

**Ordinance No. 84393**

Ordinance 84393

AN ORDINANCE relating to the municipal water supply system; providing for the acquisition by condemnation of certain property and property rights in unplatted portions of Sections 15, 16 and 21, of Township 23 North, Range 5 East, W.M., Sections 7, 8, 9, 16, 18, 21, 28, 33 and 34, of Township 24 North, Range 5 East, W.M., C. D. Hillman's Lake Washington Garden of Eden, Division Nos. 6 and 8, and the Plot of Mercer for a pipeline right of way to supply Mercer Island and vicinity, and repealing Ordinance No. 84259. *222* C.B. No. *12,720-81*

**Council Bill No. 25091**

INTRODUCED: <i>AUG 22 1955</i>	BY: <b>ALF PHILLIPS</b>
REFERRED: <i>AUG 27 1955</i>	TO: <i>Public-Utility</i>
REFERRED:	
REPORTED: <i>AUG 29 1955</i>	SECOND READING: <i>AUG 29 1955</i>
THIRD READING: <i>AUG 29 1955</i>	SIGNED: <i>AUG 29 1955</i>
PRESENTED TO MAYOR: <i>AUG 29 1955</i>	APPROVED: <i>AUG 31 1955</i>
RETD. TO CITY CLERK: <i>AUG 31 1955</i>	PUBLISHED: <i>SEP 10 1955</i>
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL. <i>2</i> PAGE <i>456</i>	<i>ye</i>

SM 6-54 L.P.

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AN ORDINANCE relating to the municipal water supply system; providing for the acquisition by condemnation of certain property and property rights in unplatved portions of Sections 15, 16 and 21, of Township 23 North, Range 5 East, W.M., Sections 7, 8, 9, 16, 18, 21, 28, 33 and 34, of Township 24 North, Range 5 East, W.M., C. D. Hillman's Lake Washington Garden of Eden, Division Nos. 6 and 8, and the plat of Mercer for a pipeline right of way to supply Mercer Island and vicinity, and repealing Ordinance No. 84259. *232* C.B. NO. 25784-8

**Council Bill No. 301**

INTROUCED: <b>AUG 22 1955</b>	BY: <b>REY BRILLIUS</b>
REFERRED: <b>AUG 22 1955</b>	TO: <b>CITY ENGINEER</b>
REFERRED:	
REPORTED: <b>AUG 29 1955</b>	SECOND READING: <b>AUG 29 1955</b>
THIRD READING: <b>AUG 29 1955</b>	SIGNED: <b>AUG 29 1955</b>
PRESENTED TO MAYOR: <b>AUG 29 1955</b>	APPROVED: <b>AUG 31 1955</b>
REFD. TO CITY CLERK: <b>AUG 29 1955</b>	SUBMITTED: <b>AUG 29 1955</b>
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL. <i>13</i> PAGE <i>75</i>	

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and 84717 - accepting permits from State Highways across Highway  
85102 - providing for indemnifications  
~~84383~~ - Republic Corp. Council on awards file # 229388

ORDINANCE NO. 84393

AN ORDINANCE relating to the municipal water supply system; providing for the acquisition by condemnation of certain property and property rights in unplatted portions of Sections 15, 16 and 21, of Township 23 North, Range 5 East, W.M., Sections 7, 8, 9, 16, 18, 21, 28, 33 and 34, of Township 24 North, Range 5 East, W. M., C. D. Hillman's Lake Washington Garden of Eden, Division Nos. 6 and 8, and the Plat of Mercer for a pipeline right of way to supply Mercer Island and vicinity, and repealing Ordinance No. 84259.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that the following described real property and property rights situate in King County, Washington, be condemned, appropriated and taken for public use, to-wit: For a pipeline right of way:

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 799.08 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 southwesterly of the northeasterly margin 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

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 plats of C. D. Hillman's Lake Washington Garden of Eden Addition Division No. 8, as recorded in Volume 16 of King County Plats at page 67, and C. D. Hillman's Lake Washington Garden of Eden Division No. 6, as recorded in Volume 11 of King County Plats, at page 84, 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

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 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

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 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 463.54 feet to a point of tangency; thence north  $0^{\circ}05'19''$  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

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 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

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 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 1,247.50 feet distant, measured north  $87^{\circ}31'03''$  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

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 1,053.08 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

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 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 "F"; ALSO

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 above described as point "F"; 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

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

A strip of land 15 feet inwidth 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  $82^{\circ}41'30''$  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



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  $88^{\circ}32'40''$  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  $88^{\circ}32'40''$  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  $88^{\circ}32'40''$  east along a line 30 feet from and parallel to said section line to an intersection with the west margin of said 100th Avenue Southeast; thence south  $1^{\circ}11'00''$  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:

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 to 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  $1^{\circ}04'20''$  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  $27^{\circ}20'58''$  a distance of 381.64 feet to a point of tangency; thence south  $28^{\circ}25'18''$  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  $28^{\circ}25'18''$  west to a point in the south line of said Section 16, said point being 1,095.57 feet distant measured north  $89^{\circ}00'24''$  west along said section line from the southeast corner thereof; thence continuing south  $28^{\circ}25'18''$  west to a point in the northeasterly margin of Primary State Highway No. 5; ALSO

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 Section 1 of this ordinance, described as point "E"; thence north  $41^{\circ}09'00''$  west to a point on the southeasterly line of said Lot 15, and the true point of beginning of this description; thence continuing north  $41^{\circ}09'00''$  west to a point on the northerly line of said Lot 15; ALSO

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°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°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 pipeline, 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 such acquisition is hereby declared to be a part of the additions and betterments to and extensions of the existing municipal water works plant and system of the City of Seattle provided for by Ordinance No. 82863, and the cost of such acquisition shall be paid from the funds provided by said 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.

Section 6. That Ordinance No. 84259, entitled:

"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,"

approved July 12, 1955, be and the same is hereby repealed.

(To be used for all Ordinances except Emergency.)

Section 7.4. 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 29 day of August, 1955, and signed by me in open session in authentication of its passage this August 29, 1955.

*Alfred R. Parkhurst*  
President Fro Tom of the City Council.

Approved by me this 31 day of Aug 1955.  
*Allen Tomney*  
Mayor.

Filed by me this 31 day of August, 1955.  
*Thomas*  
Attest: City Comptroller and City Clerk.

(SEAL)

Published SEP 10 1955.

By *W. A. Perine*  
Deputy Clerk.

ASSISTANT CORPORATION COUNSEL

ARTHUR SCHRAMM  
C. C. McCULLOUGH  
GLEN E. WILSON  
JOHN A. LOGAN  
CHARLES V. HOARD  
CHARLES L. CONLEY  
JOHN C. VERTREES  
GEORGE T. McGILLIVRAY  
G. GRANT WILCOX  
CHARLES R. NELSON  
CHARLES W. MOFEN

THE CITY OF SEATTLE  
LAW DEPARTMENT

515 COUNTY-CITY BUILDING  
A. C. VAN SOELEN, CORPORATION COUNSEL

CITY PROSECUTOR  
BRUCE MACDOUGALL  
LAW CLERK  
ALFRED L. NEWBOULD  
GEORGE H. HOLY  
SECRETARY  
FAYE FORDE  
CLAIM AGENT  
JOHN F. COOPER

August 19, 1955

Re: C.B. 75781

Mr. Bob Jones, Chairman  
City Utilities Committee  
City Council

Dear Sir:

Pursuant to your request we have reviewed C.B. 75781 and find that the legislative declaration of public necessity which is required by state law has been omitted from Section 1 of said Council Bill. In our opinion the reference to "public necessity" which appears in a "whereas" clause in said bill, drawn by the City Engineer's office, is not sufficient. We have therefore re-drafted said Section 1 to include such declaration.

We also find that the reference to Ordinance No. 82863, which is a plan and system ordinance, as contained in Section 1 as drawn by the City Engineer's office is inadequate and we have included an adequate reference by redrafting Section 4. We have also added to said Council Bill Section 6 to provide for the repeal of the previous condemnation Ordinance No. 84259 and amended the title accordingly, and under this procedure C.B. 75780, which provides for such repeal, may be placed on file.

All this has necessitated the drafting of a new bill to take the place of Council Bills 75781 and 75780. We have included in the new bill the extensive descriptive matter as drawn by the City Engineer and herewith transmit the new bill for your consideration.

Council Bills Nos. 75780 and 75781 are herewith returned with the recommendation that they be placed on file and that the new bill from which we have omitted the whereas clauses contained in C.B. 75781 because they constitute surplusage, be introduced and considered in lieu thereof.

Yours very truly

*A. C. Van Soelen*  
A. C. VAN SOELEN  
Corporation Counsel

ACV:FF  
Encs  
cc City Engineer

# The City of Seattle - Legislative Department

MR. PRESIDENT:

Your Committee on City Utilities  
to which was referred C.B. 75801,

Date Reported  
and Adopted

AUG 29 1955

relating to the municipal water supply system;  
providing for the acquisition by condemnation of certain property  
and property rights in unplatted portions of Sections 15, 16 and  
21, of Twp 23 N, R 5 E, W.M., Sections 7, 8, 9, 16, 18, 21, 26,  
33 and 34, of Twp 24 N, R 5 E, W.M., C. D. Hillman's Lake Washington  
Garden of Eden, Div. Nos. 6 and 8, and the Plat of Mercer for a  
pipeline right of way to supply Mercer Island and vicinity, and  
repealing Ordinance No. 84259,

RECOMMENDS THAT THE SAME DO PASS.  
(superseding C.B. 75760, 75761)

*Jones*

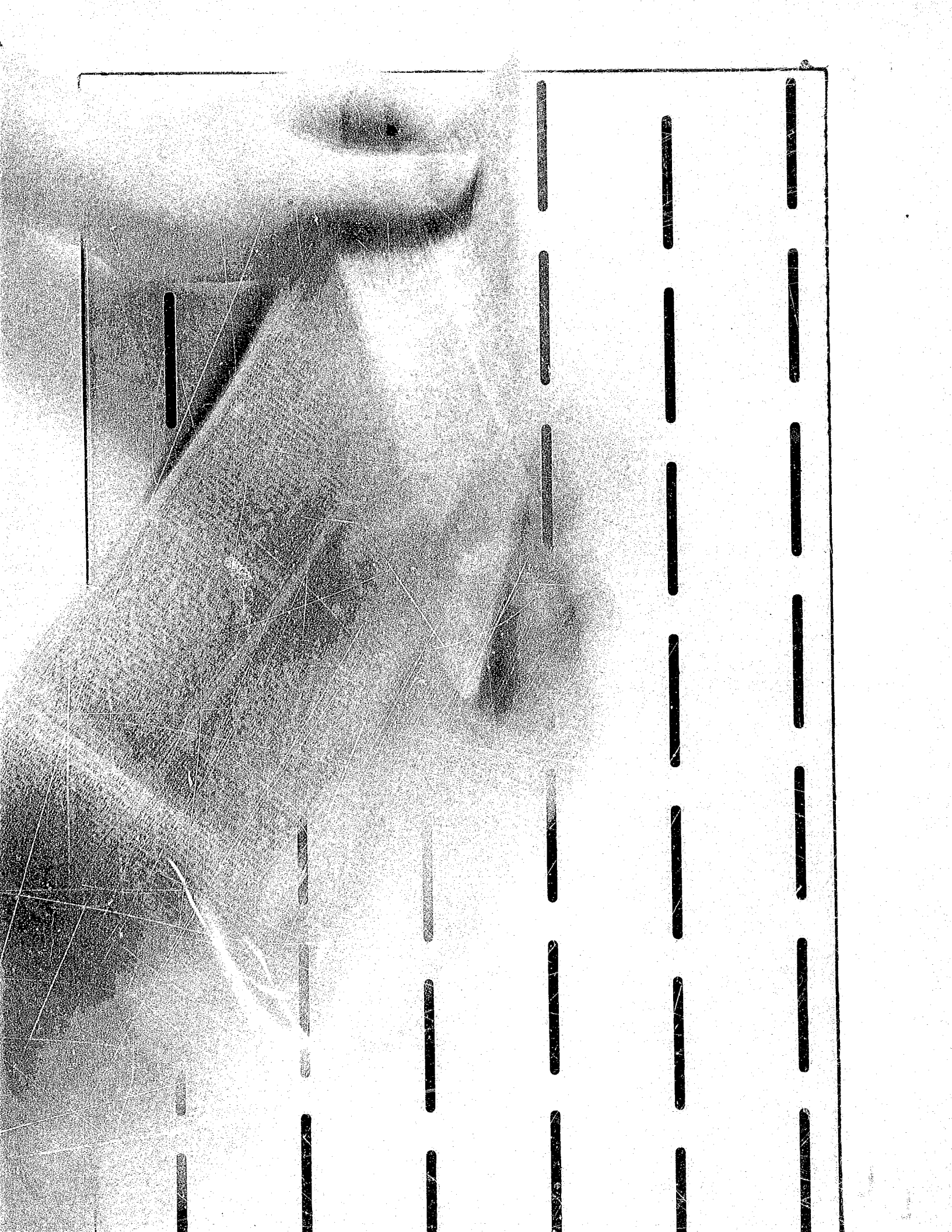
Chairman

Chairman

Committee

Committee





State Highway No. 5 in the north-west quarter of the northwest quarter of Section 21, Township 21 North, Range 5 East, W. M., and EXCEPT portions lying in the southeast quarter of the southeast quarter of Section 15, Township 21 North, Range 5 East, W. M.

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 21, 22, 23 and 25, Township 21 North, Range 5 East, W. M., and in the plots of C. D. Hillman's Lake Washington Garden of Eden, Division No. 8, as recorded in Volume 16 of the County of King County, and C. D. Hillman's Lake Washington Garden of Eden, Division No. 8, as recorded in Volume 11 of King County Plats, at page 24, described as follows: Beginning at the southeast corner of Section 23, said township and range, thence westerly along the south line of said Section 23 a distance of 15 feet to the true point of beginning; thence north 1° 07' east a distance of 1,587.31 feet to a point of curvature; thence on a curve to the left having a radius of 81,654 feet and through an angle of 32° 45' 52" a distance of 466.25 feet to a point of tangency; thence north 31° 45' 24" west a distance of 316.60 feet to a point of curvature; thence on a curve to the right having a radius of 33,645 feet and through an angle of 22° 37' 30" a distance of 466.13 feet to a point of tangency; thence north 0° 51' 30" east a distance of 2,274.02 feet to an angle point, said point being on the north line of said Section 23 and said point being distant north 88° 00' east, 1,937.53 feet from the quarter corner common to Sections 28 and 29, said township and range; thence north 14° 03' 24" west a distance of 1,000 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 portions lying northwesterly of the Charles S. Custer County Road in said Section 21, A150.

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 above described as point "A"; thence north 22° 40' 48" west a distance of 302.12 feet to a point of curvature; thence on a curve to the right having a radius of 799.41 feet and through an angle of 20° 20' 15" a distance of 246.02 feet to a point of tangency; thence north 33° 49' west a distance of 328.28 feet to a point of curvature; thence on a curve to the right having a radius of 215.55 feet and through an angle of 17° 45' 00" a distance of 235.45 feet to a point of tangency; thence north 21° 11' east a distance of 275.55 feet to a point of curvature; thence on a curve to the left having a radius of 1,434.40 feet and through an angle of 25° 00' 00" a distance of 626.00 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 the Charles S. Custer County Road; A150.

A strip of land 60 feet in width lying 30 feet westerly and 40 feet easterly, measured at right angles from the following described line in Section 23, Township 21 North, Range 5 East, W. M., described as follows: Beginning at the point of tangency above described as point "A"; thence north 18° 38' 40" 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 15° 32' 30" a distance of 424.61 feet to a point of tangency; thence north 0° 00' east a distance of 2,940.15 feet to a point in the section line common to said sections 28 and 21, said point being distant south 34° 50' east, 1,216.02 feet from the quarter corner common to said Sections 28 and 21; thence north 0° 00' east a distance of 1,849.92 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° 00' 00" a distance of 600.60 feet to a point of tangency; thence north 12° 52' 41" east a distance of 707.18 feet to a point of curvature; thence on a curve to the right having a radius of 226.02 feet and through an angle of 18° 31' 16" west a distance of 229.60 feet to a point of tangency, said point being hereafter referred to as point "B"; A150.

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 21, 22, 23 and 25, Township 21 North, Range 5 East, W. M., described as follows: Beginning at the point of tangency above described as point "A"; thence north 89° 37' 34" west a distance of 660 feet to the true point of beginning; thence north 1° 07' east a distance of 1,587.31 feet to a point of curvature; thence on a curve to the left having a radius of 81,654 feet and through an angle of 32° 45' 52" a distance of 466.25 feet to a point of tangency; thence north 31° 45' 24" west a distance of 316.60 feet to a point of curvature; thence on a curve to the right having a radius of 33,645 feet and through an angle of 22° 37' 30" a distance of 466.13 feet to a point of tangency; thence north 0° 51' 30" east a distance of 2,274.02 feet to an angle point, said point being on the north line of said Section 23 and said point being distant north 88° 00' east, 1,937.53 feet from the quarter corner common to Sections 28 and 29, said township and range; thence north 14° 03' 24" west a distance of 1,000 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 portions lying northwesterly of the Charles S. Custer County Road in said Section 21, A150.

Lot 21, hereafter referred to as point "B"; A150.

A triangular parcel of land lying southwesterly of Primary State Highway No. 2, lying northwesterly of Sammamish Avenue as shown on the plat hereafter referred to as point "A"; according to plat recorded in Volume 17 of King County Plats at page 5, and lying easterly of a line, and line extended, said line being 15.00 feet southwesterly of said point "A", from a point, and parallel to the following described line in Section 21, Township 21 North, Range 5 East, W. M.:

Beginning at the point above described as point "A"; thence north 89° 37' 34" west to an intersection with the northwesterly margin of Sammamish Avenue and the true point of beginning of this description; thence continuing north 45° 00' west to a point on the southwesterly margin of said Primary State Highway No. 2; A150.

A strip of land 15 feet in width, over and across a portion of Government Lot 4 in Section 5, Township 24 North, Range 5 East, W. M., and Second Class shore road adjoining the north line of 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, said the center line of 103th Avenue Southeast as now established; thence south 85° 42' west along the center line of said avenue a distance of 1,082.11 feet to a point of curvature; thence on a curve to the right having a radius of 32.85 feet to a point in the west margin of said 103th Avenue Southeast; thence the true point of beginning; thence continuing south 85° west to the line of navigability in Lake Washington; together with the right to erect upon, occupy, use and damage in the original construction of the existing water line two strips of land each 12 1/2 feet in width, one on either side and contiguous to the margin of the above-described 15-foot strip; A150.

A strip of land 15 feet in width, over and across a portion of Government Lot 11 in Section 5, Township 24 North, Range 5 East, W. M., and Second Class shore road adjoining the north line of said strip being 7.50 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, thence north 88° 32' 40" west along the south line of said Section 7 a distance of 3,402 feet; thence north 12° 11' 07" east a distance of 881.68 feet to a point of curvature; thence on a curve to the right having a radius of 258.35 feet to a point of tangency and the true point of beginning of this description; thence north 89° 30' 16" east a distance of 160.71 feet; thence north 8° 00' east a distance of 349.13 feet; thence north 85° 45' 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 erect upon, occupy, use and damage in the original construction of said water line two strips of land each 12 1/2 feet in width, one on either side and contiguous to the margin of the 15-foot strip described above, and the second being between the southerly line of the 15-foot strip and the southerly line of the following described line: The kinking at the intersection of the southerly line of State Highway No. 2 with the production westerly of the 12 1/2 feet southerly line and parallel to the southerly margin of the 15-foot strip above described; thence north 82° 16' east to its intersection with a line 12 1/2 feet southerly from and parallel to the southerly line of said Section 7; thence easterly and northeasterly parallel to and 12 1/2 feet southerly from the southerly line of said 15-foot strip and along said west margin to the true point of beginning; A150.

A portion of the southeast quarter of Section 7, Township 21 North, Range 5 East, W. M., described as follows: Beginning at the section corner common to Sections 7, 8, 17 and 18, said Township; thence north 88° 32' 40" west along the south line of said Section 7 a distance of 3,402 feet to an intersection with the southerly line of 103th Avenue Southeast and the true point of beginning; thence continuing north 88° 32' 40" west along said line to the east margin of said Avenue Southeast; thence north 85° 42' east, east margin, a distance of 30 feet; thence south 88° 32' 40" east along a line 30 feet from and parallel to said Section 7; thence on an intersection with the west margin of said 103th Avenue Southeast; thence south 11° 00' east 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 placement or adjustment for certain pipe line purposes be acquired over and across the following described property to-wit:

eration and maintenance of said water supply system, securing to 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 such acquisition is hereby declared to be in the public interest and to be for the additions and betterments to and extensions of the existing municipal water works plant and system of the City of Seattle, provided for by Ordinance No. 52853, and the cost of such acquisition shall be paid from the funds provided by said Ordinance No. 52853.

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

Section 6. That Ordinance No. 52853, entitled:

"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;" be and it is hereby approved, July 12, 1955, be and the same is hereby repealed.

Section 7. This ordinance shall take effect and be in force forty 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 29th day of August, 1955, and signed by me in open session in authentication of its passage this 29th day of August, 1955.

Attested: I, ROBERT STEIN, President pro tem of the City Council.

Approved by me this 31st day of August, 1955.

ALLAN POMEROY, Mayor.

Filed by me this 31st day of August, 1955.

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

(Sent) By W. C. THOMAS, Deputy Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, September 10, 1955. (C-4634)

ORDINANCE NO. 54903

AN ORDINANCE relating to the municipal water supply system providing for the acquisition by condemnation of certain property and property rights in updated portions of Sections 16, 18 and 21, Township 23 North, Range 5 East, W. M., Sections 7, 8, 9, 16, 17, 18, 21, 22, 23 and 25, Township 21 North, Range 5 East, W. M., and C. D. Hillman's Lake Washington Garden of Eden, Division Nos. 6 and 8, and the Plat of Mercer for a pipeline right-of-way to supply Mercer Island and vicinity, and repealing Ordinance No. 54523.

Section 1. That public necessity and convenience demand that the following described real property and property rights situate in King County, Washington, be consistently appropriated and taken for public use, to-wit: For a pipeline right-of-way:

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 21 North, Range 5 East, W. M., described as follows: Beginning at the section corner common to Sections 16, 18 and 21, said township and range; thence north 89° 37' 34" west along the south line of said Section 21 a distance of 839.45 feet; thence north 31° 45' 24" west a distance of 316.60 feet to a point of curvature; thence on a curve to the right having a radius of 33,645 feet and through an angle of 22° 37' 30" a distance of 466.13 feet to a point of tangency; thence north 0° 51' 30" east a distance of 2,274.02 feet to an angle point, said point being on the north line of said Section 23 and said point being distant north 88° 00' east, 1,937.53 feet from the quarter corner common to Sections 28 and 29, said township and range; thence north 14° 03' 24" west a distance of 1,000 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 portions lying northwesterly of the Charles S. Custer County Road in said Section 21, A150.

A strip of land 60 feet in width lying 30 feet westerly and 40 feet easterly, measured at right angles from the following described line in Section 23, Township 21 North, Range 5 East, W. M., described as follows: Beginning at the point of tangency above described as point "A"; thence north 18° 38' 40" 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 15° 32' 30" a distance of 424.61 feet to a point of tangency; thence north 0° 00' east a distance of 2,940.15 feet to a point in the section line common to said sections 28 and 21, said point being distant south 34° 50' east, 1,216.02 feet from the quarter corner common to said Sections 28 and 21; thence north 0° 00' east a distance of 1,849.92 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° 00' 00" a distance of 600.60 feet to a point of tangency; thence north 12° 52' 41" east a distance of 707.18 feet to a point of curvature; thence on a curve to the right having a radius of 226.02 feet and through an angle of 18° 31' 16" west a distance of 229.60 feet to a point of tangency, said point being hereafter referred to as point "B"; A150.

C-4684





*Affidavit of Publication*

STATE OF WASHINGTON ss.  
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. 84393

as it was published in the regular issue (and not in supplement form) of said newspaper on the 10TH day of SEPTEMBER 1955 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

10TH day of SEPTEMBER 1955

*[Signature]*

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

**NOTICES OF SALE**  
...  
**CONDITIONAL SALE**  
...  
**AUTOMOBIL**  
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