

Ordinance No. 97311 97311

AN ORDINANCE providing for the laying off, opening, widening and establishing of Airport Way South at existing center line grade; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; providing for the acquisition of the right to construct slopes for cuts and fills on certain abutting properties and providing for payment therefor;

12-3-68 Pass

Council Bill No. 88851

INTRODUCED: DEC 2 1968	BY: <i>Streets & Sewers</i>
REFERRED: DEC 2 1968	TO: <i>Streets & Sewers</i>
REFERRED:	
REPORTED: DEC 9 1968	SECOND READING: DEC 9 1968
THIRD READING: DEC 9 1968	SIGNED: DEC 9 1968
PRESENTED TO MAYOR: DEC 10 1968	APPROVED: DEC 12 1968
RETD. TO CITY CLERK DEC 12 1968	PUBLISHED: DEC 14 1968
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:
ENGROSSED:	BY:
VOL..... PAGE.....	

M.G.

Paul -
A.C. -
W.P. -

ORDINANCE 97311

AN ORDINANCE providing for the laying off, opening, widening and establishing of Airport Way South at existing center line grade; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; providing for the acquisition of the right to construct slopes for cuts and fills on certain abutting properties and providing for payment therefor;

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

That portion of Government Lot 7 in the northeast one-quarter of Section 20, Township 24 North, Range 4 East, W.M. in King County, Washington, described as follows:

Beginning at the intersection of the easterly line of Airport Way South and the southerly line of South Alaska Street; thence north 89°24'36" east along said southerly line 11.36 feet; thence south 08°55'33" west a distance of 131.81 feet to the south line of the north 130 feet of said Government Lot; thence south 89°24'36" west along said south line a distance of 1.20 feet to said easterly line; thence north 4°31'31" east along said easterly line a distance of 130.52 feet to the point of beginning.

Section 2. That in the grading of Airport Way South abutting those properties described in Section 1 hereof in conformity with the existing center line grade the City shall acquire the right in the case of a cut or fill to remove the lateral support of the property abutting upon 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 (1) foot for each foot of elevation of cut and fill slopes of one and one-half (1-1/2) feet 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 remove said fill slopes upon providing and maintaining other adequate lateral support.

Section 3. That all lands, rights, privileges and other property lying within the limits of the tract of land described in Section 1 are hereby condemned, appropriated, taken and damaged for the purpose therein enumerated. 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 existing center line grade and in the construction of the necessary slopes for cuts or fills on the real property abutting upon said street as set forth in Section 2 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 4. That the entire cost of the improvement provided for herein shall be paid from the Arterial City Street Fund.

Section 5. That the Corporation Counsel be and he is hereby authorized and directed to begin and prosecute the actions and the proceedings in the manner provided by law to condemn, take, damage and appropriate the land and other property necessary to carry out the provisions of this ordinance.

Section 6. 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 3.. 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 7 day of December, 1968,
and signed by me in open session in authentication of its passage this 9 day of
December, 1968. *Paul J. Alexander*
President Pro Tem of the City Council.

Approved by me this 12 day of December, 1968.
W. A. Quinn
Mayor.

Filed by me this 12 day of December, 1968.
Attest: *A. J. Sanderson*
City Comptroller and City Clerk.

(SEAL)
Published DEC 14 1968

By *W. A. Quinn*
Deputy Clerk.

ORDINANCE NO. 97311

AN ORDINANCE providing for the laying off, opening, widening and establishing of Airport Way South at existing center line grade; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; providing for the acquisition of the right to construct slopes for cuts and fills on certain abutting properties and providing for payment therefor;

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

That portion of Government Lot 7 in the northeast quarter of Section 20, Township 24 North, Range 4 East, W. M. in King County, Washington, described as follows: Beginning at the intersection of the easterly line of Airport Way South and the southerly line of South Alaska Street; thence north 24° 23' 23" east along said southerly line 113.22 feet; thence south 68° 55' 33" west a distance of 131.51 feet to the south line of the north 130 feet of said Government Lot; thence south 83° 24' 36" west along said south line a distance of 1.20 feet to said easterly line; thence north 4° 31' 31" east along said easterly line a distance of 136.52 feet to the point of beginning.

Section 2. That in the grading of Airport Way South, abutting those properties described in Section 1 hereof in conformity with the existing center line grade, the City shall acquire the right in the case of a cut or fill to remove the lateral support of the property abutting upon 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 (1) foot for each foot of elevation of cut and fill slopes of one and one-half (1 1/2) feet 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 remove said fill slopes upon providing and maintaining other adequate lateral support.

Section 3. That all lands, rights, privileges and other property lying within the limits of the tract of land described in Section 1 are hereby condemned, appropriated, taken and damaged for the purpose therein enumerated. 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 existing center line grade and in the construction of the necessary slopes for cuts or fills on the real property abutting upon said street as set forth in Section 2 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 4. That the entire cost of the improvement provided for shall be paid from the Aerial City Street Fund.

Section 5. That the Corporation Counsel be and he is hereby authorized and directed to begin and prosecute the actions and the proceedings in the manner provided by law to condemn, take, damage and appropriate the land and other property necessary to carry out the provisions of this ordinance.

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

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 9th day of December, 1968, and signed by me in open session in authentication of its passage this 9th day of December, 1968.

PAUL J. ALEXANDER, President pro tem. of the City Council.

Approved by me this 12th day of December, 1968.

J. D. BRAMAN, Mayor.

Filed by me this 12th day of December, 1968.

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

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

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

Date of official publication in the Daily Journal of Commerce, Seattle, December 14, 1968.

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

ORDINANCE NO. 97311

was published on December 14, 1968

[Signature]

Subscribed and sworn to before me on

December 14, 1968

[Signature] Notary Public for the State of Washington, residing in Seattle.

(Note: RCW 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.")

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on Streets and Sewers

DEC 9 1968

to which was referred C. B. No. 88851

providing for the laying off, opening, widening and establishing of Airport Way South at existing Center line grade; providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; providing for the acquisition of the right to construct slopes for cuts and fills on certain abutting properties and providing for payment therefor;

RECOMMENDS THAT THE SAME DO PASS



..... Chairman

..... Chairman

SEATTLE CITY COUNCIL

Dec 2 12 51 PM '68

J. D. Braman, Mayor



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

Seattle Municipal Building, Room 910
600 Fourth Avenue, Seattle, Washington 98104

RE: Airport Way South,
Widening

December 2, 1968

Honorable City Council
Seattle, Washington

Gentlemen:

Attached is a Council Bill providing for the acquisition by condemnation of land and other property necessary for the project titled "Airport Way South, Widening". The Council Bill provides for the condemnation, appropriation, taking and damaging of land and other property necessary for the widening of a portion of Airport Way South including the right to construct slopes for cuts and fills on certain abutting properties, all to be accomplished in conformity with the existing center line grade.

This property is needed for the transition of Airport Way South from its present width to the width of Airport Way South which has been widened in connection with the South Seattle Redevelopment project.

The entire cost of this improvement shall be paid from the Arterial City Street Fund as authorized by Ordinance ~~97889~~ 96889. HTL

The Council Bill has been approved as to form by the Corporation Counsel and we recommend this legislation be passed.

Yours very truly,

ROY W. MORSE, P.E.
City Engineer

By *Philip M. Buswell*
PHILIP M. BUSWELL, P.E.
Principal Assistant City Engineer

HTL:gp
Att.

cc: G. Grant Wilcox
E. W. Ott



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

J. D. Braman, Mayor

Seattle Municipal Building, Room 910
 600 Fourth Avenue, Seattle, Washington 98101

**Airport Way South,
 Widening**

December 2, 1968

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Honorable City Council
 Seattle, Washington

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Attached is a Council Bill providing for the acquisition by condemnation of land and other property necessary for the project titled "Airport Way South, Widening". The Council Bill provides for the condemnation, appropriation, taking and damaging of land and other property necessary for the widening of a portion of Airport Way South including the right to construct slopes for cuts and fills on certain abutting properties, all to be accomplished in conformity with the existing center line grade.

This property is needed for the transition of Airport Way South from its present width to the width of Airport Way South which has been widened in connection with the South Seattle Redevelopment project.

The entire cost of this improvement shall be paid from the Arterial City Street Fund as authorized by Ordinance 97889.

The Council Bill has been approved as to form by the Corporation Counsel and we recommend this legislation be passed. ^{96889. HTL}

Yours very truly,

ROY W. MORSE, P.E.
 City Engineer

By *sgd. P. M. Buswell*
 PHILIP M. BUSWELL, P.E.
 Principal Assistant City Engineer

HTL:gp
 Att.
 cc: G. Grant Wilcox
 E. W. Ott