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Ordinance No. 89479

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of West Holden Street from Delridge Way to 28th Avenue Southwest and establishing the grades necessary therefor; providing for the condemnation, appropriation, taking and damaging of the necessary land, and of rights to construct slopes for cuts and fills on the adjoining property; and providing for payment from the City Street Fund.

7-26-60 passed

Council Bill No. 110313

INTRODUCED: JUL 25 1960	BY: <i>Streets & Sewers</i>
REFERRED: JUL 25 1960	TO: <i>Streets & Sewers</i>
REFERRED:	
REPORTED: AUG 1 1960	SECOND READING: AUG 1 1960
THIRD READING: AUG 1 1960	SIGNED: AUG 1 1960
PRESENTED TO MAYOR: AUG 2 1960	APPROVED: AUG 3 1960
RETD. TO CITY CLERK: AUG 3 1960	PUBLISHED: AUG 20 1960
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL _____ PAGE _____	

SEE BACK COVER

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VOL..... PAGE.....	

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Ord_89479

C. F. 243248 Rept of Corp Counsel and City Enr on condemnation for widening
W. Holden St., Cause No. 559173, Ord. 89479, and awards for same.

*Ord. 90498 - Accepts awards + approp's from Seattle Gen. St.
Improv. Bonds 1960 Fund + City St. Fund.*

ORDINANCE NO. 89479

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of West Holden Street from Delridge Way to 28th Avenue Southwest and establishing the grades necessary therefor; providing for the condemnation, appropriation, taking and damaging of the necessary land, and of rights to construct slopes for cuts and fills on the adjoining property; and providing for payment from the City Street Fund.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that West Holden Street from Delridge Way to 28th Avenue Southwest be and the same is hereby laid off, opened, widened, extended and established over and across the following lots, blocks and tracts of land, to wit:

In STEEL PLANT ADDITION to the City of Seattle, as recorded in Volume 11 of King County Plats at Page 90.

The north 15 feet of Lots 1, 2, 3, 4 and 5, Block 2, EXCEPT the west 30 feet of said Lot 5.

The north 15 feet of Lots 6, 7, and 8, Block 2, EXCEPT the east 30 feet of said Lot 6.

The south 15 feet of Lots 11, 12, 13, 14 and 15, Block 2, EXCEPT the east 30 feet of said Lot 15.

The south 15 feet of Lots 16, 17 and 18, Block 2, EXCEPT the west 30 feet of said Lot 16.

That portion of Lot 19, Block 2, described as follows:

Beginning at the southeast corner of said Lot 19, as platted; thence westerly along the south line of said Lot 19 a distance of 6.96 feet to the true point of beginning; thence continuing westerly along said south line a distance of 255.22 feet to the southwest corner of said Lot 19; thence northerly along the west line of said lot a distance of 15 feet to an intersection with a line which is 15 feet northerly of and parallel with the south line of said Lot 19; thence easterly along said parallel line a distance of 182.69 feet to a point of curvature; thence easterly, northeasterly and northerly along the arc of a curve to the left having a radius of 50 feet, an arc distance of 92.43 feet to a point in the southwesterly margin of Delridge Way as accepted by Ordinance No. 65455; thence south 15°44'53" east along said southwesterly margin a distance of 81.85 feet to the true point of beginning.

The north 15 feet of Lots 1, 2, and 3, Block 3, EXCEPT the east 20 feet of said Lot 1.

The north 15 feet of Lot 5, Block 3, EXCEPT the west 30 feet thereof.

The south 15 feet of Lots 16, 17, 18, 19 and 20, Block 3, EXCEPT the west 120 feet of said Lot 16.

In KENYON ADDITION as recorded in Volume 46 of King County Plats at Page 83:

The north 5 feet of Lot 1.

Section 2. That the grades of West Holden Street from Delridge Way to 28th Avenue Southwest be and the same are hereby established at the following elevations above City Datum, to wit:

At the west margin of 21st Avenue Southwest, as platted in Steel Plant Addition, Volume 11, Page 90.

Centerline 245.00 feet

At a point, distant 120.48 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline 238.59 feet

At a point, distant 240.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline 235.51 feet

At a point, distant 295 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline 243.64 feet

At a point, distant 200.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline 259.29 feet

At a point, distant 340.00 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline 303.11 feet

At a point, distant 200.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline 321.28 feet

At a point, distant 85.00 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline 325.77 feet

At a point, distant 160.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline 341.14 feet

At a point, distant 50.00 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline 348.10 feet

At a point, distant 240.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline 369.24 feet

At the east margin of 28th Avenue Southwest as deeded under Ordinance No's. 84708 and 83480.

Centerline 369.3 feet

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

Section 3. That in the grading and regrading of West Holden Street from Delridge Way to 28th Avenue Southwest as set forth in Section 2 hereof 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 ($1\frac{1}{2}$) 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 4. 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 necessary to be taken, used or damaged in the grading of said street in conformity with the grades established in Section 2 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 3 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 5. That the entire cost of the improvement provided for herein shall be paid from the City Street Fund, or from such other fund as the City Council may so direct.

Section 6. 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 7. That in conducting said condemnation proceedings the Corporation Counsel is hereby authorized to enter into stipulations for the purpose of minimizing damages.

Ord_89479

(To be used for all Ordinances except Emergency.)

Section 8..... 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 1 day of August, 1960, and signed by me in open session in authentication of its passage this 1 day of August, 1960.

David Lusk
President..... of the City Council.

Approved by me this 3 day of August, 1960.

Gordon S. Clinton
Mayor.

Filed by me this 3 day of August, 1960.

C. H. Grandson
Attest.....
City Comptroller and City Clerk.

(SEAL)

Published..... AUG 20 1960

By..... *W. A. Perine*
Deputy Clerk.

Ord_89479



OFFICE OF THE MAYOR - CITY OF SEATTLE

GORDON S. CLINTON, Mayor

July 25, 1960

City Council
City of Seattle

Re: Widening of West Holden Street

Honorable Members:

Forwarded herewith is a letter dated July 19 from the City Engineer together with a proposed council bill providing for the condemnation of property necessary to widen West Holden Street between Delridge Way and 28th Avenue Southwest.

Your early consideration and action on the Engineer's recommendation will be appreciated.

Sincerely,

Gordon S. Clinton
Gordon S. Clinton
Mayor

GSC:ry
Enc.

cc: City Engineer



CITY OF SEATTLE

Gordon S. Clinton, Mayor

DEPARTMENT OF ENGINEERING

ROY W. MORSE, CITY ENGINEER

MEMBER, BOARD OF PUBLIC WORKS

July 19, 1960

Re: Widening of West
Holden Street.

Honorable Gordon S. Clinton
Mayor, City of Seattle

Dear Sir:

We are submitting herewith for your approval and transmittal to the City Council a council bill providing for the condemnation of property necessary to widen West Holden Street between Delridge Way and 28th Avenue Southwest in order to provide better traffic movement from Delridge way, all as contemplated in the Capital Improvement Program under Priority A-11.

This bill has been approved as to form by the Corporation Counsel.

The sum of \$32,000 was budgeted for this condemnation partly from the Seattle General Street Improvement Bonds 1960 Fund and partly from the City Street Fund.

No funds are appropriated in a condemnation ordinance. However, we have provided in Section 5 of said bill that the entire cost of the improvement shall be paid from the City Street Fund or from such other fund as the City Council may direct.

It is necessary in view of the large amount of traffic utilizing the present narrow roadway in this street that this condemnation proceed as rapidly as possible.

Yours very truly,


ROY W. MORSE

City Engineer

PNR:HK
Enc.

cc. E. M. Whiting

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on Streets and Sewers

AUG 1 1960

to which was referred C. B. No. 80943,

providing for the laying off, opening, widening, extending and establishin of West Holden Street from Delridge Way to 28th Avenue Southwest and establishing the grades necessary therefor; providing for the condemnation, appropriation, taking and damaging of the necessary land, and of rights to construct slopes for cuts and fills on the adjoining property; and providing for payment from the City Street Fund,

RECOMMENDS THAT THE SAME DO PASS.

..... Chairman

..... *M. Miller* Chairman

.....

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Committee

Committee

ORDINANCE: No. 89479

AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of West Holden Street from Delridge Way to 28th Avenue Southwest, and establishing the grades necessary therefor; providing for the condemnation, appropriation, taking and damaging of the necessary land, and of rights to construct slopes for cuts and fills on the adjoining property; and providing for payment from the City Street Fund.

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.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that West Holden Street from Delridge Way to 28th Avenue Southwest be and the same is hereby laid off, opened, widened, extended and established over and across the following lots, blocks and tracts of land, to-wit:

In STEEL PLANT ADDITION to the City of Seattle, as recorded in Volume 11 of King County Plats at Page 80.

The north 15 feet of Lots 1, 2, 3, 4 and 5, Block 2, EXCEPT the west 30 feet of said Lot 5.

The north 15 feet of Lots 6, 7, and 8, Block 2, EXCEPT the east 30 feet of said Lot 6.

The south 15 feet of Lots 11, 12, 13, 14 and 15, Block 2, EXCEPT the east 30 feet of said Lot 15.

The south 15 feet of Lots 16, 17 and 18, Block 2, EXCEPT the west 30 feet of said Lot 16.

That portion of Lot 19, Block 2, described as follows:

Beginning at the southeast corner of said Lot 19, as platted; thence westerly along the south line of said Lot 19 a distance of 6.56 feet to the true point of beginning; thence continuing westerly along said south line a distance of 253.22 feet to the southwest corner of said Lot 19; thence northerly along the west line of said lot a distance of 15 feet to an intersection with a line which is 15 feet northerly of and parallel with the south line of said Lot 19; thence easterly along said parallel line a distance of 132.59 feet to a distance of curvature; thence easterly, northeasterly, a distance of 22.42 feet along the arc of a curve to the left having a radius of 50 feet, to a point in the southwesterly margin of Delridge Way as accepted by Ordinance No. 65495; thence south 15° 44' 38" east along said southwesterly margin a distance of 81.85 feet to the true point of beginning.

The north 15 feet of Lots 1, 2, and 3, Block 3, EXCEPT the east 20 feet of Lot 1.

The north 15 feet of Lot 5, Block 3, EXCEPT the west 30 feet thereof.

The south 15 feet of Lots 15, 17, 18, 19 and 20, Block 3, EXCEPT the west 120 feet of said Lot 16.

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The north 5 feet of Lot 1.

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At the west margin of 21st Avenue Southwest, as platted in Steel Plant Addition, Volume 11, Page 80.

Centerline . . . 245.00 feet

At a point, distant 120.48 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline . . . 238.59 feet

At a point, distant 240.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline . . . 236.51 feet

At a point, distant 295 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline . . . 243.64 feet

At a point, distant 200.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline . . . 259.29 feet

At a point, distant 340.00 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline . . . 303.11 feet

At a point, distant 200.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline . . . 321.88 feet

At a point, distant 55.59 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline . . . 325.77 feet

At a point, distant 100.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline . . . 341.14 feet

At a point, distant 50.00 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline . . . 345.10 feet

At a point, distant 240.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline . . . 362.24 feet

That the annexed is a true copy of _____ ORDINANCE NO 89479 _____, as it was published in the regular issue _____, (and not in supplement form) of said newspaper on the _____ day of _____, 1960, 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

20th day of AUGUST 1960

[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

At a point, distant 259.29 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline 259.29 feet

At a point, distant 340.00 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline 303.11 feet

At a point, distant 200.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline 321.28 feet

At a point, distant 85.00 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline 325.77 feet

At a point, distant 160.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline 341.14 feet

At a point, distant 50.00 feet westerly from the last named point at the point of curvature of a vertical curve.

Centerline 348.10 feet

At a point, distant 240.00 feet westerly from the last named point at the point of tangency of a vertical curve.

Centerline 369.34 feet

At the east margin of 28th Avenue Southwest as decreed under Ordinance Nos. 84708 and 83480.

Centerline 369.3 feet

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

Section 3. That in the grading and regrading of West Holden Street from Delridge Way to 28th Avenue Southwest as set forth in Section 2 hereof 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 4. 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 necessary to be taken, used or damaged in the grading of said street in conformity with the grades established in Section 2 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 3 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 5. That the entire cost of the improvement provided for herein shall be paid from the City Street Fund, or from such other fund as the City Council may so direct.

Section 6. 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 7. That in conducting said condemnation proceedings the Corporation Counsel is hereby authorized to enter into stipulations for the purpose of minimizing damages.

Section 8. 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 1st day of August, 1960, and signed by me in open session in authentication of its passage this 1st day of August, 1960.

DAVID LEVINE,
President of the City Council.

Approved by me this 3rd day of August, 1960.

GORDON S. CLINTON,
Mayor.

Filed by me this 3rd day of August, 1960.

Attest: C. G. ERLANDSON,
City Comptroller and
City Clerk.

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

Date of official publication in the Daily Journal of Commerce, Seattle, August 20, 1960.

(C-5625)