

Ordinance No. 99165

AN ORDINANCE providing for ... widening...
Iowa Ave SW ... SW Edmunds St ... Puget
Way SW ... West Marginal Way SW ... SW
Front St ... Detroit Ave SW ... ALL at
existing grade; providing for ... widen-
ing ... SW Myrtle St ... and providing
for ... grades ... providing for the
condemnation and appropriation, taking
and damaging of land and other property
necessary ... providing for ... slopes
for cuts and fills ... for storm drain-
age ... retaining walls, and for tempo-
rary construction easements; and pro-
viding for payment therefor.

8-4-70 - pass

COMPTROLLER
FILE NUMBER

Council Bill No. 99748

INTRODUCED: AUG 3 1970	BY: Streets & Sewers
REFERRED: AUG 3 1970	TO: Streets & Sewers
REFERRED:	
REFERRED:	
REPORTED: AUG 10 1970	SECOND READING: AUG 10 1970
THIRD READING: AUG 10 1970	SIGNED: AUG 10 1970
PRESENTED TO MAYOR: AUG 11 1970	APPROVED: AUG 12 1970
VETO TO CITY CLERK: AUG 12 1970	PUBLISHED: AUG 15 1970
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

CSS 8.1.87

CW

DRD:d1w
6-8-70

ORDINANCE NO. 99165

AN ORDINANCE providing for the laying off, opening, widening, and establishing of Iowa Avenue Southwest between points on the westerly margin of said avenue, distant approximately 180 feet and 390 feet south of Southwest Spokane Street, and between points on the westerly margin of said avenue, distant 270 feet and 324 feet south of the easterly margin of 17th Avenue Southwest, and between points on the westerly margin of said avenue, between a point approximately 55.00 feet north of Southwest Andover Street and a point approximately 20.00 feet south of Southwest Dakota Street and of Southwest Edmunds Street between West Marginal Way Southwest and a point 75 feet west thereof on both margins; and of Puget Way Southwest on its northerly margin between West Marginal Way Southwest and 14th Avenue Southwest; and of West Marginal Way Southwest between points on the westerly margin of said avenue, distant approximately 170 feet north of the existing north margin of Puget Way Southwest and 1,330 feet southeast of the south margin of Southwest Hudson Street; and of Southwest Front Street on its north margin between West Marginal Way Southwest and a point approximately 150 feet east thereof and on its south margin between West Marginal Way Southwest and a point approximately 110 feet east thereof; and of the extension of Detroit Avenue Southwest (Old County Road) between Southwest Myrtle Street and a point approximately 100 feet southeast thereof on its northeasterly margin; ALL at existing grade; providing for the laying off, opening, widening, extending and establishing of Southwest Myrtle Street between West Marginal Way Southwest and Detroit Avenue Southwest and providing for the establishing of grades therefor; providing for the condemnation and 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 property; the taking and damaging of land and other property necessary for storm drainage purposes, retaining walls, and for temporary construction easements; and providing for payment therefor.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That public convenience and necessity demand that Iowa Avenue Southwest 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:

SEATTLE TIDE LANDS, KING COUNTY, WASHINGTON:

Portion of Lot 11, Block 420, described as follows: Beginning at the southwest corner of said Lot 11; thence south $89^{\circ}42'19''$ east along the southerly line thereof 29.48 feet to the true point of beginning and a point of curvature; thence easterly and northerly along the arc of a curve to the left having a radius of 30 feet an arc distance of 59.34 feet to a point in the northeasterly line of said lot; thence south $23^{\circ}02'30''$ east along said northeasterly line 45.62 feet to the southeasterly corner of said lot; thence north $89^{\circ}42'19''$ west along the southerly line of said lot 45.62 feet to the true point of beginning; ALSO,

Portion of Lot 1, Block 419, described as follows: Beginning at the northwest corner of said Lot 1; thence south $89^{\circ}42'19''$ east along the northerly line of said lot, 53.14 feet to the true point of beginning and a point of curvature; thence easterly and southerly along the arc of a curve to the

right having a radius of 30 feet, an arc distance of 34.91 feet to a point in the northeasterly line of said lot; thence north 23°02'30" west along said northeasterly line 19.73 feet to the northeast corner of said lot; thence north 89°42'19" west along the northerly line of said lot, 19.73 feet to the true point of beginning; ALSO,

Portion of Lot 6, Block 419, described as follows: Beginning at the northeast corner of said Lot 6; thence south 23°02'30" east along the easterly line of said lot, 8.81 feet to the true point of beginning and a point of curvature; thence southerly and westerly along the arc of a curve to the right having a radius of 30 feet, 54.58 feet to a point on the westerly line of said lot; thence south 30°13'31" east along said westerly line of said lot, 0.44 feet to the southwesterly corner of said lot; thence south 89°42'19" east along the southerly line of said lot, 40.65 feet to the southeast corner of said lot; thence north 23°02'30" west along the easterly line of said lot, 45.61 feet to the true point of beginning; ALSO,

Portion of Lot 1, Block 418, described as follows: Beginning at the northeast corner of said Lot 1; thence north 89°42'19" west along the northerly line thereof, 19.73 feet to a point of curvature; thence easterly and southerly along the arc of a curve to the right having a radius of 30 feet, an arc distance of 34.91 feet to a point in the easterly line of said lot; thence north 23°02'30" west along said easterly line 19.73 feet to the point of beginning.

Section 2. That public convenience and necessity demand that West Marginal Way Southwest 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:

GOODSPEED'S ADDITION TO WEST SEATTLE, according to plat thereof recorded in Volume 3 of Plats, page 59, Records of King County, Washington, described as follows:

Portion of Lots 47 and 48, Block 3, described as follows: Beginning at the southwest corner of said Lot 48; thence north 0°37'37" west along the west line thereof 5.00 feet; thence north 89°21'03" east 45.01 feet to a point of curvature; thence easterly and northerly along the arc of a curve to the left having a radius of 30 feet, an arc distance of 47.11 feet to a point in the easterly line of said Lot 47, as established by Ordinance 38205, thence south 0°37'37" east along the east line of Lots 47 and 48, as established by Ordinance 38205, 34.99 feet to the southeast corner of said Lot 48, as established by Ordinance 38205; thence south 89°21'03" west along the south line of said Lot 48, 75.00 feet to the point of beginning; ALSO,

Portion of Lots 28 and 29, Block 8, described as follows: Beginning at the northwest corner of said Lot 28; thence south 0°37'37" east along the west line of said Lot 28, 5.00 feet; thence north 89°21'03" east, 44.99 feet to a point of curvature; thence easterly and southerly along the arc of a curve to the right having a radius of 30 feet, an arc distance of 47.14 feet to a point in the east line of said Lot 29, as established by Ordinance 38205; thence north 0°37'37" west along the east line of Lots 29 and 28, as established by Ordinance 38205, to the northeast corner of said Lot 28, as established by Ordinance 38205; thence south 89°21'03" west along the north line of said Lot 28, 75.00 feet to the point of beginning; ALSO,

Portion of Lot 6, together with portions of Lots 44 through 49 inclusive, all in Block 8, described as follows: Beginning at the southwest corner of said Lot 6; thence north $0^{\circ}37'37''$ west along the westerly line of said lot, 5.00 feet; thence north $89^{\circ}21'03''$ east 146.44 feet to a point of curvature; thence easterly and northerly along the arc of a curve to the left having a radius of 30 feet, an arc distance of 48.96 feet to a point of reverse curvature; thence northerly along the arc of a curve to the right having a radius of 929.55 feet and an initial radial bearing of north $85^{\circ}32'58''$ east, an arc distance of 62.12 feet to a point of tangency; thence north $0^{\circ}37'37''$ west along said tangent 52.36 feet to a point on the east line of said Lot 44, as established by Ordinance 38205, distant 28.57 feet south of the northeast corner of Lot 43, said Block 8, as measured along the east lines of Lots 44 and 43, as established by Ordinance 38205; thence southerly along the east lines of said Lots 44 through 49, as established by Ordinance 38205, 146.96 feet to the southeast corner of said Lot 49; thence south $89^{\circ}21'03''$ west along the south line of said Lots 49 and 6, 185.75 feet to the point of beginning; ALSO,

Portion of the northwest one-quarter of Section 19, Township 24 North, Range 4 East, W.M., in King County, Washington, described as follows:

Beginning at the intersection of the south margin of Southwest Hudson Street with the westerly margin of West Marginal Way Southwest, as established by Ordinance 38205; thence southeasterly along said westerly margin along the arc of a curve to the left having a radius of 1,002.77 feet and an initial radial bearing of north $72^{\circ}26'57''$ east, an arc distance of 500.97 feet; thence continuing along said westerly margin south $46^{\circ}10'30''$ east 820.68 feet; thence north $47^{\circ}14'35''$ west 819.66 feet to a point of curvature; thence northwesterly along the arc of a curve to the right having a radius of 929.55 feet and an initial radial bearing of north $42^{\circ}45'25''$ east, an arc distance of 514.10 feet to a point in the southerly margin of Southwest Hudson Street; thence north $89^{\circ}48'24''$ east along said southerly margin 12.06 feet to the point of beginning.

JOSEPH R. McLAUGHLIN'S WATER FRONT ADDITION TO THE CITY OF SEATTLE, according to plat thereof recorded in Volume 13 of Plats, page 28, Records of King County, Washington, described as follows:

Portion of Lot 19, Block 33, described as follows: Beginning at the southeast corner of said lot; thence westerly along the southerly margin thereof 40.46 feet to a point of curvature; thence westerly, continuing along said southerly margin, along the arc of a curve to the right having a radius of 100.00 feet, an arc distance of 12.10 feet to the true point of beginning; thence continuing westerly along said curve and southerly margin, a distance of 13.82 feet, to its intersection with a curve to the right having a radius of 1,571.57 feet, the initial radial bearing of which bears north $57^{\circ}00'33''$ east from said intersection; thence northwesterly along last described curve to the right and the southwesterly margin of said Lot 19 as established by Ordinance 38205, a distance of 12.05 feet to a point of curvature at which point the radial bearing of the last described curve bears north $57^{\circ}26'55''$ east; thence southerly and easterly along the arc of a curve to the left having a radius of 25.00 feet and an initial radial bearing of north $57^{\circ}26'55''$ east, an arc distance of 24.26 feet to the true point of beginning; ALSO,

Portion of Lots 15 and 16, Block 23, described as follows: Beginning at the northeast corner of said Lot 15; thence along the arc of a curve to the left having a radius of 108.00 feet, and the northwesterly margin of said Lot 15, an arc distance of 36.10 feet to the true point of beginning; thence continuing southwesterly along said arc and margin a distance of 30.71 feet to its inter-

section with a curve to the left having a radius of 1,571.57 feet, the initial radial bearing of which bears north 53°30'42" east from said intersection; thence southeasterly along last described curve to the left and the southwesterly margin of said Lot 16, as established by Ordinance 38205, a distance of 27.06 feet to a point of curvature, at which point the radial bearing of the last described curve bears north 52°31'31" east; thence northerly and easterly along the arc of a curve to the right having a radius of 25.00 feet and an initial radial bearing of north 52°31'31" east, an arc distance of 45.04 feet to the true point of beginning.

Section 3. That public necessity and convenience demand that the extension of Detroit Avenue Southwest (Old County Road) 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:

Portion of the northeast one-quarter of Section 30, Township 24 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the center line of Detroit Avenue Southwest from the north with the south margin of Southwest Myrtle Street, as established by the Plat of Joseph R. McLaughlin's Water Front Addition to the City of Seattle; thence north 84°54'45" east along said south margin 45.73 feet to the true point of beginning; thence south 32°16'14" east along the northeasterly margin of the extension of Detroit Avenue Southwest (Old County Road) 40.70 feet; thence northerly along the arc of a curve to the right having an initial radial bearing of north 57°43'46" east 37.33 feet to the south margin of Southwest Myrtle Street; thence south 84°54'45" west along said south margin 16.43 feet to the true point of beginning.

Section 4. That public necessity and convenience demand that Southwest Myrtle Street 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:

JOSEPH R. McLAUGHLIN'S WATER FRONT ADDITION TO THE CITY OF SEATTLE, according to plat thereof recorded in Volume 13 of Plats, page 28, Records of King County, Washington, described as follows:

Portion of Lot 20, Block 22, described as follows: Beginning at the southeast corner of said lot; thence south 84°54'45" west along the south line of said lot 76.09 feet; thence north 24°45'45" west along the west line of said lot 42.48 feet; thence north 84°54'45" east 90.39 feet to the east line of said lot; thence south 5°05'15" east along said east line 40.00 feet to the point of beginning; ALSO,

Portion of Lots 21 and 22, Block 22, described as follows: Beginning at the southwest corner of said Lot 21; thence north 5°05'15" west along the west margin of Lot 21, 40.00 feet; thence south 68°31'21" east 89.44 feet to a point in the south line of said Lot 22; thence south 84°54'45" west along the south line of said Lots 21 and 22, 80.00 feet to the point of beginning.

Section 5. That the grades of Southwest Myrtle Street be established at the following elevations above City of Seattle datum, to wit:

Beginning at a point in the center line of West Marginal Way Southwest, as established by Ordinance 38205, said point being 152.56 feet northwesterly of, as measured along said center line, the southerly margin of Southwest Myrtle Street as established by the Plat of Joseph R. McLaughlin's Water Front Addition to the City of Seattle; thence south $64^{\circ}28'28''$ west 19.70 feet, at a point on a vertical curve.

Center Line El. 8.63 feet

At a point distant 17.07 feet south $64^{\circ}28'28''$ west of the last described point, at a point on a vertical curve.

Center Line El. 9.15 feet

At a point distant 23.23 feet south $64^{\circ}28'28''$ west of the last described point, at a point of vertical tangency.

Center Line El. 10.30 feet

At a point 30.20 feet south $64^{\circ}28'28''$ west of the last described point.

Center Line El. 11.95 feet

At a point 34.80 feet south $64^{\circ}28'28''$ west of the last described point, at a point of vertical curvature.

Center Line El. 13.90 feet

At a point distant 30.48 feet south $64^{\circ}28'28''$ west of the last described point, at a point on the vertical curve and a point of horizontal curvature.

(said horizontal curve being a curve to the left having a center line radius of 75 feet)

Center Line El. 15.55 feet

At a point distant 21.11 feet along the center line southwesterly of the last described point, at a point on the horizontal and vertical curves.

Center Line El. 16.60 feet

At a point distant 21.11 feet along the center line southwesterly of the last described point, at a point of vertical tangency and a point on the horizontal curve.

Center Line El. 17.53 feet

At a point distant 21.11 feet along the center line southwesterly of the last described point, at a point on the horizontal curve.

Center Line El. 18.40 feet

At a point distant 21.11 feet along the center line southerly of the last described point, at a point on the horizontal curve.

Center Line El. 19.20 feet

At a point distant 21.11 feet along the center line southerly of the last described point, at a point of vertical curvature and a point on the horizontal curve.

Center Line El. 20.00 feet

At a point distant 21.11 feet along the center line southeasterly of the last described point, at a point on the vertical curve and a point of horizontal tangency with the center line of Detroit Avenue Southwest Extension,

which point of tangency is 56.11 feet as measured along said center line of Detroit Avenue Southwest Extension from the south line of Southwest Myrtle Street as established by the Plat of Joseph R. McLaughlin's Water Front Addition to the City of Seattle.

Center Line El. 20.60 feet

Section 6. That in the grading of Southwest Myrtle Street between the extension of Detroit Avenue Southwest (Old County Road) and West Marginal Way Southwest, as set forth in Section 5 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 feet horizontally for each foot of depth 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 7. That in the widening of Iowa Avenue Southwest between two points on the westerly margin of said avenue, distant approximately 180 feet and 390 feet south of Southwest Spokane Street, and between two points on the westerly margin of said avenue, distant 270 feet and 324 feet south of the easterly margin of 17th Avenue Southwest, and between two points on the westerly margin of said avenue, to wit: a point approximately 55.00 feet north of Southwest Andover Street and a point approximately 20.00 feet south of Southwest Dakota Street and of Southwest Edmunds Street between West Marginal Way Southwest and a point 75 feet west thereof on both margins; and of Puget Way Southwest on its northerly margin between West Marginal Way Southwest and 14th Avenue Southwest; and of West Marginal Way Southwest between two points on the westerly margin of said avenue, distant approximately 170 feet north of the existing north margin of Puget Way Southwest and 1,330 feet southeast of the south margin of Southwest Hudson Street; and of Southwest Front Street on its north margin between West Marginal Way Southwest and a point approximately 150 feet east thereof and on its south margin between West Marginal Way Southwest and a point approximately 110 feet east thereof;

and of the extension of Detroit Avenue Southwest between Southwest Myrtle Street and a point approximately 100 feet southeast thereof on its northeasterly margin, all in conformity with existing center line grades, and the City shall acquire the right in the case of a cut to remove the lateral support of the property abutting on said streets, ways, and avenues 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. 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 feet horizontally for each foot of depth of fill, for the purpose of providing lateral support for said streets, ways and avenues 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 8. That public necessity and convenience demand that a permanent easement for storm drain purposes be acquired over and across the following described property, to wit:

Portion of Government Lot 8, Section 18, Township 24 North, Range 4 East, W.M., in King County, Washington, described as follows:

A strip of land 20 feet in width, the center line of which is 25 feet north of the center line of Southwest Idaho Street produced, bounded on the west by the west margin of said Government Lot 8, and bounded on the east by the northeast margin of said Government Lot 8;

and that only such rights in the land above described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation and maintenance of one storm drain line and appurtenances, reserving unto the property owners the right to use said property in any way and for any purpose not inconsistent with the rights herein authorized to be acquired, provided that the City shall have the right without prior institution of any suit or proceeding at law at such times as may be necessary, to enter upon said property for the purposes herein described, without incurring any legal obligation therefor; provided that such work other than original construction shall be accomplished in such a manner that the private improvements existing in said easement area shall not be disturbed or destroyed, or in the event that they are disturbed or destroyed they shall be replaced in as good condition

as they were immediately before the property was entered upon by the City; and provided that no building or buildings or other permanent structures shall be constructed nor permitted to remain within the boundaries of said easements without the written permission of the City Engineer.

In the original construction of the storm drain, the City shall have the right to clear said easements of all existing obstructions, including trees and rockeries.

Section 9. That public necessity and convenience demand that for the protection of the street right of way including that to be acquired under authority of this ordinance, a permanent easement for retaining wall purposes be acquired over and across the following described property, to wit:

Portion of the southeast one-quarter of the southwest one-quarter of Section 19, Township 24 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the west margin of West Marginal Way Southwest, as established by Ordinance 38205, with the south line of said southwest one-quarter; thence north $36^{\circ}41'44''$ west along said westerly margin 389.10 feet to the true point of beginning; thence continuing northerly along said westerly margin 371.75 feet; thence south $79^{\circ}33'34''$ west 15 feet; thence south $10^{\circ}26'28''$ east 206.31 feet to a point of curvature; thence southerly along the arc of a curve to the right having a radius of 1,935 feet and an initial radial bearing of south $79^{\circ}33'34''$ west, an arc distance of 30.00 feet; thence south $43^{\circ}21'01''$ east 22.83 feet; thence south $18^{\circ}03'59''$ west 28.57 feet to a point of curvature; thence southerly along the arc of a curve to the right having a radius of 1,935 feet and an initial radial bearing of south $81^{\circ}46'09''$ west an arc distance of 51.85 feet; thence south $06^{\circ}41'44''$ east 37.96 feet; thence north $83^{\circ}18'16''$ east 15 feet to the true point of beginning;

and that only such rights in the land above described shall be acquired as shall be necessary for the construction, reconstruction, and maintenance of a retaining wall or walls and appurtenances, reserving unto the property owners the right to use said property in any way and for any purpose not inconsistent with the rights herein authorized to be acquired, provided that the City shall have the right without prior institution of any suit or proceeding at law at such times as may be necessary, to enter upon said property for the purpose of constructing, reconstructing and maintaining such retaining wall or walls without incurring any legal obligation therefor; provided that such work other than original construction shall be accomplished in such a manner that the private improvements existing in said easement area shall not be disturbed or destroyed, or in the event that they are disturbed or destroyed they shall be replaced in as good condition as they were immediately before the property was entered upon by the City; and provided that no building or buildings or other permanent structures shall be constructed nor permitted to remain within the boundaries of said easements without the written permission of the City Engineer.

In the original construction of the retaining walls, the City shall have the right to clear said easements of all existing obstructions, including trees and rockeries.

Section 10. That public necessity and convenience demand that, in connection with a structure excavation to facilitate the construction of the retaining wall or walls contemplated by Section 9 herein, temporary construction easements be acquired over and across the following described property, to wit:

Portions of the southeast one-quarter of the southwest one-quarter of Section 19, Township 24 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the west margin of West Marginal Way Southwest, as established by Ordinance 38205, with the south line of said southwest one-quarter; thence north $06^{\circ}41'44''$ west along said westerly margin 389.10 feet; thence south $83^{\circ}18'16''$ west 15 feet to the true point of beginning; thence continuing south $83^{\circ}18'16''$ west 40.00 feet; thence north $06^{\circ}41'44''$ west 4.59 feet; thence north $18^{\circ}03'59''$ east 32.45 feet; thence south $89^{\circ}05'29''$ east 3.92 feet; thence north $06^{\circ}59'12''$ east 19.47 feet; thence north $18^{\circ}03'59''$ east 41.12 feet; thence southerly along the arc of a curve to the right having a radius of 1,935 feet and an initial radial bearing of south $81^{\circ}46'09''$ west, an arc distance of 51.85 feet to a point of tangency; thence south $06^{\circ}41'44''$ east, a distance of 37.96 feet to the true point of beginning; ALSO,

Beginning at the intersection of the west margin of West Marginal Way Southwest, as established by Ordinance 38205, with the south line of said southwest one-quarter; thence northerly along said westerly margin 760.85 feet; thence south $10^{\circ}26'26''$ west 15 feet to the true point of beginning; thence south $10^{\circ}26'26''$ east 206.31 feet to a point of curvature; thence southerly along the arc of a curve to the right having an initial radial bearing of south $79^{\circ}33'34''$ west and a radius of 1,935.00 feet, an arc distance of 30.00 feet; thence north $43^{\circ}21'01''$ west 73.19 feet; thence north $10^{\circ}26'26''$ west 175.18 feet; thence north $79^{\circ}33'34''$ east 39.99 feet to the true point of beginning; ALSO,

MELVILLE-BARTH ADDITION TO THE CITY OF SEATTLE, according to plat thereof recorded in Volume 22 of Plats, page 86, Records of King County, Washington, described as follows:

Portion of Lots 9 through 17, inclusive, Block 1, described as follows:
Beginning at the southeast corner of said Block; thence north $09^{\circ}37'29''$ west along the westerly margin of West Marginal Way Southwest, as established by Ordinance 38205, the same being the easterly lines of said Lots 9 through 17, a distance of 374.97 feet to a point which is 3.86 feet from the northeast corner of said Lot 9 as measured along said easterly lot line; thence south $80^{\circ}22'31''$ west, a distance of 30 feet; thence south $09^{\circ}37'29''$ east 369.90 feet to a point in the south line of said Lot 17; thence north $89^{\circ}58'18''$ east along said southerly line 30.43 feet to the point of beginning, ALSO,

Portions of Government Lot 3, Section 30, Township 24 North, Range 4 East, W.M., described as follows:

Beginning at the intersection of the westerly margin of West Marginal Way Southwest, as established by Ordinance 38205, and the south margin of Southwest Holly Street; thence southerly along said westerly margin 153.16 feet; thence south $75^{\circ}21'53''$ west 30 feet; thence northerly along the arc

of a curve to the right having a radius of 1,701.57 feet and an initial radial bearing of north $75^{\circ}21'53''$ east, an arc length of 148.81 feet; thence north $09^{\circ}37'29''$ west 12.06 feet to a point in the south margin of Southwest Holly Street; thence easterly along said south margin 30.43 feet to the point of beginning; ALSO,

Beginning at the intersection of the south margin of Southwest Holly Street and the westerly margin of West Marginal Way Southwest, as established by Ordinance 38205; thence southerly along said westerly margin 244.91 feet to the true point of beginning; thence south $72^{\circ}13'12''$ west 35 feet; thence southerly along the arc of a curve to the left having an initial radial bearing of north $72^{\circ}13'12''$ east and a radius of 1,706.57 feet, an arc distance of 169.44 feet; thence north $63^{\circ}31'53''$ east 15 feet; thence southerly along the arc of a curve to the left having an initial radial bearing of north $66^{\circ}31'53''$ east and a radius of 1,691.57 feet, an arc distance of 88.67 feet; thence north $63^{\circ}31'41''$ east, a distance of 20 feet to a point in said westerly margin of West Marginal Way Southwest; thence northerly along said westerly margin 253.59 feet to the true point of beginning;

said temporary easements to be in full force and effect until the proposed retaining wall or retaining walls are completed and accepted by The City of Seattle and to become null and void and have no further effect on and after the date of official acceptance of said retaining wall or walls for The City of Seattle by its Board of Public Works.

In the original construction of the retaining wall or walls, the City shall have the right to clear said easement of all existing obstructions, including trees and rockeries.

Section 11. That all lands, rights, privileges and other property lying within the limits of the tracts of land described in Sections 1, 2, 3, and 4, hereof are hereby condemned, appropriated, taken and damaged for the purposes of public streets; that all lands, rights, privileges and other property necessary to be taken, used or damaged in the grading of those certain streets and avenue in conformity with the existing grades and those grades established in Section 5 hereof and in the construction of the necessary slopes for cuts or fills on the real property abutting upon said streets and avenue as set forth in Sections 6 and 7 hereof are hereby condemned, appropriated, taken and damaged for the public use, for such purposes, and all lands, privileges, rights and other properties 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 12. That the limited use, as stated, of all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in Sections 8 and 9 hereof are hereby condemned, appropriated, taken and

damaged for the purposes therein enumerated, and said 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 13. That the right of temporary use of the lands and other property lying within the limits of the lots, blocks and tracts of land described in Section 10 hereof is hereby condemned for the purpose therein stated, and said right of temporary use is to be exercised only after just compensation has been made or paid into court for the owners of said property in the manner provided by law.

Section 14. That the entire cost of the improvement provided for by this ordinance shall be paid from the Arterial City Street Fund or from such general funds of The City of Seattle as may be provided by law.

Section 15. 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 land and other property necessary to carry out the provisions of this ordinance.

Section 16. That in conducting such 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 17. 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 10 day of August, 1970

and signed by me in open session in authentication of its passage this 10 day of August, 1970
Jeanette Williams
President Pro Tem of the City Council.

Approved by me this 12 day of August, 1970
Wm Uhlman
Mayor.

Filed by me this 12 day of August, 1970

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

(SEAL)

Published AUG 15 1970

By D. H. Alfrey
Deputy Clerk.



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

Wes Uhlman, Mayor

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

Re: West Marginal Way Southwest
 Street Widening Project

July 28, 1970

SEATTLE CITY COUNCIL
 JUL 31 1 51 PM '70

Honorable City Council
 Seattle, Washington

Gentlemen:

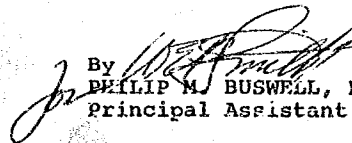
Attached is a Council Bill providing for acquisition by condemnation of certain property and property rights necessary for the West Marginal Way Southwest Street Widening Project.

This project is Urban Arterial Board Project No. 8-1-101-(3) and is designed to be a major arterial. The cost of such acquisition shall be paid from the Arterial City Street Fund or from such general funds of the City of Seattle as may be provided by law.

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

Yours very truly,

ROY W. MORSE, P.E.
 City Engineer

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

DRD:gp
 Att.



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

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 600 Fourth Avenue, Seattle, Washington 98104
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Honorable City Council
 Seattle, Washington

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

Yours very truly,

ROY W. MORSE, P.E.
 City Engineer

/s/ W.E.P. Smith
 By
 for PHILIP M. BUSWELL, P.E.
 Principal Assistant City Engineer

DRD:gp
 Att.

CITY NOTICES

ORDINANCE NO. 39163
AN ORDINANCE providing for the laying out, opening, widening, and establishing of Iowa Avenue Southwestern...

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:
Section 1. That public convenience and necessity...

SEATTLE TRUST LANDS, KING COUNTY, WASHINGTON, INC.
Portion of Lot 11, Block 420, described as follows: Beginning at the northeast corner...

Portion of Lot 11, Block 420, described as follows: Beginning at the northeast corner of said lot...

Portion of Lot 1, Block 419, described as follows: Beginning at the northeast corner of said lot 1...

Portion of Lot 6, Block 419, described as follows: Beginning at the northeast corner of said lot 6...

Portion of Lot 1, Block 418, described as follows: Beginning at the northeast corner of said lot 1...

CITY NOTICES

85° 21' 03" west along the north line of said lot 15...

Portion of the northwest quarter of Section 19, Township 10 N., Range 4 E., Washington, described as follows: Beginning at the intersection...

JOSEPH R. McLAUGHLIN'S WA T. B. FRONZ ADDITION, according to plat thereof...

Portion of Lot 19, Block 23, described as follows: Beginning at the southeast corner of said lot...

Portion of Lot 15 and 16, Block 22, described as follows: Beginning at the northeast corner of said lot 15...

Portion of Lot 1, Block 418, described as follows: Beginning at the northeast corner of said lot 1...

Section 3. That public necessity and convenience demand that for the protection of the City...

CITY NOTICES

Portion of Lots 21 and 22, Block 22, described as follows: Beginning at the southeast corner of said lot 21...

Section 5. That the grades of the center line of West Marginal Way Southwest as established...

Center Line E.L. ... 8.63 feet

At a point distant 17.07 feet south 61° 28' 15" west of the last described point...

Center Line E.L. ... 11.85 feet

At a point distant 24.45 feet south 61° 28' 15" west of the last described point...

Center Line E.L. ... 15.55 feet

At a point distant 21.11 feet west of the last described point...

Center Line E.L. ... 17.53 feet

At a point distant 21.11 feet along the center line southerly...

Center Line E.L. ... 18.40 feet

At a point distant 21.11 feet along the center line southerly...

Center Line E.L. ... 19.20 feet

At a point distant 21.11 feet along the center line southerly...

Center Line E.L. ... 20.00 feet

At a point distant 21.11 feet along the center line southerly...

Center Line E.L. ... 20.60 feet

At a point distant 21.11 feet along the center line southerly...

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At a point distant 21.11 feet along the center line southerly...

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At a point distant 21.11 feet along the center line southerly...

Center Line E.L. ... 22.00 feet

At a point distant 21.11 feet along the center line southerly...

Center Line E.L. ... 22.50 feet

At a point distant 21.11 feet along the center line southerly...

Center Line E.L. ... 23.00 feet

CITY NOTICES

and bounded on the east by the northeast margin of said Government Lot 8...

Section 5. That public necessity and convenience demand that for the protection of the City...

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At a point distant 17.07 feet south 61° 28' 15" west of the last described point...

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CITY NOTICES

Portions of Government Lot 3, Section 30, Township 21 N., Range 4 East, W. M., described as follows: Beginning at the intersection...

Beginning at the intersection of the western margin of West Marginal Way Southwest, as established by Ordinance 32505...

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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. 99165
.....

was published on August 15, 1970
.....
.....

[Signature]
.....

Subscribed and sworn to before me on

August 15, 1970
.....

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

(Note: RCW 42.28.030 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.")