

EMW-CRS
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EMW/mph/6-29-55

ORDINANCE NO. 84959

AN ORDINANCE relating to and providing for the acquisition by condemnation of a pipe line right of way as an addition to the existing Seattle municipal water works system; providing for the taking and damaging of lands and other property, property rights and privileges necessary for said pipe line which is to be constructed for the purpose of furnishing an ample supply of water for domestic and other public uses; and providing for the ascertainment and payment of just compensation therefor.

WHEREAS, the City of Seattle owns and controls a water works system; and

WHEREAS, it was contemplated by Ordinance No. 82863 that certain additions, betterments and extensions were to be made to said system; and

WHEREAS, public necessity demands that the property, property rights and privileges herein specified be condemned, taken and damaged for an addition to said water works system as contemplated by said Ordinance No. 82863; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the lands, property, property rights and privileges described in this section, lying and being in the County of King, State of Washington, be and the same are hereby condemned, appropriated, taken and damaged for the public use, to wit:

As a necessary right of way for a pipe line, as contemplated by Ordinance No. 82863, the taking and damaging of said property being necessary for the purpose of furnishing an ample supply of water for domestic and public uses, said lands and property being more particularly described as follows, to wit:

Parcel No. 1

A strip of land 60 feet in width lying 15 feet westerly and 45 feet easterly, measured at right angles from the following described line in Township 23 North, Range 5 East, W.M., described as follows: Beginning at the section corner common to Sections 21, 22, 27 and 28, said township and range; thence north $87^{\circ}28'18''$ west along the south line of said Section 21 a distance of 889.45 feet; thence south $31^{\circ}58'16''$ east a distance of 5.10 feet to the true point of beginning; thence north $31^{\circ}58'16''$ west a distance of 5.10 feet to a point in the south line of said Section 21; thence continuing north $31^{\circ}58'16''$ west a distance of 1,802.63 feet to a point of curvature; thence on a curve to the right having a radius of 799.46 feet and through an angle of $30^{\circ}23'32''$ a distance of 424.07 feet to a point of tangency; thence north $1^{\circ}34'44''$ west on said tangent a distance of 1,219.45 feet to a point of curvature; thence on a curve to the right having a radius of 799.46 feet and through an angle of $30^{\circ}00'02''$ a distance of 418.60 feet to a point of tangency; thence north $28^{\circ}25'18''$ east on said tangent a distance of 1,950.01 feet to an intersection with the line common to Sections 16 and 21, said township and range, said point being distant 1,095.57 feet measured north $89^{\circ}00'24''$ west along said common line from the section corner common to Sections 15, 16, 21 and 22, said township and range; thence continuing north $28^{\circ}25'18''$ east along said tangent a distance of 2,157.63 feet to a point of curvature; thence on a curve to the left having a radius of 799.06 feet and through an angle of $27^{\circ}20'58''$ a distance of 381.64 feet to a

point of tangency; thence north $1^{\circ}04'20''$ east a distance of 354.71 feet to an intersection with the east-west center line of said Section 16, said intersection being 15.00 feet westerly, measured along said center line, from the quarter corner common to said Sections 15 and 16; thence north $1^{\circ}10'30''$ east along a line parallel with and 15.00 feet westerly from the east line of the northeast one-quarter of said Section 16, a distance of 1,324.94 feet to the south line of the northeast quarter of the northeast quarter of said Section 16; EXCEPT portion lying within the limits of the Cedar River pipe line right of way condemned under King County Superior Court Cause No. 31510; EXCEPT portion lying within the limits of Primary State Highway No. 5; EXCEPT portion lying within the limits of the Pacific Coast Railroad right of way; EXCEPT portion lying northerly of Primary State Highway No. 5 in the northeast quarter of the northeast quarter of Section 21, Township 23 North, Range 5 East, W.M.; and EXCEPT portion lying in the southeast quarter of the southeast quarter of Section 16, Township 23 North, Range 5 East, W.M.; ALSO

Parcel No. 2

A strip of land 60 feet in width lying 15 feet westerly and 45 feet easterly, measured at right angles from the following described line in Sections 34, 33 and 28, Township 24 North, Range 5 East, W.M., and in the plat of C. D. Hillman's Garden of Eden Addition Division No. 8, as recorded in Volume 16 of King County Plats at page 67, described as follows: Beginning at the southeast corner of Section 33, said township and range; thence westerly along the south line of said Section 33 a distance of 15 feet to the true point of beginning; thence north $1^{\circ}00'01''$ east a distance of 1,587.31 feet to a point of curvature; thence on a curve to the left having a radius of 816.54 feet and through an angle of $32^{\circ}45'55''$ a distance of 466.95 feet to a point of tangency; thence north $31^{\circ}45'54''$ west a distance of 656.50 feet to a point of curvature; thence on a curve to the right having a radius of 818.64 feet and through an angle of $32^{\circ}37'30''$ a distance of 466.13 feet to a point of tangency; thence north $0^{\circ}51'36''$ east a distance of 2,270.04 feet to an angle point, said point lying on the north line of said Section 33 and said point being distant south $88^{\circ}09'32''$ east, 1,987.53 feet from the quarter corner common to Sections 28 and 33, said township and range; thence north $14^{\circ}08'24''$ west a distance of 432.50 feet to an angle point hereafter referred to as point "A"; EXCEPT portions lying within the limits of existing road rights of way; and EXCEPT portion lying northeasterly of the Charles S. Custer County Road in said Section 28; ALSO

Parcel No. 3

A strip of land 55 feet in width lying 15 feet westerly of and 40 feet easterly of the following described line in Section 28, Township 24 North, Range 5 East, W.M., described as follows: Beginning at the angle point in Parcel No. 2 above, described as point "A"; thence north $32^{\circ}04'04''$ west a distance of 80.12 feet to a point of curvature; thence on a curve to the right having a radius of 799.44 feet and through an angle of $20^{\circ}30'15''$ a distance of 286.09 feet to a point of tangency; thence north $11^{\circ}33'49''$ west a distance of 382.38 feet to a point of curvature; thence on a curve to the right having a radius of 818.51 feet and through an angle of $17^{\circ}55'00''$ a distance of 255.95 feet to a point of tangency; thence north $6^{\circ}21'11''$ east a distance of 279.55 feet to a point of curvature; thence on a curve to the left having a radius of 1,432.40 feet and through an angle of $25^{\circ}00'00''$ a distance of 625.00 feet to a point of tangency, hereafter referred to as point "B"; EXCEPT portions lying within the limits of the Charles S. Custer County Road; and EXCEPT portions lying easterly of said Charles S. Custer County Road; ALSO

Parcel No. 4

A strip of land 60 feet in width lying 20 feet westerly and 40 feet easterly, measured at right angles from the following described line in Sections 28 and 21, Township 24 North, Range 5 East, W.M., described as follows: Beginning at the point of tangency in Parcel No. 3 above, described as point "B"; thence north $18^{\circ}38'49''$ west a distance of 616.46 feet to a point of curvature; thence on a curve to the right having a radius of 1,432.40 feet and through an angle of $18^{\circ}32'30''$ a distance of

463.51 feet to a point of tangency; thence north $0^{\circ}06'19''$ west a distance of 2,040.19 feet to a point in the section line common to said Sections 28 and 21, said point being distant south $86^{\circ}46'50''$ east, 1,215.02 feet from the quarter corner common to said Sections 28 and 21; thence continuing north $0^{\circ}06'19''$ west a distance of 3,838.99 feet to a point of curvature; thence on a curve to the right having a radius of 1,432.40 feet and through an angle of $20^{\circ}00'00''$ a distance of 500.00 feet to a point of tangency; thence north $19^{\circ}53'41''$ east a distance of 387.18 feet to a point of curvature hereafter referred to as point "C"; EXCEPT portions lying within the limits of existing county road rights of way; ALSO

Parcel No. 5

A strip of land 60 feet in width lying 30 feet on each side of the following described center line, said distance being measured at right angles thereto, in Section 21, Township 24 North, Range 5 East, W.M., described as follows: Beginning at the point of curvature in Parcel No. 4 above, described as point "C"; thence south $70^{\circ}06'19''$ east a distance of 10.00 feet to the true point of beginning; thence northerly on a curve to the left, having a radius of 925.02 feet, (said radius bears north $70^{\circ}06'19''$ west from said true point of beginning) and through an angle of $18^{\circ}31'15''$ a distance of 299.01 feet to a point of tangency, said point being hereafter referred to as point "D"; ALSO

Parcel No. 6

A strip of land 60 feet in width lying 15 feet westerly and 45 feet easterly, measured at right angles from the following described line and line produced in Sections 21 and 16, Township 24 North, Range 5 East, W.M., described as follows: Beginning at the point in Parcel No. 5 above, described as point "D"; thence north $88^{\circ}37'34''$ west a distance of 5.00 feet to the true point of beginning of this description; thence north $1^{\circ}22'26''$ east a distance of 278.84 feet to a point in the section line common to said Sections 16 and 21, said point being distant north $85^{\circ}18'52''$ west, 1,279.52 feet from the section corner common to Sections 15, 16, 21 and 22, said Township 24; thence north $0^{\circ}55'56''$ east a distance of 2,635.73 feet to an intersection with the east-west center line of said Section 16, said point being 1247.50 feet distant, measured north $87^{\circ}31'08''$ west along said center line from the quarter corner common to Sections 15 and 16, said township and range; thence north $0^{\circ}57'04''$ east a distance of 100 feet more or less to the southeasterly margin of Newport Way; ALSO

Parcel No. 7

A strip of land across Tract 29 in the Plat of Mercer, according to plat thereof recorded in Volume 17 of King County Plats at page 8, being 15 feet on each side of the following described line, to wit:

Beginning at the quarter corner common to Sections 9 and 16, Township 24 North, Range 5 East, W.M.; thence north $1^{\circ}10'45''$ east (said course making an angle of $87^{\circ}58'00''$ with the quarter section line from said quarter corner to the section corner common to Sections 9, 10, 15 and 16) a distance of 1053.08 feet; thence north $55^{\circ}59'30''$ west a distance of 416.76 feet; thence north $88^{\circ}49'30''$ west a distance of 239.80 feet; thence north $41^{\circ}09'00''$ west to an intersection with the east line of said Tract 29 and the true point of beginning of this description; thence continuing north $41^{\circ}09'00''$ west to a point on the northwesterly line of said Tract 29, said point hereafter referred to as point "E"; together with the right to encroach upon, occupy, use and damage in the original construction of said water pipe line a strip of land 30 feet in width, the southwesterly margin of said 30-foot construction strip coinciding with the northeasterly margin of the 30-foot strip to be taken in fee described above; ALSO

Parcel No. 8

All that portion of Block 4, in the Plat of Mercer, according to plat thereof recorded in Volume 17 of King County Plats at page 8, lying southwesterly of a line 20.00 feet northeasterly, measured at right angles from, and parallel to, the following described line;

Beginning at the point in Parcel No. 7 above described as point "E"; thence north $41^{\circ}09'00''$ west to an intersection with the south line of said Block 4 and the true point of beginning; thence continuing north $41^{\circ}09'00''$ west to a point in the northwesterly line of said Lot 21, hereafter referred to as point "P"; ALSO

Parcel No. 9

A triangular parcel of land lying southwesterly of Primary State Highway No. 2, lying northwesterly of Sammamish Avenue as shown on the plat of Mercer, according to plat recorded in Volume 17 of King County Plats at page 8, and lying northeasterly of a line, and line extended, said line being 15.00 feet southwesterly measured at right angles from, and parallel to, the following described line in Section 9, Township 24 North, Range 5 East, W.M.;

Beginning at the point in Parcel No. 8 above described as point "P"; thence north $41^{\circ}09'00''$ west to an intersection with the northwesterly margin of said Sammamish Avenue and the true point of beginning of this description; thence continuing north $41^{\circ}09'00''$ west to a point on the southwesterly margin of said Primary State Highway No. 2; ALSO

Parcel No. 10

A strip of land 15 feet in width, over and across a portion of Government Lot 4 in Section 8, Township 24 North, Range 5 East, W.M., and Second Class shore lands adjoining; said strip being 7.50 feet on each side and measured at right angles from the following described center line: Beginning at the intersection of the east-west center line of said Section 8 with the center line of 108th Avenue Southeast as now established; thence south $1^{\circ}01'35''$ west along the center line of said avenue a distance of 1,082.11 feet; thence south $66^{\circ}56'35''$ west a distance of 32.88 feet to a point in the west margin of said 108th Avenue Southeast, and the true point of beginning; thence continuing south $66^{\circ}56'35''$ west to the line of navigability in Lake Washington; together with the right to encroach upon, occupy, use and damage in the original construction of said water pipe line two strips of land each 12-1/2 feet in width, one on either side and contiguous to the margins of the above described 15-foot strip; ALSO

Parcel No. 11

A strip of land 15 feet in width over and across a portion of Government Lot 11 in Section 8, Township 24 North, Range 5 East, W.M., and Second Class shore lands adjoining; said strip lying 7.5 feet on each side of the following described center line: Beginning at the section corner common to Sections 7, 8, 17 and 18, said Township 24; thence north $88^{\circ}32'40''$ west along the south line of said Section 7, a distance of 84.02 feet; thence north $1^{\circ}11'00''$ east a distance of 881.68 feet; thence north $65^{\circ}06'15''$ east a distance of 208.35 feet to a point of curvature; thence on a curve to the right having a radius of 603.11 feet and through an angle of $24^{\circ}33'00''$ a distance of 258.42 feet to a point of tangency and the true point of beginning of this description; thence north $89^{\circ}39'15''$ east a distance of 160.71 feet; thence north $82^{\circ}41'30''$ east a distance of 389.19 feet; thence north $66^{\circ}56'35''$ east to the line of navigability in Lake Washington, EXCEPT portion lying within the right of way of State Highway No. 2; together with the right to encroach upon, occupy, use and damage in the original construction of said water pipe line two strips of land, the first being 12-1/2 feet in width, the southerly line of said strip coinciding with the northerly line of the 15-foot strip described above, and the second lying between the southerly line of the 15-foot strip described above and the following described line: Beginning at the intersection of the southerly line of State Highway No. 2 with the production westerly of a line 7-1/2 feet southerly from and parallel to the southerly margin of the 15-foot strip above described; thence north $89^{\circ}39'15''$ east to its intersection with a line 12-1/2 feet southerly from and parallel to the southerly line of

said 15-foot strip as it bears north 62°41'30" east; thence easterly and northeasterly parallel to and 12-1/2 feet southerly from the southerly line of said 15-foot strip to the line of navigability in Lake Washington; ALSO

Parcel No. 12

That portion of the southeast quarter of Section 7, Township 24 North, Range 5 East, W.M., described as follows: Beginning at the section corner common to Sections 7, 8, 17 and 18, said Township 24; thence north 88°32'40" west along the south line of said Section 7 a distance of 129.02 feet to an intersection with the westerly line of 100th Avenue Southeast and the true point of beginning; thence continuing north 88°32'40" west along said section line to the east margin of 99th Avenue Southeast; thence northerly along said east margin a distance of 30 feet; thence south 88°32'40" east along a line 30 feet from a parallel to said section line to an intersection with the west margin of said 100th Avenue Southeast; thence south 1°11'00" west along said west margin to the true point of beginning;

The lands above-described in Section 1 of this ordinance are to be acquired in fee simple, unless otherwise specified.

Section 2. That public necessity and convenience demand that a right of way or easement for watermain pipe line purposes be acquired over and across the following described property, to wit:

Parcel No. 13

A strip of land 60 feet in width lying 15 feet westerly and 45 feet easterly measured at right angles from the following described line in Sections 16 and 21, Township 23 North, Range 5 East, W.M.: Beginning at the quarter corner common to Sections 15 and 16, said Township 23; thence west along the east-west center line of said Section 16 a distance of 15.00 feet; thence south 1°04'20" west a distance of 354.71 feet to a point of curvature; thence on a curve to the right having a radius of 799.08 feet and through an angle of 27°20'58" a distance of 361.64 feet to a point of tangency; thence south 28°25'18" west to the north line of the southeast quarter of the southeast quarter of said Section 16 and the true point of beginning; thence continuing south 28°25'18" west to a point in the south line of said Section 16, said point being 1,095.57 feet distant measured north 89°00'24" west along said section line from the southeast corner thereof; thence continuing south 28°25'18" west to a point in the north-easterly margin of Primary State Highway No. 5; ALSO

Parcel No. 14

All that portion of Lot 15, Block 2, in the Plat of Mercer, according to plat thereof recorded in Volume 17 of King County Plats at page 8, lying northeasterly of a line, said line being 15.00 feet southwesterly, measured at right angles from, and parallel to, the following described line;

Beginning at the point in Parcel No. 7, Section 1, of this ordinance, described as point "E"; thence north 41°09'00" west to a point on the southeasterly line of said Lot 15, and the true point of beginning of this description; thence continuing north 41°09'00" west to a point on the northerly line of said Lot 15; ALSO

Parcel No. 15

That portion of Section 18, Township 24 North, Range 5 East, W.M., described as follows: Beginning at the quarter corner common to Sections 7 and 18, said Township 24; thence south $88^{\circ}32'40''$ east along the north line of said Section 18 a distance of 333.67 feet to the true point of beginning; thence south $1^{\circ}27'20''$ west along the east margin of 93rd Avenue Southeast as shown on the plat of Ackerson Park as recorded in Volume 51 of King County Plats at Page 53, a distance of 51.43 feet to its intersection with the northerly margin of 95th Avenue Southeast; thence northeasterly along a straight line to a point on the north line of said Section 18, said point being 40.00 feet easterly from the true point of beginning; thence north $88^{\circ}32'40''$ west a distance of 40.00 feet to the true point of beginning;

And that only such rights shall be acquired in the land described in this section of this ordinance as shall be necessary for the construction, reconstruction, alteration, operation and maintenance of said watermain pipe line, reserving unto the respective 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 3. 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, property rights and privileges necessary to carry out the provisions of this ordinance.

Section 4. That the entire cost of the improvement provided for herein shall be paid from funds heretofore set aside for the purpose under Ordinance No. 82863.

Section 5. That in conducting said condemnation proceedings the Corporation Counsel is hereby authorized to enter into stipulations for the purpose of minimizing damages.

(To be used for all Ordinances except Emergency.)

Section 6. 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 11 day of July 1955
and signed by me in open session in authentication of its passage this
July 1955 M. B. Mitchell day of
President of the City Council.

Approved by me this 12 day of July 1955
Deean Tomney Mayor.

Filed by me this 12 day of July 1955.

Attest: H. Thomas
City Comptroller and City Clerk.

(SEAL)
Published JUL 30 1955

By H. G. Payne
Deputy Clerk.

THE CITY OF SEATTLE
DEPARTMENT OF ENGINEERING

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

to Re

July 5, 1955

Honorable City Council
Seattle, Washington

Gentlemen:

The City Council has heretofore authorized the construction of a water supply main (Plan and System Ordinance No. 82863), to serve the east shore of Lake Washington and Mercer Island.

This line will tap the main line supplying the City of Seattle about a mile northwesterly of the Lake Youngs Control Works and will run in a northerly direction to a point just south of the Sunset Highway, from whence it will proceed in a westerly direction crossing Lake Washington in the vicinity of the East Channel Bridge to approximately the center of Mercer Island.

This ordinance provided an appropriation of \$1,400,000 from the Water Fund to acquire the right of way, purchase certain existing facilities, make all engineering investigations, surveys and design and to construct the improvement.

We have now determined the definite route to be followed by this main and the property to be acquired for right of way. Generally the right of way to be obtained will be 60 feet wide and the City will acquire the fee title. In some instances we will acquire easement rights only. In order to reduce the costs, we also have utilized the public highways wherever said highways would fit into the general scheme.

We submit herewith for your approval a council bill providing for the condemnation of this right of way. Said bill further provides that the cost of such right of way shall be paid from funds heretofore appropriated by Ordinance No. 82863.

A map indicating the route of the proposed main is attached hereto. The portions shown in red crayon define the right of way proposed to be condemned by this council bill.

Yours very truly,
W. E. PARKER

City Engineer
By 
E. H. LINDSTROM
Assistant City Engineer

PNR:HK
Enc.

84259

35 mm

The City of Seattle--Legislative Department

MR. PRESIDENT:

Your Committee on Finance and City Utilities

to which was referred C.B. 75672,

Date Reported
and Adopted

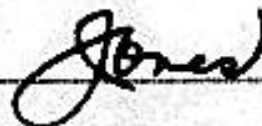
JUL 11 1955

relating to and providing for the acquisition by condemnation of a pipeline right of way as an addition to the existing Seattle municipal water works system; providing for the taking and damaging of lands and other property, property rights and privileges necessary for said pipeline which is to be constructed for the purpose of furnishing an ample supply of water for domestic and other public uses; and providing for the ascertainment and payment of just compensation therefor,

RECOMMEND THAT THE SAME DO PASS.



Fin.
Chairman



C.U.
Chairman

Committee

Committee

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the lands, property, rights and privileges described in this section...

As a necessary right of way for a pipe line as contemplated by Ordinance No. 11422...

Parcel No. 1--

A strip of land 50 feet in width lying 15 feet westerly and 45 feet easterly, measured at right angles from the following described line...

Parcel No. 2--

A strip of land 50 feet in width lying 15 feet westerly and 45 feet easterly, measured at right angles from the following described line...

Parcel No. 3--

A strip of land 50 feet in width lying 15 feet westerly and 45 feet easterly, measured at right angles from the following described line...

beginning at the point of curvature of Parcel No. 1 above, described as point "A", thence south 23° 02' 15" east a distance of 1000 feet...

Parcel No. 4--

A strip of land 50 feet in width lying 15 feet westerly and 45 feet easterly, measured at right angles from the following described line...

Parcel No. 5--

A strip of land across Tract 29 in the Plat of Mercer, according to plat thereof recorded in Volume 17 of King County Plats...

Parcel No. 6--

All that portion of Block 4 in the Plat of Mercer, according to plat thereof recorded in Volume 17 of King County Plats...

Parcel No. 7--

A strip of land 50 feet in width lying 15 feet westerly and 45 feet easterly, measured at right angles from the following described line...

Parcel No. 8--

A strip of land 50 feet in width, lying across a portion of Ordinance Lot 4 in Section 5, Township 20 North, Range 5 East, W. M. and Everett Class Bore lands adjoining said strip...

Parcel No. 9--

A strip of land 50 feet in width

Section 1. That the lands, property, rights and privileges described in this section...

Section 2. That public necessity and convenience demand that a right of way or easement for water-main pipe line purposes be acquired over and across the following described property, to-wit:

Parcel No. 10--

A strip of land 40 feet in width lying 15 feet westerly and 45 feet easterly, measured at right angles from the following described line...

Parcel No. 11--

All that portion of Lot 15, Block 2 in the Plat of Mercer, according to plat thereof recorded in Volume 17 of King County Plats...

Parcel No. 12--

That portion of Section 19, Township 20 North, Range 5 East, W. M. described as follows: Beginning at the quarter corner common to Sections 18 and 19, Township 20 North, Range 5 East, W. M. and Everett Class Bore lands...

Parcel No. 13--

That portion of Section 19, Township 20 North, Range 5 East, W. M. described as follows: Beginning at the quarter corner common to Sections 18 and 19, Township 20 North, Range 5 East, W. M. and Everett Class Bore lands...

Parcel No. 14--

That portion of Section 19, Township 20 North, Range 5 East, W. M. described as follows: Beginning at the quarter corner common to Sections 18 and 19, Township 20 North, Range 5 East, W. M. and Everett Class Bore lands...

Parcel No. 15--

That portion of Section 19, Township 20 North, Range 5 East, W. M. described as follows: Beginning at the quarter corner common to Sections 18 and 19, Township 20 North, Range 5 East, W. M. and Everett Class Bore lands...

Section 1. That the Corporation Council be and he is hereby authorized and directed to begin and prosecute the actions and proceedings in the manner provided by law to secure the lands and easements, property, rights and privileges necessary to carry out the provisions of this ordinance...

Approved by me this 12th day of July, 1925. ALLAN POMEROY, Mayor.

