

Ordinance No. 86499 **86499**

AN ORDINANCE relating to and providing for the acquisition by condemnation of land and other property for the laying off, opening, widening, extending and establishing of portions of 24th Avenue Southwest, 25th Avenue Southwest, 27th Avenue Southwest, West Elmgrove Street, West Henderson Street, and an alley in the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; providing for the necessary slopes for cuts or fills upon the property abutting in the reasonable original grading of said streets, avenues, and alley, and providing for payment therefor.

9/24/57 - pass
Council Bill No. 87792

INTRODUCED: SEP 23 1957	BY: <i>Streets & Sewers</i>
REFERRED: SEP 23 1957	TO: <i>Finance Streets & Sewers</i>
REFERRED:	
REPORTED: SEP 30 1957	SECOND READING: SEP 30 1957
THIRD READING: SEP 30 1957	SIGNED: SEP 30 1957
PRESENTED TO MAYOR: OCT 1 1957	APPROVED: OCT 1 1957
RETD. TO CITY CLERK: OCT 1 1957	PUBLISHED: OCT 30 1957
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL..... PAGE.....	

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 A. C.
 S. E.
 G. O.
 T. O. U. P.

Just

*Ord 87792 - Major's approp. from City St. Fund.
 # file # 236450 - Ret Corp Canal on condemnation awards
 for extension of 24th S.W.
 ord. 87792 - Accounting awards & grants approp. from
 City Street Fund.*

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AN ORDINANCE relating to and providing for the acquisition by condemnation of land and other property for the laying off, opening, widening, extending and establishing of portions of 24th Avenue Southwest, 25th Avenue Southwest, 27th Avenue Southwest, West Elmgrove Street, West Henderson Street, and an alley in the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; providing for the necessary slopes for cuts or fills upon the property abutting in the reasonable original grading of said streets, avenues, and alley, and providing for payment therefor.

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SM 6-54 L.P.

*Ord. 8792 - flags approp from City St. fund
 # filed 236,450 - that was Council on condemnation award
 re extension of 24th S.W.
 ord. 87957 - accepting guards & gates approp. from
 City Street Fund.*

ORDINANCE NO. 60400

AN ORDINANCE relating to and providing for the acquisition by condemnation of land and other property for the laying off, opening, widening, extending and establishing of portions of 24th Avenue Southwest, 25th Avenue Southwest, 27th Avenue Southwest, West Elmgrove Street, West Henderson Street, and an alley in the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; providing for the necessary slopes for cuts or fills upon the property abutting in the reasonable original grading of said streets, avenues, and alley, and providing for payment therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that the following streets, avenues and public alley be and the same are hereby laid off, opened, widened, extended and established over and across the following lots, blocks, and tracts of land, to-wit:

25th AVENUE SOUTHWEST

The east 30 feet of Lots 3 and 4, and the west 20 feet of the north 80 feet of Lot 2, and the west 20 feet of Lot 1, Block 27, Homecroft Addition, as recorded in Volume 24, King County Plats, Page 42.

24th AVENUE SOUTHWEST

The east 30 feet of that portion of Lot 14, Block 7, Steel Plant Addition, as recorded in Volume 11, King County Plats, Page 90, lying northerly of the north margin of Sylvan Way EXCEPT the north 322.50 feet thereof; Also

The west 30 feet of the south one-half of that portion of Lot 15, Block 7, Steel Plant Addition, as recorded in Volume 11, King County Plats, Page 90, lying south of the south line of West Myrtle Street; EXCEPT portion condemned for Sylvan Way; Also

The east 30 feet of Lot 5 and the west 30 feet of Lot 4, Block 7, Steel Plant Addition, as recorded in Volume 11, King County Plats, Page 90, lying southerly of the south margin of Sylvan Way and lying north of the north Margin of West Webster Street; Also

The east 30 feet of Lot 15 and the west 30 feet of Lot 16, Block 2, Steel Plant Addition, as recorded in Volume 11 of King County Plats, Page 90; Also

The east 30 feet of Lot 6, and the west 30 feet of Lot 5, Block 2, Steel Plant Addition, as recorded in Volume 11 of King County Plats, Page 90; Also

The east 30 feet of the northwest one-quarter of the northwest one-quarter of the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; EXCEPT the north 30 feet thereof; Also

The west 30 feet of the northeast one-quarter of the northwest one-quarter of the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; EXCEPT the north 30 feet thereof; Also

WEST ELMGROVE STREET

The south 30 feet of the east 205 feet of the northwest one-quarter of the northwest one-quarter of the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W.M., EXCEPT the east 30 feet thereof; Also

The north 30 feet of the east 205 feet of the northeast one-quarter of the southwest one-quarter of the northwest one-quarter of the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; EXCEPT the east 40 feet thereof; Also

A PUBLIC ALLEY

That portion of the northeast one-quarter of the southwest one-quarter of the northwest one-quarter of the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W.M., lying between the production north of the east and west margins of the alley in Block 6, Winship's Addition, as recorded in Volume 22 of King County Plats, at Page 98; EXCEPT the north 30 feet thereof; Also,

25th AVENUE SOUTHWEST

The east 30 feet of the west one-half of the northwest one-quarter of the northwest one-quarter of the southeast one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; Also

WEST HENDERSON STREET

The south 30 feet of the west one-half of the northwest one-quarter of the northwest one-quarter of the southeast one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; EXCEPT the east 30 feet thereof; Also

The north 30 feet of the west one-half of the southwest one-quarter of the northwest one-quarter of the southeast one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; Also

The south 30 feet of the northeast one-quarter of the northeast one-quarter of the southwest one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; lying east of the East line of Block 2, Rowleys 1st Addition, as recorded in Volume 53 of King County Plats, Page 61; Also

The north 30 feet of the northeast one-quarter of the southeast one-quarter of the northeast one-quarter of the southwest one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; EXCEPT the west 30 feet thereof; Also

27th AVENUE SOUTHWEST

The west 30 feet of the east one-half and the east 30 feet of the west one-half of the southeast one-quarter of the northeast one-quarter of the southwest one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; EXCEPT the south 30 feet thereof; Also

The east 30 feet of the west one-half of the southeast one-quarter of the southeast one-quarter of the southwest one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; EXCEPT the south 30 feet thereof.

86499

Section 2. That where it shall appear that a grade has previously been established by ordinance, the streets, avenues and alley, as set forth in Section 1 hereof, shall be widened and established in conformity with the existing grade. That where no grade has been previously so established the City shall acquire the right to cut or fill upon the abutting property in conformity with a reasonable grade.

In any case, the City shall acquire the right in a case of a cut to remove the lateral support of the property abutting on said street and 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 for at least one foot for each foot of depth of cut, and in the case of a fill 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 streets, avenues and alley, 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 streets, avenues and alley.

Section 3. That all lands, rights and privileges and other property lying within the limits of the lots, blocks and tracts of land described in Section 1 hereof are hereby condemned, appropriated, taken and damaged for the purpose of public streets, avenues and alley, and that all lands, rights, privileges and other property necessary to be used or damaged in the construction of the necessary slopes for cuts or fills upon the real property abutting upon said streets, avenues and alley as set forth in Section 2 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.

(To be used for all Ordinances except Emergency.)

Section 4. That the entire cost of the improvement provided for herein shall be paid from the City Street Fund or such other funds as the City Council may so direct.

Section 5. 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.

Section 6. That in conducting said condemnation proceedings the Corporation Counsel is hereby authorized to enter into stipulations for the purpose of minimizing damages.

Section 7. 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 30 day of September, 1957, and signed by me in open session in authentication of its passage this 30 day of September, 1957.

David Lewis
President of the City Council.

Approved by me this 1 day of October, 1957.

Gordon S. Clinton
Mayor.

Filed by me this 1 day of September, 1957.

A. Thomas
Attest: City Comptroller and City Clerk.

(SEAL)

Published OCT 30 1957

W. A. Perine
By Deputy Clerk.

THE CITY OF SEATTLE
DEPARTMENT OF ENGINEERING

ROY W. MORSE, CITY ENGINEER
MEMBER, BOARD OF PUBLIC WORKS

IN RE:

September 23, 1957

Honorable City Council
Seattle, Washington

Gentlemen:

The attached Council Bills, taken together, propose the acquisition by condemnation of the right-of-way needed for the Delridge Trunk Sewer.

Part of this needed right-of-way follows along through property that must eventually become street as the area develops.

It is therefore felt that the interests of the City, as well as those of the affected owners, will be best served if this property is acquired for street purposes at this time.

The second Council Bill covers those portions of the right-of-way where only easements are to be acquired, and will make reference to the first by ordinance number after they have been signed and numbered.

We respectfully recommend the passage of these bills.

Yours very truly,

ROY W. MORSE
City Engineer
By *H. E. McMorris*
H. E. McMORRIS
Supervising Senior Engineer

CRS:mw
Encl.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

SEP 30 1957

Your Committee on
to which was referred C.B. 77941,

Finance and Streets & Sewers

relating to and providing for the acquisition by condemnation of land and other property for the laying off, opening, widening, extending and establishing of portions of 24th Avenue Southwest, 25th Avenue Southwest, 27th Avenue Southwest, West Elmgrove Street, West Henderson Street, and an alley in the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W.M.; providing for the necessary slopes for cuts or fills upon the property abutting in the reasonable original grading of said streets, avenues, and alley, and providing for payment therefor,

RECOMMEND THAT THE SAME DO PASS.

Bran

Fin.
Chairman

W. J. ...

Acting

S&S
Chairman

Committee

Committee

ORDINANCE NO. 86499

AN ORDINANCE relating to and providing for the acquisition by condemnation of land and other property for the laying off, opening, widening, extending and establishing of portions of 24th Avenue Southwest, 25th Avenue Southwest, 27th Avenue Southwest, West Elmgrove Street, West Henderson Street, and an alley in the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W. M.; providing for the necessary slopes for cuts in the upon the property abutting the reasonable original grading of said streets, avenues, and alley, and providing for payment therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that the following streets, avenues and alleys hereby laid off, opened, widened, extended and established over and across the following lots, blocks, and tracts of land, to-wit:

25th AVENUE SOUTHWEST

The east 30 feet of Lot 3 and the west 20 feet of the north 30 feet of Lot 2, and the west 30 feet of Lot 1, Block 27, Homecroft Addition, as recorded in Volume 24, King County Plats, Page 42.

24th AVENUE SOUTHWEST

The east 30 feet of that portion of Lot 14, Block 7, Steel Plant Addition, as recorded in Volume 11, King County Plats, Page 90, lying northerly of the north margin of Sylvan Way EXCEPT the north 22.50 feet thereof. Also

The west 30 feet of the south one-half of that portion of Lot 15, Block 7, Steel Plant Addition, as recorded in Volume 11, King County Plats, Page 90, lying south margin of Sylvan Way and lying north of the north margin of West Webster Street. Also

The east 30 feet of Lot 5 and the west 30 feet of Lot 4, Block 7, Steel Plant Addition, as recorded in Volume 11, King County Plats, Page 90, lying southerly of the south margin of Sylvan Way and lying north of the north margin of West Webster Street. Also

The east 30 feet of Lot 15 and the west 30 feet of Lot 16, Block 2, Steel Plant Addition, as recorded in Volume 11 of King County Plats, Page 90; Also

The east 30 feet of Lot 6, and the west 30 feet of Lot 5, Block 2, Steel Plant Addition, as recorded in Volume 11 of King County Plats, Page 90; Also

The east 30 feet of the northwest one-quarter of the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W. M., EXCEPT the north 30 feet thereof; Also

The west 30 feet of the northeast one-quarter of the northwest one-quarter, Section 36, Township 24 North, Range 3 East, W. M., EXCEPT the north 30 feet thereof; Also

WEST ELMGROVE STREET

The south 30 feet of the east 205 feet of the northwest one-quarter of the northwest one-quarter, Section 36, Township 24 North, Range 3 East, W. M., EXCEPT the east 30 feet thereof; Also

The north 30 feet of the east 205 feet of the northwest one-quarter of the southwest one-quarter of the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W. M., EXCEPT the east 40 feet thereof; Also

A PUBLIC ALLEY

That portion of the northeast one-quarter of the southwest one-quarter of the northwest one-quarter of the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W. M., lying between the production north of the east and west margins of the alley in Block C, Winship's Addition, as recorded in Volume 22 of King County Plats, at Page 98; EXCEPT the north 30 feet thereof; Also

25th AVENUE SOUTHWEST

The east 30 feet of the west one-half of the northwest one-quarter of the northwest one-quarter, Section 36, Township 24 North, Range 3 East, W. M., Also

WEST HENDERSON STREET

The south 30 feet of the west one-half of the northwest one-quarter of the northwest one-quarter, Section 36, Township 24 North, Range 3 East, W. M., EXCEPT the east 30 feet thereof; Also

The north 30 feet of the west one-half of the southwest one-quarter of the northwest one-quarter, Section 36, Township 24 North, Range 3 East, W. M.; Also

The south 30 feet of the northeast one-quarter of the southwest one-quarter, Section 36, Township 24 North, Range 3 East, W. M., lying east of the East line of Block 2, Rowleys 1st Addition, as recorded in Volume 53 of King County Plats, Page 61; Also

The north 30 feet of the northeast one-quarter of the southeast one-quarter of the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W. M.; EXCEPT the west 30 feet thereof; Also

27th AVENUE SOUTHWEST

The west 30 feet of the east one-half and the east 30 feet of the west one-half of the southeast one-quarter of the northeast one-quarter, Section 36, Township 24 North, Range 3 East, W. M.; EXCEPT the west 30 feet thereof; Also

Affidavit of Publication

STATE OF WASHINGTON, ss.
COUNTY OF KING

L. J. 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. 86499

, as it was published in the regular issue (and not in supplement form) of said newspaper on the 30th day of October 1957, and that said newspaper was regularly distributed to its subscribers during all of said period.

L. J. Brown
Subscribed and sworn to before me this

30th day of October 1957

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

between the production and the production of the east and west margins of the alley in Block 5, Winship's Addition, as recorded in Volume 22 of King County Plats, at Page 98; EXCEPT the north 30 feet thereof; Also.

25th AVENUE SOUTHWEST
The east 30 feet of the west one-half of the northwest one-quarter of the northwest one-quarter of the southeast one-quarter, Section 36, Township 24 North, Range 3 East, W. M.; Also.

WEST HENDERSON STREET
The south 30 feet of the west one-half of the northwest one-quarter of the northwest one-quarter of the southeast one-quarter, Section 36, Township 24 North, Range 3 East, W. M.; EXCEPT the east 30 feet thereof; Also.

The north 30 feet of the west one-half of the southwest one-quarter of the northwest one-quarter of the southeast one-quarter, Section 36, Township 24 North, Range 3 East, W. M.; Also.

The south 30 feet of the northeast one-quarter of the northeast one-quarter of the southwest one-quarter, Section 36, Township 24 North, Range 3 East, W. M., lying east of the East line of Block 2, Rowley's 1st Addition, as recorded in Volume 52 of King County Plats, Page 61; Also.

The north 30 feet of the northeast one-quarter of the southeast one-quarter of the southwest one-quarter, Section 36, Township 24 North, Range 3 East, W. M.; EXCEPT the west 30 feet thereof; Also.

27th AVENUE SOUTHWEST
The west 30 feet of the east one-half and the east 30 feet of the west one-half of the southeast one-quarter of the northeast one-quarter of the southwest one-quarter, Section 36, Township 24 North, Range 3 East, W. M.; EXCEPT the south 30 feet thereof; Also.

The east 30 feet of the west one-half of the southeast one-quarter of the southwest one-quarter, Section 36, Township 24 North, Range 3 East, W. M.; EXCEPT the south 30 feet thereof.

Section 2. That where it shall appear that a grade has previously been established by ordinance, the streets, avenues and alley, as set forth in Section 1 hereof, shall be widened and established in conformity with the existing grade. That where no grade has been previously so established the City shall acquire the right to cut or fill upon the abutting property in conformity with a reasonable grade.

In any case, the City shall acquire the right in a case of a cut to remove the lateral support of the property abutting on said street and 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 for at least one foot for each foot of depth of cut, and in the case of a fill the right shall be acquired to extend and maintain upon the abutting real property slopes of one and one-half (1½) feet for each foot of elevation of fill for the purpose of acquiring lateral support for said streets, avenues and alley, 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 streets, avenues and alley.

Section 3. That all lands, rights and privileges and other property lying within the limits of the lots, blocks and tracts of land described in Section 1 hereof are hereby condemned, appropriated, taken and damaged for the purpose of public streets, avenues and alley, and that all lands, rights, privileges and other property necessary to be used or damaged in the construction of the necessary slopes for cuts or fills upon the real property abutting upon said streets, avenues and alley as set forth in Section 2 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 4. That the entire cost of the improvement provided for herein shall be paid from the City Street Fund or such other funds as the City Council may so direct.

Section 5. 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.

Section 6. That in conducting said condemnation proceedings the Corporation Counsel is hereby authorized to enter into stipulations for the purpose of minimizing damages.

Section 7. 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 30th day of September, 1957, and signed by me in open session in authentication of its passage this 20th day of September, 1957.

DAVID LEVINE,
President of the City Council.

Approved by me this 1st day of October, 1957.
GORDON S. CLINTON,
Mayor.

Filed by me this 1st day of October, 1957.
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, October 20, 1957. (C-2907)