

## Ordinance No. 92471

AN ORDINANCE laying off\*\*\* North 130th and Northeast 130th Sts., and the grades thereof \*\*\*and Greenwood Avenue North \*\*\*changing and establishing the grades of North Park Avenue North and Fremont Avenue North \*\*\*providing for the acquisition by condemnation of property and property rights necessary therefor, including the right to construct slopes for cuts and fills \*\*\* establishing a pedestrian viaduct across Aurora Avenue at North 130th \*\*\*providing for payment from the City Street Fund and repealing Ordinance 91887.

11/5/63 *Pass*

## Council Bill No. 83968

INTRODUCED: NOV 4 1963	BY: <i>Streets &amp; Sewers</i>
REFERRED: NOV 4 1963	TO: <i>Streets &amp; Sewers</i>
REFERRED:	
REPORTED: NOV 12 1963	SECOND READING: NOV 12 1963
THIRD READING: NOV 12 1963	SHOWED: NOV 12 1963
PRESENTED TO MAYOR: NOV 13 1963	APPROVED: NOV 13 1963
SENT TO CITY CLERK: NOV 13 1963	PUBLISHED: DEC 7 1963
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL. PAGE	

SM 10-59 HALL

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93025 Accepts awards + makes approp's.  
93924 - Accepts enclosed, etc., parcel 39.

Ord. 93247 - Appropri's from City St. Land +  
Adm'ral City St. Fund.

3

PUB  
A. A. (BC)  
BLDG  
ENG  
R. O.  
A. C.  
C. E.  
C. O.  
LIGHT

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ORDINANCE 92471

AN ORDINANCE laying off, opening, widening, extending and establishing North 130th and Northeast 130th Streets and the grades thereof between 3rd Avenue Northeast and Greenwood Avenue North, and Greenwood Avenue North and the grades thereof between North 130th Street and a point approximately 331 feet north thereof, and changing and establishing the grades of North Park Avenue North and Fremont Avenue North, between North 130th Street, as established herein, and North 128th Street; providing for the acquisition by condemnation of property and property rights necessary therefor, including the right to construct slopes for cuts and fills on certain abutting property; establishing a pedestrian viaduct across Aurora Avenue North at North 130th Street and providing for the condemnation of a restrictive easement to protect such viaduct from damage by fire; providing for payment from the City Street Fund; and repealing Ordinance 91887.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

NORTHEAST 130th STREET and NORTH 130th STREET

COUNTRY HOME PLAT DIVISION 1, as recorded in Volume 22 of King County Plats, Page 60;

The south 5 feet of Tracts 41 and 60; ALSO,

H. E. ORR PARK DIVISION 6, as recorded in Volume 18 of King County Plats, Page 32;

The south 5 feet of Lot 1, Block 65; ALSO,

The south 5 feet of Lot 1, Block 66, EXCEPT the east 30 feet thereof deeded for street purposes; ALSO,

The south 5 feet of Lot 1, Block 67; ALSO,

The south 5 feet of Lot 1, Block 68; ALSO,

HALLER LAKE TRACTS, as recorded in Volume 12 of King County Plats, Page 46;

The north 5 feet of Lots 1 to 13, inclusive, Block 1; ALSO,

The north 5 feet of Lots 1 to 13, inclusive, Block 11; ALSO,

UNPLATED:

The north 5 feet of the south 35 feet of the northeast one-quarter of the southeast one-quarter of Section 19, Township 26 North, Range 4 East, W. M., EXCEPT the east 30 feet and the west 30 feet thereof; ALSO,

The north 35 feet of the southwest one-quarter of the southeast one-quarter of Section 19, Township 26 North, Range 4 East, W.M., EXCEPT the east 30 feet, and EXCEPT the west 695 feet thereof; ALSO,

The south 20 feet of the east four-fifths of the southeast one-quarter of the northwest one-quarter of the southeast one-quarter of Section 19, Township 26 North, Range 4 East, W.M., EXCEPT the east 30 feet thereof; ALSO,

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The north 15 feet of the south 35 feet of the southeast one-quarter of the northwest one-quarter of the southeast one-quarter of Section 19, Township 26 North, Range 4 East W.M., EXCEPT the east 30 feet and EXCEPT the west 25 feet thereof; ALSO,

That portion of the southwest one-quarter of the southeast one-quarter of Section 19, Township 26 North, Range 4 East, W.M., lying north of the following described line: Beginning at a point in the west margin of Stone Avenue North, as established by City of Seattle Ordinance No. 88402, 35 feet south of its intersection with the north line of said subdivision, as measured along said west margin; thence north  $88^{\circ}22'52''$  west to a point in the east margin of Aurora Avenue North, a distance of 30 feet south of its intersection with the north line of said subdivision, as measured along said east margin; ALSO,

That portion of the southwest one-quarter of the northwest one-quarter of the southeast one-quarter of Section 19, Township 26 North, Range 4 East, W.M., described as follows: Beginning at the intersection of the south line of said subdivision with the west margin of Stone Avenue North; thence north  $88^{\circ}51'49''$  west along said south line to a point in the east margin of Aurora Avenue North; thence north  $0^{\circ}41'11''$  east along said east margin a distance of 72.00 feet; thence south  $88^{\circ}22'52''$  east a distance of 46 feet; thence south  $0^{\circ}41'11''$  west a distance of 22 feet; thence south  $88^{\circ}22'52''$  east a distance of 35 feet; thence south  $0^{\circ}41'11''$  west a distance of 10 feet; thence south  $88^{\circ}22'52''$  east to a point in the west margin of Stone Avenue North; thence south along said west margin of Stone Avenue North a distance of 35 feet to the point of beginning; ALSO,

That portion of the northeast one-quarter of the southwest one-quarter of Section 19, Township 26 North, Range 4 East, W.M., described as follows: Beginning at the intersection of the north margin of North 130th Street with the west margin of Aurora Avenue North; thence north along said west margin a distance of 42 feet; thence west, parallel with said north margin of North 130th Street a distance of 46 feet; thence south parallel with said west margin of Aurora Avenue North a distance of 22 feet; thence west parallel with said north margin of North 130th Street a distance of 35 feet; thence south parallel with said west margin of Aurora Avenue North a distance of 10 feet; thence west parallel with said north margin of North 130th Street to a point in the easterly margin of the (former) Pacific Northwest Traction Company's right of way (now under jurisdiction of Seattle Department of Lighting) in said section; thence southerly along said easterly margin to an intersection with the north margin of north 130th Street; thence east along said north margin of North 130th Street to the point of beginning; ALSO,

The north 30 feet of that portion of the southeast one-quarter of the southwest one-quarter of Section 19, Township 26 North, Range 4 East, W.M., lying west of the westerly margin of (former) Pacific Northwest Traction Company's right of way (now under the jurisdiction of Seattle Department of Lighting) in said section, EXCEPT the west 30 feet thereof and EXCEPT portion thereof condemned for North Park Avenue North under City of Seattle Ordinance No. 88402; ALSO,

The south 40 feet of the northwest one-quarter of the southwest one-quarter of Section 19, Township 26 North, Range 4 East, W.M., EXCEPT the west 45 feet thereof; ALSO,

The north 10 feet of the south 50 feet of the east 450 feet of the west 495 feet of the northwest one-quarter of the southwest one-quarter of Section 19, Township 26 North, Range 4 East, W.M., ALSO,

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GREENWOOD AVENUE NORTH

UNPLATTED:

The east 15 feet of the west 45 feet of the south one-half of the southwest one-quarter of the northwest one-quarter of the southwest one-quarter of Section 19, Township 26 North, Range 4 East, W.M.;

Section 2. That public necessity, convenience and safety demand that for the protection from damage by fire of the pedestrian viaduct herein authorized, a restrictive easement be acquired over and upon the following described property:

That portion of the northeast one-quarter of the southwest one-quarter of Section 19, Township 26 North, Range 4 East, W.M., described as follows: Beginning at the intersection of the north margin of North 130th Street with the west margin of Aurora Avenue North; thence north along said west margin a distance of 42 feet to the true point of beginning; thence west parallel with said north margin a distance of 46 feet; thence south parallel with said west margin a distance of 22 feet; thence west parallel with said north margin a distance of 10 feet; thence north parallel with said west margin a distance of 32 feet; thence east parallel with said north margin a distance of 56 feet to a point in said west margin of Aurora Avenue North; thence south along said west margin a distance of 10 feet to the true point of beginning; ALSO,

That portion of the southwest one-quarter of the northwest one-quarter of the southeast one-quarter of Section 19, Township 26 North, Range 4 East, W.M., described as follows: Beginning at the intersection of the east margin of Aurora Avenue North with the south line of said subdivision; thence north 0°41'11" east along said east margin a distance of 72 feet to the true point of beginning; thence south 88°22'52" east a distance of 46 feet; thence south 0°41'11" west a distance of 22 feet; thence south 88°22'52" east a distance of 10 feet; thence north 0°41'11" east a distance of 32 feet; thence north 88°22'52" west a distance of 56 feet to a point in said east margin of Aurora Avenue North; thence south 0°41'11" west along said east margin a distance of 10 feet to the true point of beginning;

which easement shall prohibit all structures and uses other than private utility connections, landscape plantings and ground surface improvements incidental to pedestrian and vehicular access and parking

Section 3. That the grades of the following streets and avenues be and the same are hereby established at the following elevations above city datum, to wit:

GREENWOOD AVENUE NORTH

Grades to be in conformity with the existing grade of Greenwood Avenue North:

NORTH and NORTHEAST 130th STREET

Beginning at the intersection of a line 5 feet north of and parallel with the existing north margin of North 130th Street with the northerly production of the east margin of Greenwood Avenue North;

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Centerline at existing grade 465.00 feet  
at a point distant 455 feet east of the last described point at a point of  
vertical curvature;

Centerline 469.96 feet  
at a point distant 100 feet east of the last described point at a point of  
reverse vertical curvature;

Centerline 472.62 feet  
at a point distant 300 feet east of last described point at a point of  
vertical tangency;

Centerline 472.40 feet  
at a point distant 20.00 feet east of the last described point, the same  
being a point distant 44.80 feet west of the centerline of Evanston Avenue North  
at a point of vertical curvature;

Centerline 471.52 feet  
at a point distant 160.00 feet east of the last described point, the same  
being a point distant 115.20 feet east of the centerline of Evanston Avenue  
North at a point of vertical tangency;

Centerline 460.62 feet  
at a point distant 225.00 feet east of the last described point, the same  
being a point distant 221.08 feet west of the production north of the  
centerline of North Park Avenue North at a point of vertical curvature;

Centerline 439.84 feet  
at a point distant 280.00 feet east of the last described point, at a point  
of vertical tangency;

Centerline 430.20 feet  
at a point distant 495 feet east of last described point at a point of  
vertical curvature;

Centerline 441.78 feet  
at a point distant 360 feet east of last described point, at a point of  
vertical tangency;

Centerline 431.29 feet  
at a point distant 20.00 feet east of the last described point, the same  
being a point distant 141.27 feet west of the centerline of Aurora Avenue  
North at a point of vertical curvature;

Centerline 429.65 feet  
at a point distant 96.27 feet east of the last described point, the same  
being a point in the west margin of Aurora Avenue North, at a point on the  
vertical curve;

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Centerline at existing grade 425.91 feet  
 at a point distant 90.00 feet east of the last described point, the same being a point in the east margin of Aurora Avenue North, at a point on a vertical curve;

Centerline 425.6 feet  
 at a point distant 65 feet east of the east margin of Aurora Avenue North at a point of vertical tangency;

Centerline 422.63 feet  
 at a point distant 325 feet east of the last described point at a point of vertical curvature;

Centerline 404.97 feet  
 at a point distant 80 feet east of the last described point at a point of vertical tangency;

Centerline 402.21 feet  
 at a point distant 125 feet east of the last described point, the same being at a point distant 23.59 feet west of the centerline of Stone Avenue North, at a point of vertical curvature;

Centerline 400.38 feet  
 at a point distant 120 feet east of the last described point, the same being a point distant 96.41 feet east of the centerline of Stone Avenue North at a point of vertical tangency;

Centerline 400.10 feet  
 at a point distant 180 feet east of the last described point at a point of vertical curvature;

Centerline 401.90 feet  
 at a point distant 120 feet east of last described point at a point of vertical tangency;

Centerline 402.00 feet  
 at a point distant 177.18 feet east of the last described point, the same being a point distant 60 feet west of the west margin of Ashworth Avenue North at a point of vertical curvature;

Centerline 400.50 feet  
 at a point distant 120 feet east of the last described point, the same being a point on the east margin of Ashworth Avenue North at a point of vertical tangency;

Centerline 401.10 feet  
 at a point distant 280 feet east of the last described point at a point of vertical curvature;

Centerline 406.26 feet  
 at a point distant 80 feet east of the last described point at a point of vertical tangency;

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Centerline 407.49 feet  
at a point distant 510 feet east of the last described point, the same being a point distant 428.48 feet west of the centerline of Meridian Avenue North at a point of vertical curvature;

Centerline 413.77 feet  
at a point distant 200 feet east of the last described point, the same being a point distant 228.48 feet west of the centerline of Meridian Avenue North at a point of vertical tangency;

Centerline 411.82 feet  
at a point distant 198.48 feet east of the last described point, the same being a point in the west margin of Meridian Avenue North;

Centerline 405.5 feet  
at a point distant 60 feet east of the last described point, the same being a point in the east margin of Meridian Avenue North;

Centerline 403.6 feet  
at a point distant 170 feet east of the last described point at a point of vertical curvature;

Centerline 398.18 feet  
at a point distant 200 feet east of the last described point at a point of vertical tangency;

Centerline 401.28 feet  
at a point distant 150 feet east of the last described point, the same being a point distant 98.12 feet west of the centerline of Corliss Avenue North at a point of vertical curvature;

Centerline 410.71 feet  
at a point distant 200 feet east of the last described point, the same being a point distant 101.88 feet east of the centerline of Corliss Avenue North at a point of vertical tangency;

Centerline 417.67 feet  
at a point distant 140 feet east of the last described point, the same being a point distant 67.18 feet west of the centerline of Sunnyside Avenue North at a point of vertical curvature;

Centerline 418.60 feet  
at a point distant 120 feet east of the last described point, the same being a point distant 52.82 feet east of the centerline of Sunnyside Avenue North at a point of vertical tangency;

Centerline 418.60 feet  
at a point distant 310 feet east of the last described point, the same being a point distant 23.76 feet east of the centerline of 1st Avenue Northeast at a point of vertical curvature;



Centerline 416.53 feet  
at a point distant 160 feet east of the last described point at a point of vertical tangency;

Centerline 413.30 feet  
at a point distant 505.13 feet east of the last described point, the same being a point on east margin of 3rd Avenue Northeast;

Centerline 396.30 feet

NORTH PARK AVENUE NORTH

The grade, as established by Ordinance No. 88402, is hereby changed and established at the following elevations above City datum to wit:

Beginning at a point 121.60 feet south of the south margin of North 130th Street as established herein, at the grade established by Ordinance No. 88402 at a point of vertical curvature;

east curb 425.0 feet  
west curb 425.0 feet

at a point distant 120 feet north of the last described point at a point of vertical tangency;

east curb 429.3 feet  
west curb 429.3 feet

at a point distant 1.60 feet north of the last described point said point being on the south margin of North 130th Street as herein established;

east curb 429.4 feet  
west curb 429.4 feet

FREMONT AVENUE NORTH

The grade as established by Ordinance No. 88402, is hereby changed and established at the following elevations above City datum to wit;

Beginning at a point distant 126.20 feet south of the south margin of North 130th Street as established herein, at the grade established by Ordinance No. 88402, at a point of vertical curvature;

east curb 446.1 feet  
west curb 446.1 feet

at a point distant 120 feet north of the last described point at a point of vertical tangency;

east curb 442.3 feet  
west curb 443.2 feet

at a point distant 6.20 feet north of the last described point said point being on the south margin of North 130th Street as herein established;

east curb 442.0 feet  
west curb 443.0 feet

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

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Section 4. That the grades of the overhead pedestrian viaduct over Aurora Avenue North at North 130th Street be and the same are hereby established above City of Seattle datum as follows:

Beginning at a point distant 17 feet east of the east margin of Aurora Avenue North and 54 feet north of the south line of the northwest one-quarter of the southeast one-quarter of Section 19, Township 26 North, Range 4 East, W.M., at the bottom of the east approach stairway at existing ground elevation;

Centerline 425.30 feet

at a point distant 20 feet east and 4.5 feet north of the last described point at the center of the landing of the east approach stairway;

Centerline 434.80 feet

at a point distant 4.5 feet north and 25 feet west of the last described point at the top of the east approach stairway;

Centerline 445.80 feet

thence level to a point distant 12 feet west of the west margin of Aurora Avenue North and 93 feet north of the south margin of North 130th Street at the top of the west approach stairway;

Centerline 445.80 feet

at a point distant 25 feet west and 4.5 feet south of the last described point at the center of the landing of the west approach stairway;

Centerline 434.80 feet

at a point distant 4.5 feet south and 20 feet east of the last described point at the bottom of the west approach stairway at existing ground elevation;

Centerline 426.40 feet

Section 5. That in the grading and regrading of North 130th Street and North-east 130th Street from 3rd Avenue Northeast to Greenwood Avenue North, of Greenwood Avenue North from North 130th Street to approximately 331 feet north thereof and of North Park Avenue North and Fremont Avenue North, both between North 130th Street as established herein and North 128th Street as set forth in Section 3 hereof, the City shall acquire the right in the case of a cut to remove the lateral support of the property abutting on said streets, 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 6. That the lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Section 1 and the restrictive easement lying with the tract of land described in Section 2 hereof are hereby condemned, appropriated, taken and damaged for street purposes; 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 Sections 3 and 4 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 5 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 7. 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 direct.

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. That Ordinance No. 91887 entitled:

"AN ORDINANCE providing for the laying off, opening, widening, extending and establishing of North 130th Street and Northeast 130th Street between 3rd Avenue Northeast and Greenwood Avenue North and of Greenwood Avenue North between North 130th Street and a point approximately 331 feet north



(To be used for all Ordinances except Emergency.)

thereof; providing for the establishing of a pedestrian viaduct across Aurora Avenue North at North 130th Street and a restrictive easement for the protection thereof from damage by fire; providing for the condemnation, appropriation, taking and damaging of land and other property; providing for the establishing of grades; providing for the acquisition of the right to construct slopes for cuts and fills on certain abutting property and providing for payment from the City Street Fund."

approved February 26, 1963 be, and the same is hereby repealed.

Section 11. 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 12 day of November, 1963, and signed by me in open session in authentication of its passage this 12 day of November, 1963. Mrs. Harlan H. Edwards

President Pro Tem of the City Council.

Approved by me this 13 day of November, 1963. Floyd C. Miller Acting Mayor.

Filed by me this 13 day of November, 1963.

Attest: C. H. Granderson City Comptroller and City Clerk.

(SEAL)

Published DEC 7 1963

By M. A. Perini Deputy Clerk.

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# The City of Seattle--Legislative Department

MR. PRESIDENT:

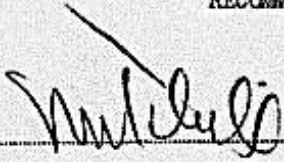
Your Committee on Streets and Sewers  
to which was referred C. B. 83968

Date Reported  
and Adopted

NOV 12 1968

laying off \*\*\* North 130th and Northeast 130th Sts., and the grades thereof \*\*\* and Greenwood Avenue North \*\*\* changing and establishing the grades of North Park Avenue North and Fremont Avenue North \*\*\* providing for the acquisition by condemnation of property and property rights necessary therefor, including the right to construct slopes for cuts and fills \*\*\* establishing a pedestrian viaduct across Aurora Avenue at North 130th \*\*\* providing for payment from the City Street Fund and repealing Ordinance 91887

RECOMMENDS THAT THE SAME DO PASS.



Chairman

Chairman

Committee

Committee

CS 20, 14

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### Affidavit of Publication

STATE OF WASHINGTON, | ss.  
COUNTY OF KING

*M.E.*  
J.P. 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. 92471

....., as it was published in the regular issue (and not in supplement form) of said newspaper on the 7th day of December 1963, 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

7th day of December 1963

*Dennis Brown*

Notary Public in and for the State of Washington, residing at Seattle.  
(This form officially sanctioned by Washington State Press Association.)  
Unsect Form 3.

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