distant measured northerly along said west line from the southwest corner of said Lot; thence north  $0^{\circ}01'30''$  west, along the west line of said Lot 5, a distance of 43.19 feet to the northwest corner of said lot; thence along the arc of a curve to the right,

having a radius of 140 feet, (the radius of said curve at said point bears south 67°41'36" east) a distance of 25.97 feet; thence southerly along the arc of a curve to the left having a radius of 394 feet (the radius of said curve at said point bears south 75°15'31" east), a distance of 23.58 feet to a point in the south line of said Lot 6, said point being distant 6.71 feet measured east along said south line from the southwest corner of said Lot 6; thence continuing along the arc of said curve to the left, a distance of 15.48 feet to a point of tangency; thence southerly along the tangent to said curve at said point, a distance of 27.76 feet to the point of beginning.

In Jos. C. Kinnear's Addition to The City of Seattle,  
Volume 1 of King County Plats, Page 123:

That portion of Lots 1 to 3, both inclusive, Block 15,  
described as follows:

Beginning at the southwest corner of said Lot 1; thence north 0°16'00" west, along the westerly line of said Lot a distance of 41.45 feet; thence northeasterly along the arc of a curve to the right having a radius of 288 feet (the radial line of said curve at said point bears south 81°59'22" east), a distance of 60.50 feet to a point of tangency; thence north 20°02'49" east, along the tangent to said curve at said point, a distance of 62.87 feet to an intersection with the easterly margin of 23rd Avenue South, as established by condemnation Ordinance No. 23038, at a point 49.24 feet northeasterly, measured along said easterly margin of 23rd Avenue South from its intersection with the southerly line of said Lot 3; thence northeasterly along said easterly margin of 23rd Avenue South, a distance of 20.84 feet; thence south 20°02'49" west, a distance of 102.57 feet, to a point of curvature; thence along the arc of a curve to the left having a radius of 490 feet (the radius of said curve at said point bears south 72°31'13" east), a distance of 12.94 feet to a point in the southerly line of said Lot 2, said point being distant 15.94 feet measured easterly along said southerly line from the easterly margin of 23rd Avenue South, as established by Ordinance No. 66141; thence continuing along said arc of said curve, a distance of 61.53 feet to a point in the southerly line of said Lot 1, said point being distant 5.80 feet, measured easterly along said southerly line from the southwest corner of said Lot 1; thence westerly along said southerly line to the point of beginning.

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

On 23rd Avenue as established herein between Terrace Street and Alder Street: In conformity with existing grades.

On 23rd Avenue South as established herein between the South margin of Charles Street and the north margin of Judkins Street: Opposite a point 244.13 feet distant measured south along the center line of 23rd Avenue South from the south margin of Charles Street at existing elevations:

East Curb	205.30 feet
West Curb	205.30 feet

Opposite a point 63.55 feet distant measured northerly along the center line of 23rd Avenue South as established herein from its intersection with the center line of Norman Street:

East Curb	193.50 feet
West Curb	193.50 feet

Opposite a point 19.22 feet distant measured southerly along the center line of 23rd Avenue South as established herein from its intersection with the center line of Norman Street:

East Curb	189.25 feet
West Curb	189.25 feet

Opposite a point 159.38 feet distant measured north along the center line of 23rd Avenue South from its intersection with the north margin of Judkins Street:

East Curb	175.60 feet
West Curb	175.60 feet

Opposite the north margin of Judkins Street at existing elevations:

East Curb	166.80 feet
West Curb	165.90 feet

On 23rd Avenue South as established herein between Grand Street and Holgate Street: In conformity with existing grades.

On Norman Street: Opposite a point 71.5 feet distant measured east along the center line of Norman Street from its intersection with the center line of 23rd Avenue South:

North Curb	192.00 feet
South Curb	190.80 feet

Opposite a point 35 feet east of the last named point at existing elevations:

North Curb	193.75 feet
South Curb	192.64 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 being in conformity with existing grades.

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

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 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 streets 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 streets, 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 thereof, in the manner provided by law.

Section 6. That the entire cost of the improvement provided for herein shall be paid from the City Street Fund.

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.

(To be used for all Ordinances except Emergency.)

Section 8. 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 by the City Council the 4 day of August, 1952,  
and signed by me in open session in authentication of its passage this 4 day of  
August, 1952. *David Levin*

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

Approved by me this 12 day of August, 1952.  
*Allean Downey*  
Mayor.

Filed by me this 12 day of August, 1952.

Attest: *Nashomas*  
City Comptroller and City Clerk.

(SEAL)

Published AUG 18 1952

By *W. O. Parine*  
Deputy Clerk.



THE CITY OF SEATTLE  
DEPARTMENT OF ENGINEERING

R. W. FINKE, CITY ENGINEER  
MEMBER, BOARD OF PUBLIC WORKS

In Re.

July 28, 1952

Honorable City Council  
of the City of Seattle  
Seattle, Washington

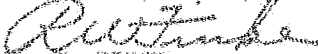
Gentlemen:

The Streets and Sewers Committee recently authorized the City Engineer to prepare plans for the widening of the existing narrow sections of pavement in 23rd Avenue and 23rd Avenue South from East Madison Street to Rainier Avenue.

In preparing the plans for those portions of this street that require widening, we found that it would be necessary to require additional right of way at several intersections in order to ease the existing curves.

We are submitting herewith council bill providing for the condemnation of the property necessary for said right of way, the entire cost to be paid from City Street Funds.

Yours very truly,



R. W. FINKE

City Engineer

J  
PWF:HK

# The City of Seattle--Legislative Department

MR. PRESIDENT:

Your Committee on Finance and Streets & Sewers  
to which was referred S.B. 1865,

Date Reported  
and Adopted  
AUG 4 1952

providing for the laying out\*\* of 23rd Avenue  
from Terrace Street to 24th Street; providing for the widening of  
(portions of) 23rd Avenue South \*\*; providing for establishing the curb  
grades\*\*; providing for the condemnation, taking and demising of land  
and other property necessary therefor; and for the making of the necessary  
slopes \*\* upon the property abutting on said streets; and providing that  
the entire cost \*\* shall be paid from the City Street Fund.

RECOMMEND THAT THE SAME DO PASS.

*[Signature]*  
Fin.  
Chairman

*[Signature]*  
S&S  
Chairman

Committee

Committee





