Ordinance No._

96105

AN ORDINANCE providing for the laying off, opening, widening, and establishing of Denny Way in the vicinity of 5th Avenue North and Cedar Street; providing for the condemnation appropriation taking and damaging of land and other property necessary therefor; and providing for payment from the General Fund.

9-12-67- Pad

Council Bill No. 87637	
INTRODUCED: SEP 1 1 1967	BY: Streets & Sower
REFERRED: SEP 11 1961	TO: Sireeis & Sewers
REFERRED:	
REPORTED: SEP 1 8 1967	SECOND READING: SEC 1 8 1967
THIRD READING: SEP 1 8 1967	SIGNED: SEP 1 8 1967
PRESENTED TO MAYOR:	APPROVED: SEP 2 0 1967
RETD. TO CITY CLERK SEP 20 1367	PUBLISHED: SEP 2 3 1967
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
NGROSSED:	BY:
OLPAGE	

Ordinance No._

96100

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9.12-67- Pad

Streets & Sewers TO: Streets & Sewers SECOND READING: SECOND 1867
SECOND READING:
SECOND READING: SEE (8 1967
SEC 1 8 1967
SEP 1 8 1867
APPROVED: SEP 20 1967
UBLISHED: SEP 2.3 1967
ETO PUBLISHED:
ETO SUSTAINED:
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ORDINANCE NO. 96105

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AN ORDINANCE providing for the laying off, opening, widening, and establishing of Denny Way in the vicinity of 5th Avenue North and Cedar Street; providing for the condemnation appropriation taking and damaging of land and other property necessary therefor; and providing for payment from the General Fund.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public necessity and convenience demand that Denny Way be, and the same is, hereby layed off, opened, widened, and established over and across the following described property in King County, Washington, to-wit:

Portion of Lot 7, Block 59, D. T. Denny's Park Addition to North Seattle as recorded in Volume 2 of plats, page 46, Records of King County, Washington, described as follows: Beginning at the southwest corner of said lot; thence north along the west line of said lot a distance of 6.00 feet; thence south 88°58°42° east, par allel with the south line of said lot, a distance of 36.57 feet; thence south 28°22°08° east, a distance of 6.89 feet to a point on said south line; thence north 88°58°42° west along said south line a distance of 40.0 feet to the beginning.

Section 2. 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 purposes herein enumerated and that all lands, rights, privileges, and other property necessary to be taken, used, or damaged in the grading and regrading of said street in conformity with existing grades 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 3. That the entire cost of the improvement provided for by this ordinance shall be paid from the General Fund.

Section 4. 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.

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

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

Section 7... This ordinance shall take effect and be in force thirty days from and after its passage and

approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter. Passed by the City Council the September and signed by me in open session in authentication of its passage this September President of the City Council. September Approved by me this 20 day of Filed by me this day of September, 196 % Attest: City Comptroller and City Clerk. (SEAL) By M. a. Strue

Deputy Clerk.

SEP 2 3 1967

Published.....

ORDINANCE NO. 96705

AN ORDINANCE No. 96706
AN ORDINANCE providing for the laying off, opening, widening, and establishing of Denny Way in the vicinity of 5th Avenue North and Cedar Street; providing for the condemnation appropriation taking and damaging of land and other property necessary therefor; and providing for payment from the General Fund.

BE IT ORDAINED BY THE CIT OF SEATTLE AS FOLLOWS:

OF SEATTLE AS FOLLOWS:
section 1. That public necessity and convenience demand
that Denny Way be, and the
same is, hereby layed off, opened,
widened, and established over
and across the following described property in King County,
Washington, to-wit:

Portion of Lot 7, Block 59, D. T. Denny's Park Addition to

D. T. Denny's Park Addition to
North Seattle as recorded in
Volume 2 of plats, page 46,
Records of King County, Washington, described as follows:
Beginning at the southwest
corner of said lot; thence north
along the west line of said lot
a distance of 6.00 feet; thence
south 88 58 '42" east, parallel
with the south line of said lot,
a distance of 38.57 feet; thence
south 28° 22' 08" east, a distance of 6.89 feet to a point
on said south line; thence
north 88 '58' 42" west along
said south line a distance of
40.0 feet to the beginning.
Section 2. That all lands, rights,

sau south line a distance of 40.0 feet to the beginning.

Section 2. That all lands, rights, privileges, and other property lying within the limits of the lots, blocks and tracts of Jand described in Section 1 hereof are hereby condemned, appropriated, taken and damaged for the purpose and the property recessinges, and other property recessinges, and other property recessing to be taken, usperty recessing to the grading and regrading of said street in conformity with existing grades 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 3. That the entire cost

Section 3. That the entire cost of the improvement provided for by this ordinance shall be paid from the General Fund.

Section 4. 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 5. That in conducting said condemnation proceedings, the Corporation Counsel is hereby authorized to enter into stipulations for the purpose of minimizing damages.

Section 6. That any act pursuant to the authority and prior the effective date of this ordinates is hereby ratified and contirmed.

Section 7. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 18th day of September, 1967, and signed by me in open session in authentication of its passage this 18th day of September, 1967.

CLARENCE F. MASSART, President of the City Council.

Approved by me this 20th day of September, 1967,

J. D. BRAMAN, Mayor.

Filed by me this 20th day of September, 1967.

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, Scattle, September 23, 1967. (C-563)

Affidavit of Publication

STATE OF WASHINGTON, KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce. a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of 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 this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a..... CONTINUE DE CLES was published on September 23, 1, 17 ME F) witur Subscribed and sworn to before me on Julies St. Cl. Cons Notary Public for the State of Washington, residing in Seattle.

(Note: RGW 42.28.060 states—"It shall not be necessary for a notary public in certifying an oath to be used in any of the courts in this state, to append an impression of his official seal—")



CITY OF SEATTLE

J. D. Braman, Mayor

DEPARTMENT OF ENGINEERING

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

910 Scattle Municipal Building, Seattle, Washington 98104

Re: Monorail (C.O. 93917)

September 11, 1967

Honorable City Council Seattle, Washington

Gentlemen:

Under City of Seattle Ordinance 93917 the City is authorized to acquire by condemnation such property rights as may be necessary for an existing monorail system, including the terminal access thereto and an aerial easement at the corner of 5th Avenue North and Denny Way.

As a part of the monorail construction the location of a column at 5th Avenue North and Denny Way has usurped the entire legal sidewalk area. As a matter of negotiation the City was granted the temporary right to use a portion of the property, over which the above mentioned aerial easement traverses, for sidewalk purposes. The location of the existing building makes such use permissive; however, future private construction could remove the rights now enjoyed by the City.

We have prepared a Council Bill, which has been approved as to form by the Corporation Counsel, providing for the condemnation of street rights necessary for the continued existence of the concrete walk. Because this legislation is made necessary by the monorail construction, the Council Bill provides that the entire cost of the improvement shall be paid from the General Fund. We recommend that this Council Bill be passed.

Yours very truly,

ROY W. MORSE City Engineer

PHILIP W. BUSWELL

Principal Assistant City Engineer

LCW:gp



CITY OF SEATTLE

J. D. Braman, Mayor

DEPARTMENT OF ENGINEERING

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

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Yours very truly,

ROY W. MORSE City Engineer

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By PHILIP M. BUSWELL Principal Assistant City Engineer

LCW:gp

THE CITY OF SEATTLE

LAW DEPARTMENT

TOTH FLOOR SEATTLE MUNICIPAL BUILDING

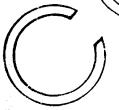
A. L. NEWBOULD, CORPORATION COUNSEL

September 7, 1967

Mr. Roy W. Morse City Engineer Seattle

Dear Sir:

You have transmitted and request that we approve as
to form a Council Bill providing for the condemnation of
"property necessary for the construction of a sidewalk on
Denny Way in the vicinity of Fifth Avenue North and Cedar Street."
We have examined the proposed bill and approve the same
as to legal form.



Yours very truly,

A. L. NEWBOULD Corporation Counsel

ACMAHON

By

G. GRANT WILCOX Assistant

GGW:w Encl. -

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported and Adopted

Your Committee on

STREETS AND SEWERS

SEP 1 8 1967

to which was referred

C. B. No. 87637

Providing for the laying off, opening, widening, and establishing of Denny Way in the vicinity of 5th Avenue North and Cedar Street; providing for the condemnation appropriation taking and damaging of land and other property necessary therefor; and providing for payment from the General Fund.

RECOMMENDS THAT THE SAME DO PASS

S&S Chairman	. Chairman
Committee	Conunittee
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