

Ordinance No. 83224

AN ORDINANCE providing for the acquisition by condemnation of certain lands, property and property rights, for a right-of-way for sewer purposes over and across a portion of Pike's Reserve for Canal, as platted in Plan of Union City, and providing for payment therefor.

Council Bill No. 74621

INTRODUCED: <u>12 1954</u>	BY: <u>STREETS & SEWERS</u>
REFERRED:	TO: <u>Streets & Sewers</u>
REFERRED: <u>JUL 19 1954</u>	
REPORTED: <u>JUL 19 1954</u>	VETO:
SECOND READING: <u>JUL 19 1954</u>	PUBLISHED:
THIRD READING: <u>JUL 19 1954</u>	VETO SUSTAINED:
SIGNED: <u>JUL 19 1954</u>	PASSED OVER VETO:
PRESENTED TO MAYOR: <u>JUL 19 1954</u>	APPROVED: <u>JUL 19 1954</u>
FILED: <u>JUL 19 1954</u>	PUBLISHED: <u>JUL 21 1954</u>
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COMPARED BY:	AND

BY 7-22 L. & N. CO. P-262

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TOWN
 A. A. (BQ)
 BLDG.
 ENG.
 H. C. C.
 S. C. C.
 S. C. C.
 LIGHT

*And 83408. Amends by 1.
 acceptorwardly - Ord 83765*

Corp. Council ✓

Ordinance No. 83221

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Council Bill No. 24521

INTRODUCED: JUL 19 1954	BY: <u>STREIBER & SWINERS</u>
REFERRED: JUL 19 1954	TO: <u>Streets & Sewer</u>
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COMPALED BY: <u>McG</u>	

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- PUB
- A. A. (BQ)
- BLDG.
- ENG.
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- LIGHT

Corp. Council

ORDINANCE NO. 83224

AN ORDINANCE providing for the acquisition by condemnation of certain lands, property and property rights, for a right-of-way for sewer purposes over and across a portion of Pike's Reserve for Canal, as platted in Plan of Union City, and providing for payment therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that a right-of-way for sewer purposes be acquired over and across the following described property, to-wit:

A strip of land 20 feet in width over and across "Pike's Reserve for Canal" as platted in "Plan of Union City", as recorded in Volume 1 of King County Plats at page 39, the center line of said strip being defined as follows:

Beginning at the point of intersection of the centerline of Roanoke Street with the centerline of 19th Avenue North; thence south along said centerline of 19th Avenue North a distance of 18.95 feet to the true point of beginning; thence northeasterly along a line forming an angle of $27^{\circ}29'16''$ with said centerline of 19th Avenue North a distance of 186.02 feet to an angle point; thence with a deflection angle of $70^{\circ}05'24''$ to the left to the south boundary of the aforesaid Pike's Reserve;

Together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width over and across said Canal Reserve, the southeasterly margin of said additional strip coinciding with the northwesterly margin of the 20-foot strip above described,

and that only such rights in the land above described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation and maintenance of said sewer; reserving unto the property owners the right to use said property in any way and for any purpose not inconsistent with the right hereby authorized to be acquired.

(To be used for all Ordinances except Emergency.)

Section 2. That the entire cost of the improvement provided for herein shall be paid from the Seattle Sewer Bonds 1946 Fund.

Section 3. That the Corporation Counsel is hereby authorized and directed to begin and prosecute the actions and proceedings necessary 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 4. 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 19 day of July, 1954, and signed by me in open session in authentication of its passage this 19 day of July, 1954.

Mr. J. Mitchell
President of the City Council.

Approved by me this 19 day of July, 1954.

Alfred Jensen
Mayor.

Filed by me this 19 day of July, 1954.

A. Thomas
Attest: City Comptroller and City Clerk.

(SEAL)

Published _____

By *W. A. Perine*
Deputy Clerk.

THE CITY OF SEATTLE
DEPARTMENT OF ENGINEERING

W. E. PARKER, CITY ENGINEER
MEMBER, BOARD OF PUBLIC WORKS

IN RE:

July 9, 1954


The Honorable City Council
Seattle, Washington

Gentlemen:

The attached Council Bill proposes the condemnation of a piece of right-of-way needed for the West Montlake Trunk Sewer, Unit No. 2, and provides that the necessary cost of such proceeding shall be paid from the Seattle Sewer Bonds 1946 Fund.

Negotiations for this portion of the right-of-way have failed.

Yours very truly,


W. E. PARKER,
City Engineer

Y
CRS:slw
Enc.

Affidavit of Publication

STATE OF WASHINGTON, §§.
COUNTY OF KING

M. E. Brown, being first duly sworn, on oath deposes and says that he is the business manager and one of the publishers of The Daily Journal of Commerce, a daily newspaper. That said newspaper is a legal newspaper and it is now and has been for more than six months prior to the date of the publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the said Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of said King County

That the annexed is a true copy of.....

Ordinance No. 33224

..... as it was published in the regular issue
(and not in supplement form) of said newspaper on the
31st day of July, 1954....., and that said
newspaper was regularly distributed to its subscribers during
all of said period.

M. E. Brown

Subscribed and sworn to before me this

31st day of July, 1954

E. Campbell

Notary Public in and for the State of Washington, residing at Seattle.
(This form officially sanctioned by Washington State Press Association.)
Affidavit Form D

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BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that a right-of-way for sewer purposes be acquired over and across the following described property, to-wit:

A strip of land 10 feet in width over and across "Pike's Reserve for Canal" as platted in "Plan of Union City" as recorded in Volume of King County Plats at page 39, the center line of said strip being defined as follows:

Beginning at the point of intersection of the centerline of Roanoke Street with the centerline of 19th Avenue North; thence south along said centerline of 19th Avenue North a distance of 13.95 feet to the true point of beginning; thence northeasterly along a line forming an angle of 27° 27' 16" with said centerline of 19th Avenue North a distance of 154.02 feet to an angle point; thence with a deflection angle of 70° 55' 34" to the left to the south boundary of the aforesaid Pike's Reserve.

Together with the right to encroach upon, occupy, use and damage in the original construction of said sewer a strip of land 10 feet in width over and across said Canal Reserve, the southwesterly margin of said additional strip coinciding with the northwesterly margin of the 10-foot strip above described.

and that only such rights in the land above described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation and maintenance of said sewer; reserving unto the property owners the right to use said property in any way and for any purpose not inconsistent with the right hereby authorized to be acquired.

Section 2. That the entire cost of the improvement provided for herein shall be paid from the Seattle Sewer Bonds 1946 Fund.

Section 3. That the Corporation Counsel is hereby authorized and directed to begin and prosecute the actions and proceedings necessary 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 4. 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 18th day of July, 1954, and signed by me in open session in authentication of its passage this 19th day of July, 1954.

M. B. MITCHELL,
President of the City Council.

Approved by me this 19th day of July, 1954.

ALLAN POMEROY,
Mayor.

Filed by me this 18th day of July, 1954.

Attest: W. C. THOMAS,
City Comptroller and
City Clerk.

(Seal) By W. A. PERINE,
Deputy Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, July 31, 1954. (C-3322)