

Ordinance No. 83089

ORDINANCE providing for the laying off of Seaview Avenue and 38th Avenue Northwest in the vicinity of West 50th Street; providing for the condemnation, appropriation, taking and damage of land and other property necessary therefore; providing for the changing and establishing of the necessary grades; providing for the acquisition of the right to the street slopes; providing for the condemnation, in fee simple for general municipal purposes, and providing for payment from the City Street Fund, except as herein otherwise specified.

Council Bill No. 800150

INTRODUCED: DEC 21 1959	BY: Streets & Sewers
REFERRED: DEC 21 1959	TO: Streets & Sewers
REFERRED:	
REPORTED: DEC 23 1959	SECOND READING: DEC 23 1959
THIRD READING: DEC 28 1959	SIGNED: DEC 28 1959
PRESENTED TO MAYOR: DEC 28 1959	APPROVED: DEC 28 1959
RETD. TO CITY CLERK: DEC 28 1959	PUBLISHED: FEB 10 1960
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL. PAGE	

MCF

SEE BACK COVER

C. F. 240093 Recomm of Corp Counsel and City Engr for acceptance of awards in
condemnation for Seaview Ave., King County Cause No. 545577.

Ord 89337 Accepts awards + makes appropri's from City St + General Fund.

*Ord 90302 - Appropri. \$10,215.15 from City St Fund to acquire easement for
street purposes from Great Northern RR*

Ord 90410 - Accepts easement

KS:ve
11-20-59

ORDINANCE NO. 88889

AN ORDINANCE providing for the laying off, opening, and widening of Seaview Avenue and 38th Avenue Northwest in the vicinity of West 60th Street; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; providing for the changing and establishing of the necessary grades; providing for the acquisition of the right to construct slopes for cuts and fills on the adjoining property; providing for the condemnation, appropriation and taking of land and other property in fee simple for general municipal purposes; and providing for payment from the City Street Fund, except as herein otherwise specified.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that Seaview Avenue in the vicinity of West 60th Street be and the same is hereby laid off, opened, and widened over and across the following tract of land, to wit:

That portion of Government Lot 1, Section 10, Township 25 North, Range 3 East, W.M., described as follows:

Beginning at the intersection of the westerly line of the old right of way of the Great Northern Railway Company, formerly the right of way of the Seattle and Montana Railroad Company, with a line 33 feet northerly of and parallel with the south line of said Government Lot 1, the same being the north margin of Seaview Avenue as established under Ordinance No. 52195; thence north $89^{\circ}39'23''$ west along said north margin of Seaview Avenue a distance of 20.33 feet to a point of curvature; thence westerly, northwesterly, and northerly along said margin, the same being the arc of a curve to the right having a radius of 80 feet an arc distance of 125.22 feet to a point of tangency; thence north $0^{\circ}01'45''$ east along said tangent, the same being the easterly margin of Seaview Avenue, a distance of 133.04 feet, thence southerly and southeasterly along the arc of a curve to the left having a radius of 185 feet and an initial radial bearing of north $89^{\circ}58'15''$ west an arc distance of 163.05 feet to a point of compound curvature; thence southeasterly along the arc of a curve to the left having a radius of 285 feet and an initial radial bearing of south $39^{\circ}31'45''$ west an arc distance of 34.78 feet to a point in the westerly line of said railway right of way; thence southerly along said westerly line a distance of 50.16 feet to a point of beginning.

Section 2. That public necessity and convenience demand that rights of way and easements for Seaview Avenue and for 38th Avenue Northwest, in the vicinity of West 60th Street be acquired over and across the following tracts of land, to wit;

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

That portion of the old right of way of the Great Northern Railway Company, formerly the right of way of the Seattle and Montana Railroad Company, in Government Lot 1, Section 10, Township 25 North, Range 3 East, W.M., described as follows:

Beginning at the intersection of the westerly line of said railway right of way with a line 33 feet northerly of and parallel with the south line of said Government Lot 1, the same being the north margin of Seaview Avenue as established under Ordinance No. 52195; thence south $89^{\circ}39'23''$ east along said north margin of Seaview Avenue a distance of 72.97 feet to a point of curvature; thence easterly, northeasterly and northerly along the arc of a curve to the left having a radius of 25 feet a distance of 41.62 feet to a point of tangency; thence north $5^{\circ}03'23''$ west along the westerly margin of 38th Avenue Northwest a distance of 159.95 feet to a point in the northerly line of West 61st Street; thence south $76^{\circ}43'59''$ west along the westerly production of said northerly line of West 61st Street a distance of 15.15 feet; thence south $5^{\circ}03'23''$ east along a line 15 feet westerly from and parallel with the westerly line of 38th Avenue Northwest a distance of 150.70 feet to an intersection with a line 66 feet northerly of and parallel with the south line of said Government Lot 1; thence north $89^{\circ}39'23''$ west along said parallel line a distance of 55.96 feet; thence northwesterly along the arc of a curve to the right having a radius of 285 feet, the initial radial bearing of said curve being south $25^{\circ}25'37''$ west, an arc distance of 35.37 feet to a point in the westerly line of said railway right of way; thence southerly along said westerly line a distance of 50.16 feet to the point of beginning. ALSO That portion of the old right of way of the Great Northern Railway Company, formerly the right of way of the Seattle and Montana Railroad Company, in the southwest one-quarter of the northeast one-quarter of Section 10, Township 25 North, Range 3 East, W.M., described as follows:

Beginning on the easterly margin of that certain public street as set forth in Ordinance No. 38015 at its intersection with the south margin of Seaview Avenue as established under Ordinance No. 52195, being 33 feet southerly from and parallel with the north line of the southwest one-quarter of the northeast one-quarter of said Section 10; thence southerly along the easterly margin of said public street a distance of 19.46 feet; thence southeasterly along the arc of a curve to the right having a radius of 285 feet and having an initial radial bearing of north

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46°12'42" east a distance of 75.35 feet to a point of compound curvature; thence southeasterly along the arc of a curve to the right having a radius of 585 feet and an initial radial bearing of north 61°21'33" east a distance of 122.09 feet to a point of tangency; thence south 16°40'59" east a distance of 177.34 feet; thence north 75°37'07" east a distance of 8.50 feet to a point on the westerly margin of Seaview Avenue as established under Ordinance No.'s 52195 and 52498; thence northerly along the westerly margin of Seaview Avenue the same being an arc of a curve to the right having a radius of 2,814.93 feet and an initial radial bearing of south 75°37'07" west a distance of 322.78 feet to a point of reverse curvature; thence northwesterly and westerly along the arc of a curve to the left having a radius of 50 feet a distance of 71.42 feet to a point of tangency; thence north 89°39'23" west along a line 33 feet southerly from and parallel with the north line of the south west one-quarter of the northeast one-quarter of said Section 10 a distance of 41.99 feet to the point of beginning.

Section 3. That the grades of Seaview Avenue be and the same are hereby

established at the following elevations above City Datum, to wit:

At the intersection of the north line of the south 281.12 feet of Government Lot 1, Section 10, Township 25 North, Range 3 East, W.M., with a line 7 feet easterly from and parallel to the center line of Seaview Avenue as deeded under Ordinance No.'s 29934 and 42187

Center line at existing elevations 7.50 feet

Thence south 0°01'45" west a distance of 35.70 feet to a point of horizontal curvature, at a point on a vertical curve

Center line 7.96 feet

Thence southerly along the arc of a horizontal curve to the left having a radius of 228 feet a distance of 25.12 feet, at a point on a vertical curve

Center line 8.37 feet

Thence continuing southerly along the arc of said horizontal curve a distance of 25.12 feet, at a point on a vertical curve

Center line 8.87 feet

Thence continuing southerly and southeasterly along the arc of said horizontal curve a distance of 25.12 feet, at a point on a vertical curve

Center line 9.47 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 25.12 feet, at a point on a vertical curve

Center line 10.17 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 25.12 feet, at a point on a vertical curve

Center line 11.00 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 25.12 feet, at a point on a vertical curve

Center line 11.97 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 25.12 feet, at a point on a vertical curve

Center line 13.05 feet

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Thence continuing southeasterly along the arc of said horizontal curve to the left a distance of 25.12 feet to a point of horizontal tangency, at a point of vertical tangency

Center line 14.20 feet

Thence south 50°28'15" east along said horizontal tangent a distance of 67.51 feet, at a point of vertical curvature

Center line 17.50 feet

Thence continuing south 50°28'15" east along said horizontal tangent a distance of 25.00 feet, at a point on a vertical curve

Center line 18.65 feet

Thence continuing south 50°28'15" east along said horizontal tangent a distance of 17.56 feet to a point of horizontal curvature, at a point on a vertical curve

Center line 19.30 feet

Thence southeasterly along the arc of a horizontal curve to the right having a radius of 324 feet a distance of 24.69 feet, at a point on a vertical curve

Center line 19.85 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 24.69 feet, at a point on a vertical curve

Center line 20.03 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 24.69 feet, at a point on a vertical curve

Center line 20.15 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 24.69 feet, at a point on a vertical curve

Center line 20.35 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 24.69 feet to a point of horizontal compound curvature, at a point on a vertical curve

Center line 20.40 feet

Thence southeasterly along the arc of a horizontal curve to the right having a radius of 624 feet a distance of 25.45 feet, at a point on a vertical curve

Center line 20.37 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 25.45 feet, at a point on a vertical curve

Center line 20.30 feet

Thence continuing southeasterly and southerly along the arc of said horizontal curve a distance of 25.45 feet, at a point on a vertical curve

Center line 20.32 feet

Thence continuing southerly along the arc of said horizontal curve a distance of 25.45 feet, at a point on a vertical curve

Center line 20.34 feet

Thence continuing southerly along the arc of said horizontal curve a distance of 25.45 feet, at a point on a vertical curve

Center line 20.42 feet

Thence continuing along the arc of said horizontal curve a distance of 25.45 feet to a point of horizontal tangency

Center line at existing elevation 20.50 feet

Thence south 14°37'18" east along said tangent a distance of 156.32 feet to an intersection with a line which is 6 feet westerly from and parallel to the center line of Seaview Avenue as deeded under Ordinance No.'s 52195 and 52498

Center line at existing grade 20.93 feet

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That the grades be of a uniform rate of grade between the elevations established herein except where specified as lying within vertical curves.

That 38th Avenue Northwest be widened at existing grades.

Section 4. That in the grading and regrading of Seaview Avenue and 38th Avenue Northwest as established herein, the City shall acquire the right in the 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 one foot horizontally 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 horizontally for each foot of elevation of fill for the purpose of providing lateral support for said street, reserving unto the abutting property owners, respectively, the right at any time to replace said cut slopes and to remove said fill slopes upon providing and maintaining other adequate lateral support.

Section 5. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Section 1 hereof are hereby condemned, appropriated, taken and damaged for the purpose of a public street; that all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Section 2 hereof are hereby condemned, appropriated, taken and damaged for rights of way and easements for Seaview Avenue and for 38th Avenue Northwest; that all lands, rights, privileges and other property necessary to be taken, used or damaged in grading and regrading said street in conformity with the grades established in Section 3 hereof, and in the construction of the necessary slopes for cuts or fills upon the real property abutting upon said street as set forth in Section 4 hereof are hereby condemned, appropriated, taken and damaged for the public use for such purposes; and all such lands, rights, privileges and other property are to be taken, damaged and appropriated only after just compensation has been made or paid into court for the owners thereof in the manner provided by law.

Section 6. That the following described tracts and parcels of land and appurtenances thereunto belonging, be and the same are hereby condemned, appropriated and taken in fee simple for General Municipal Purposes, to wit:

That portion of the south 130.6 feet of Government Lot 1, Section 10, Township 25 North, Range 3 East, W.M., lying westerly of the westerly line of the right of way of the Great Northern Railway Company, and lying northeasterly of Seaview Avenue as set forth in Section 1 hereof.

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(To be used for all Ordinances except Emergency.)

Section 7. That the entire cost of the improvement provided for herein shall be paid from the City Street Fund; provided, however, that that portion of the improvement provided for in Section 6 hereof shall be paid from the General Fund of the City of Seattle.

Section 8. 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 9. That in conducting said condemnation proceedings the Corporation Counsel is hereby authorized to enter into stipulations for the purpose of minimizing damages.

Section 10. 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 28 day of December, 1959,
and signed by me in open session in authentication of its passage this 28 day of
December, 1959. David Linn

President.....of the City Council.

Approved by me this 28 day of December, 1959.

Garson A. Clinton
Mayor.

Filed by me this 28 day of December, 1959.

C. H. Glendon

Attest:.....
City Comptroller and City Clerk.

(SEAL)

Published FEB 10 1960

By W. A. Perrine
Deputy Clerk.

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

The City of Seattle--Legislative Department

MR. PRESIDENT:

Your Committee on Streets and Sewers
to which was referred C.B. 80350,

Date Reported
and Adopted

DEC 28 1959

providing for the laying off,***of Seaview Avenue
and 38th Avenue Northwest in the vicinity of West 60th Street;
providing for the condemnation, appropriation, taking and damaging
of land and other property necessary therefor; providing for the
changing and establishing of the necessary grades; providing for the
acquisition of the right to construct slopes***; providing for the
condemnation,***in fee simple for general municipal purposes; and
providing for payment from the City Street Fund, except as herein
otherwise specified,

RECOMMENDS THAT THE SAME DO PASS.

Chairman

Chairman

ORDINANCE NO. 88889

AN ORDINANCE providing for the laying off, opening, and widening of Seaview Avenue and 38th Avenue Northwest in the vicinity of West 60th Street; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; providing for the changing and establishing of the necessary grades; providing for the acquisition of the right to construct slopes for cuts and fills on the adjoining property; providing for the condemnation, appropriation and taking of land and other property in fee simple for general municipal purposes; and providing for payment from the City Street Fund, except as herein otherwise specified.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that Seaview Avenue in the vicinity of West 60th Street be and the same is hereby laid off, opened, and widened over and across the following tract of land, to-wit:

That portion of Government Lot 1, Section 19, Township 25 North, Range 3 East, W. M., described as follows:

Beginning at the intersection of the westerly line of the old right of way of the Great Northern Railway Company, formerly the right of way of the Seattle and Montana Railroad Company, with a line 33 feet northerly of and parallel with the south line of said Government Lot 1, the same being the north margin of Seaview Avenue as established under Ordinance No. 52195; thence north 89° 28' 23" west along said north margin of Seaview Avenue a distance of 29.33 feet to a point of curvature; thence westerly, northwesterly, and northerly along said margin, the same being the arc of a curve to the right having a radius of 86 feet an arc distance of 125.22 feet to a point of tangency; thence north 6° 01' 45" east along said tangent, the same being the easterly margin of Seaview Avenue, a distance of 132.04 feet, thence southerly and southeasterly along the arc of a curve to the left having a radius of 141 feet and an initial radial bearing of north 89° 58' 15" west an arc distance of 163.05 feet to a point of compound curvature; thence southeasterly along the arc of a curve to the left having a radius of 285 feet and an initial radial bearing of south 39° 31' 45" west an arc distance of 34.78 feet to a point in the westerly line of said railway right of way; thence southerly along said westerly line a distance of 50.16 feet to a point of beginning.

Section 2. That public necessity and convenience demand that rights of way and easements for Seaview Avenue and for 38th Avenue Northwest, in the vicinity of West 60th Street be acquired over and across the following tracts of land, to-wit:

That portion of the old right of way of the Great Northern Railway Company, formerly the right of way of the Seattle and Montana Railroad Company, in Government Lot 1, Section 19, Township 25 North, Range 3 East, W. M., described as follows:

Beginning at the intersection of the westerly line of said railway right of way with a line 33 feet northerly of and parallel with the south line of said Government Lot 1, the same being the north margin of Seaview Avenue as established under Ordinance No. 52195; thence north 89° 28' 23" east along said north margin of Seaview Avenue a distance of 72.97 feet to a point of curvature; thence easterly, northeasterly and northerly along the arc of a curve to the left having a radius of 25 feet a distance of 41.62 feet to a point of tangency; thence north 5° 03' 23" west along the westerly margin of 38th Avenue Northwest a distance of 159.95 feet to a point in the northerly line of West 61st Street; thence south 76° 43' 53" west along the westerly production of said northerly line of West 61st Street a distance of 15.15 feet; thence south 5° 03' 23" east along a line 15 feet westerly from and parallel with the westerly line of 38th Avenue Northwest a distance of 150.76 feet to an intersection with a line 66 feet northerly of and parallel with the south line of said Government Lot 1; thence north 89° 39' 23" west along said parallel line a distance of 55.94 feet; thence northwesterly along the arc of a curve to the right having a radius of 285 feet, the initial radial bearing of said curve being south 25° 25' 27" west, an arc distance of 35.27 feet to a point in the westerly line of said railway right of way; thence southerly along said westerly line a distance of 50.16 feet to the point of beginning. ALSO That portion of the old right of way of the Great Northern Railway Company, formerly the right of way of the Seattle and Montana Railroad Company, in the southwest one-quarter of the northeast one-quarter of Section 19, Township 25 North, Range 3 East, W. M., described as follows:

Beginning on the easterly margin of that certain public street as set forth in Ordinance No. 38015 at its intersection with the south margin of Seaview Avenue as established under Ordinance No. 52195, being 33 feet southerly from and parallel with the north line of the southwest one-quarter of the northeast one-quarter of said Section 19; thence southerly along the easterly margin of said public street a distance of 19.48 feet, thence

at a point on a vertical curve
Center line 7.96 feet

Thence southerly along the arc of a horizontal curve to the left having a radius of 228 feet a distance of 25.12 feet, at a point on a vertical curve

Center line 8.37 feet

Thence continuing southerly along the arc of said horizontal curve a distance of 25.12 feet, at a point on a vertical curve

Center line 8.87 feet

Thence continuing southerly and southeasterly along the arc of said horizontal curve a distance of 25.12 feet, at a point on a vertical curve

Center line 9.47 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 25.12 feet, at a point on a vertical curve

Center line 10.17 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 25.12 feet, at a point on a vertical curve

Center line 11.06 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 25.12 feet, at a point on a vertical curve

Center line 11.97 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 25.12 feet, at a point on a vertical curve

Center line 13.05 feet

Thence continuing southeasterly along the arc of said horizontal curve to the left a distance of 25.12 feet to a point of horizontal tangency, at a point of vertical tangency

Center line 14.26 feet

Thence south 50° 28' 15" east along said horizontal tangent a distance of 67.51 feet, at a point of vertical curvature

Center line 17.59 feet

Thence continuing south 50° 28' 15" east along said horizontal tangent a distance of 25.12 feet, at a point on a vertical curve

Center line 18.65 feet

Thence continuing south 50° 28' 15" east along said horizontal tangent a distance of 17.56 feet to a point of horizontal curvature, at a point on a vertical curve

Center line 19.36 feet

Thence southeasterly along the arc of a horizontal curve to the right having a radius of 324 feet a distance of 24.69 feet, at a point on a vertical curve

Center line 19.85 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 24.69 feet, at a point on a vertical curve

Center line 20.02 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 24.69 feet, at a point on a vertical curve

Center line 20.15 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 24.69 feet, at a point on a vertical curve

Center line 20.35 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 24.69 feet to a point of horizontal compound curvature, at a point on a vertical curve

Center line 20.49 feet

Thence southeasterly along the arc of a horizontal curve to the right having a radius of 624 feet a distance of 25.45 feet, at a point on a vertical curve

Center line 20.37 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 25.45 feet, at a point on a vertical curve

Center line 20.36 feet

Thence continuing southeasterly and southerly along the arc of said horizontal curve a distance of 24.45 feet, at a point on a vertical curve

Center line 20.32 feet

Thence continuing southerly along the arc of said horizontal curve a distance of 25.45 feet, at a point on a vertical curve

Center line 20.24 feet

Thence continuing southerly along the arc of said horizontal curve a distance of 25.45 feet, at a point on a vertical curve

Center line 20.42 feet

Thence continuing along the arc of said horizontal curve a distance of 25.45 feet to a point of horizontal tangency

Center line at existing elevation 20.50 feet

Thence south 14° 37' 18" east along said tangent a distance of 156.32 feet to an intersection with a line which is 6 feet westerly from and parallel to the center line of Seaview Avenue as deeded under Ordinance No. 52195 and 52498

Center line at existing grade 20.53 feet

That the grades be of a uniform rate of grade between the elevations established herein as shown above specified on the

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 5. That the following described tracts and parcels of land and appurtenances thereunto belonging, be and the same are hereby condemned, appropriated and taken in fee simple for General Municipal Purposes, to-wit:

That portion of the south 130.6 feet of Government Lot 1, Section 19, Township 25 North, Range 3 East, W. M., lying westerly of the westerly line of the right of way of the Great Northern Railway Company, and lying northeasterly of Seaview Avenue as set forth in Section 1 hereof.

Section 7. That the entire cost of the improvement provided for herein shall be paid from the City Street Fund; provided, however, that that portion of the improvement provided for in Section 6 hereof shall be paid from the General Fund of the City of Seattle.

Section 8. 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 9. That in conducting said condemnation proceedings the Corporation Counsel is hereby authorized to enter into stipulations for the purpose of minimizing damages.

Section 10. 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 28th day of December, 1939, and signed by me in open session in authentication of its passage this 28th day of December, 1939.

DAVID LEVINE,
President of the City Council.

Approved by me this 28th day of December, 1939.

GORDON S. CLINTON,
Mayor.

Filed by me this 28th day of December, 1939.

JOSEPH C. G. BERLANDSON,
City Comptroller and
City Clerk.

GEORGE B. W. A. PERINE,
Deputy Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, February 16, 1940.

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and Mountain Range 1, Section 10, Township 25 North, Range 3 East, W. M., described as follows:

Beginning at the intersection of the westerly line of said railway right of way with a line 33 feet northerly of and parallel with the south line of said Government Lot 1, the same being the north margin of Seaview Avenue as established under Ordinance No. 52195; thence south 89° 49' 23" east along said north margin of Seaview Avenue a distance of 72.35 feet to a point of curvature; thence easterly, northeasterly and northerly along the arc of a curve to the left having a radius of 25 feet a distance of 41.62 feet to a point of tangency; thence north 5° 03' 23" west along the westerly margin of 38th Avenue Northwest a distance of 159.95 feet to a point in the northerly line of West 61st Street; thence south 76° 43' 59" west along the westerly production of said northerly line of West 61st Street a distance of 15.15 feet; thence south 5° 03' 23" east along a line 15 feet westerly from and parallel with the westerly line of 38th Avenue Northwest a distance of 150.70 feet to an intersection with a line 66 feet northerly of and parallel with the south line of said Government Lot 1; thence north 89° 39' 23" west along said parallel line a distance of 55.94 feet; thence northwesterly along the arc of a curve to the right having a radius of 285 feet, the initial radial bearing of said curve being south 25° 25' 37" west, an arc distance of 35.37 feet to a point in the westerly line of said railway right of way; thence southerly along said westerly line a distance of 50.16 feet to the point of beginning. ALSO That portion of the old right of way of the Great Northern Railway Company, formerly the right of way of the Seattle and Montana Railroad Company, in the southwest one-quarter of the northeast one-quarter of Section 10, Township 25 North, Range 3 East, W. M., described as follows:

Beginning on the easterly margin of that certain public street as set forth in Ordinance No. 38015 at its intersection with the south margin of Seaview Avenue as established under Ordinance No. 52195, being 32 feet southerly from and parallel with the north line of the southwest one-quarter of said Section 10; thence southerly along the easterly margin of said public street a distance of 19.46 feet; thence southeasterly along the arc of a curve to the right having a radius of 285 feet and having an initial radial bearing of north 46° 12' 42" east a distance of 75.35 feet to a point of compound curvature; thence southeasterly along the arc of a curve to the right having a radius of 585 feet and an initial radial bearing of north 61° 21' 32" east a distance of 122.09 feet to a point of tangency; thence south 16° 40' 59" east a distance of 177.34 feet; thence north 75° 37' 07" east a distance of 8.50 feet to a point on the westerly margin of Seaview Avenue as established under Ordinance No. 52195 and 52498; thence northerly along the westerly margin of Seaview Avenue the same being an arc of a curve to the right having a radius of 2,814.93 feet and an initial radial bearing of south 75° 37' 07" west a distance of 322.78 feet to a point of reverse curvature; thence northwesterly and westerly along the arc of a curve to the left having a radius of 50 feet a distance of 71.42 feet to a point of tangency; thence north 89° 39' 23" west along a line 33 feet southerly from and parallel with the north line of the southwest one-quarter of said Section 10 a distance of 41.99 feet to the point of beginning.

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

At the intersection of the north line of the south 281.32 feet of Government Lot 1, Section 10, Township 25 North, Range 3 East, W. M., with a line 7 feet easterly from and parallel to the center line of Seaview Avenue as deduced under Ordinance No. 29934 and 42187.

Center line at existing elevations 7.50 feet
Thence south 68° 01' 41" west a distance of 35.70 feet to a point of horizontal curvature,

Thence southeasterly along the arc of said horizontal curve a distance of 24.69 feet, at a point on a vertical curve.

Center line 20.15 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 24.69 feet, at a point on a vertical curve.

Center line 20.35 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 24.69 feet to a point of horizontal compound curvature, at a point on a vertical curve.

Center line 20.40 feet

Thence southeasterly along the arc of a horizontal curve to the right having a radius of 624 feet a distance of 25.45 feet, at a point on a vertical curve.

Center line 20.37 feet

Thence continuing southeasterly along the arc of said horizontal curve a distance of 25.45 feet, at a point on a vertical curve.

Center line 20.30 feet

Thence continuing southeasterly and southerly along the arc of said horizontal curve a distance of 24.45 feet, at a point on a vertical curve.

Center line 20.32 feet

Thence continuing southerly along the arc of said horizontal curve a distance of 25.45 feet, at a point on a vertical curve.

Center line 20.34 feet

Thence continuing southerly along the arc of said horizontal curve a distance of 25.45 feet, at a point on a vertical curve.

Center line 20.42 feet

Thence continuing along the arc of said horizontal curve a distance of 25.45 feet to a point of horizontal tangency.

Center line at existing elevation 20.50 feet

Thence south 14° 37' 18" east along said tangent a distance of 156.32 feet to an intersection with a line which is 6 feet westerly from and parallel to the center line of Seaview Avenue as deduced under Ordinance No. 52195 and 52498.

Center line at existing grade 20.93 feet

That the grades be of a uniform rate of grade between the elevations established herein except where specified as lying between vertical curves.

That 38th Avenue Northwest be widened at existing grades.

Section 4. That in the grading and regrading of Seaview Avenue and 38th Avenue Northwest as established herein, the City shall acquire the right in the 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 one foot horizontally 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 horizontally for each foot of elevation of fill for the purpose of providing lateral support for said street, reserving unto the abutting property owners, respectively, the right at any time to replace said cut slopes and to remove said fill slopes upon providing and maintaining other adequate lateral support.

Section 5. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Section 1 hereof are hereby condemned, appropriated, taken and damaged for the purpose of a public street; that all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Section 2 hereof are hereby condemned, appropriated, taken and damaged for rights of way and easements for Seaview Avenue and for 38th Avenue Northwest; that all lands, rights, privileges and other property necessary to be taken, used or damaged in grading and regrading said street in conformity with the grades established in Section 3 hereof, and in the construction of the necessary slopes for cuts or fills upon the real property abutting upon said street as set forth in Section 4 hereof are hereby condemned, appropriated, taken and damaged for the public use for such purposes; and all such

SALTM, Ore.—The Oregon
Board of Control has appoint
N. Peet, 24, as its secretary
will succeed Col. William G.
on March 15. Ryan is retirin
14 years in the position.
Peet has been assistant se
since September. He works
the State Department of I
& Administration for sever
previous to that. He is a ri
of the University of Iowa.



50 Years in Service

WILL RETIRE

Amateur of Publication

STATE OF WASHINGTON,
COUNTY OF KING

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

That the annexed is a true copy of

ORDINANCE NO 88889

_____, as it was published in the regular issue
(and not in supplement form) of said newspaper on the
10th day of February 1960, and that said
newspaper was regularly distributed to its subscribers during
all of said period.

Subscribed and sworn to before me this

10th day of February 1960

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