

Ordinance No. 94771

AN ORDINANCE relating to the municipal water supply system, providing for the acquisition by condemnation of certain property in the northwest quarter of Section 22, Township 22 North, Range 4 East, W.M., for an addition to the Midway Reservoir Site; and providing for payment therefor, and repealing Ordinance 94721.

575766 - pass

Council Bill No. 86293

INTRODUCED: MAY 2 1966	BY: City Utilities
REFERRED: MAY 2 1966	TO: City Utilities
REFERRED:	
REPORTED: MAY 9 1966	SECOND READING: MAY 9 1966
THIRD READING: MAY 9 1966	SIGNED: MAY 9 1966
PRESENTED TO MAYOR: MAY 10 1966	APPROVED: MAY 12 1966
RETD. TO CITY CLERK: MAY 12 1966	PUBLISHED: MAY 14 1966
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL. _____ PAGE _____	

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ORD. 95643 ACCEPTING AN AWARD

Ordinance No. _____

91771

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PUR ✓
BLG ✓
EN ✓
H. O. ✓
A. C. ✓
S. E.
C. O.
LIGHT

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BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that the property described in Section 2 hereof be condemned, appropriated and taken for an addition to the Midway Reservoir Site as an addition and betterment to and extension of the municipal waterworks plant and system of the City of Seattle.

Section 2. That the fee simple title to the following described real property situate in King County, Washington, to wit:

That portion of the North half of the southeast quarter of the northwest quarter of Section 22, Township 22 North, Range 4 East, W.M., described as follows:

Beginning at a point on the north line of said subdivision which is 996.51 feet west of the northeast corner thereof; thence south a distance of 70.88 feet; thence south $53^{\circ}59'$ west, a distance of 350 feet more or less to a point on the easterly line of 38th Avenue South, as now surveyed; thence northerly along said easterly line to its intersection with the east line of 36th Avenue South; thence north along said east line to the north line of said subdivision; thence east along said north line to the point of beginning;

be and the same is hereby condemned, appropriated and taken for an addition to the Midway Reservoir Site to be acquired pursuant to Ordinance No. 93862 for the municipal waterworks plant and system of the City of Seattle.

Section 3. That the Corporation Counsel is hereby authorized and directed to begin and prosecute the actions and proceedings in the manner provided by law to condemn, take, damage and appropriate the lands and other property, property rights and privileges necessary to carry out the provisions of this ordinance.

Section 4. That the cost of such acquisition shall be paid from the Water Fund or from such other general fund as shall be provided by law.

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

(To be used for all Ordinances except Emergency.)

Section 6. Any act taken pursuant to the authority and prior to the effective date of this ordinance is hereby ratified and confirmed.

Section 7. That Ordinance No. 94721 entitled:

"AN ORDINANCE relating to the municipal water supply system, providing for the acquisition by condemnation of certain property in the northwest quarter of Section 22, Township 22 North, Range 4 East, W.M., for an addition to the Midway Reservoir Site, and providing for payment therefor."

passed April 18, 1966 and approved April 21, 1966, be and the same is hereby repealed.

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 9 day of May, 1966,
and signed by me in open session in authentication of its passage this 9 day of
May, 1966.

Clarence F. Massart
President of the City Council.

Approved by me this 12 day of May, 1966.
J. J. Straman
Mayor.

Filed by me this 12 day of May, 1966.

Attest: *C. H. Anderson*
City Comptroller and City Clerk.

(SEAL)
Published MAY 14 1966

By *M. A. Perini*
Deputy Clerk.

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Beginning at a point on the north line of said subdivision which is 996.51 feet west of the northeast corner thereof; thence south a distance of 70.88 feet; thence south 52° 59' west, a distance of 250 feet more or less to a point on the easterly line of 38th Avenue South, as now surveyed; thence northerly along said easterly line to its intersection with the east line of 36th Avenue South; thence north along said east line to the north line of said subdivision; thence east along said north line to the point of beginning;

be and the same is hereby condemned, appropriated and taken for an addition to the Midway Reservoir Site to be acquired pursuant to Ordinance No. 94721 for the municipal waterworks plant and system of the City of Seattle.

Section 3. That the Corporation Council is hereby authorized and directed to begin and prosecute the actions and proceedings in the manner provided by law to condemn, take, damage and appropriate the lands and other property, property rights and privileges necessary to carry out the provisions of this ordinance.

Section 4. That the cost of such acquisition shall be paid from the Water Fund or from such other general fund as shall be provided by law.

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Passed by the City Council the 9th day of May, 1966, and signed by me in open session in authentication of its passage this 9th day of May, 1966.

CLARENCE F. MASSART, President of the City Council.

Approved by me this 12th day of May, 1966.

J. D. BRAMAN, Mayor.

Filed by me this 12th day of May, 1966.

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

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

Publication ordered by C. G. ERLANDSON, Comptroller and City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, May 14, 1966. (C-913)

Affidavit of Publication

STATE OF WASHINGTON, ss. COUNTY OF KING

The undersigned, being first duly sworn, on oath deposes and says that he is an authorized representative 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 94771

_____ as it was published in the regular issue (and not in supplement form) of said newspaper on the 14th day of May 1966, and that said newspaper was regularly distributed to its subscribers during all of said period.

McBroom

Subscribed and sworn to before me this

14th day of May 1966

Thomas Brown

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

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

MAY 9 1966

Your Committee on City Utilities

to which was referred C.B. 86293,

relating to the municipal water supply system,
providing for the acquisition by condemnation of certain property
in the northwest quarter of Section 22, Township 22 North, Range 4
East, W.M., for an addition to the Midway Reservoir Site; and
providing for payment therefor, and repealing Ordinance 94721,

RECOMMENDS THAT THE SAME DO PASS.

Chairman

Mazzari

ACTING Chairman

Committee

Committee



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

J. D. Braman, Mayor

April 29, 1966

Re: Midway Reservoir Site

SEATTLE CITY COUNCIL
 MAY 2 9 07 AM '66

Honorable City Council
 Seattle, Washington

Gentlemen:

Ordinance No. 94721 requires a revision to provide for the condemnation of property for the construction of a reservoir at Midway, in the vicinity of Army Nike-Ajax Site 43. Inadvertently the preamble to the description was omitted.

We believe the best way to correct this is to submit a new ordinance containing a correct legal description of the required property and repealing Ordinance No. 94721.

We are enclosing a new Council Bill, approved as to form by the Corporation Counsel, which we recommend for passage.

Very truly yours,

ROY W. MORSE
 City Engineer

By *J. E. Arnberg*
 J. E. ARNBERG
 Principal Structural Engineer

LCW:dfb

Enc.

cc: G. Grant Wilcox
 J. Ray Heath



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

J. D. Braman, Mayor

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Very truly yours,

ROY W. MORSE
 City Engineer

By *J. E. Arnberg*
 J. E. ARNBERG
 Principal Structural Engineer

LCW:dfb
 Enc.

cc: G. Grant Wilcox
 J. Ray Heath

April 21 1967

Re: Midway Reservoir Condemnation
King County Cause #562 241
City Ordinance #94771

Mr. Walter W. Henschler
King County Clerk
Seattle, Washington

Dear Sir:

I am today paying into the registry of the King County Superior Court the sum of \$16,951.60 in payment of the award, costs and interest in the subject condemnation, with deduction for unpaid taxes, as follows:

Award	\$17,100.00
Add'l per State Stat	100.00
Costs	10.00
Interest	135.34
	<hr/>
	\$17,345.34
Less Taxes	393.74
	<hr/>
	\$16,951.60

The award was accepted by the City Council on March 30 1967, by Ordinance #95643, copy of which is enclosed.

Yours very truly,

CITY CONTROLLER

rd