



Legislation Text

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File #: CB 120713, Version: 2

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**CITY OF SEATTLE**

**ORDINANCE \_\_\_\_\_**

**COUNCIL BILL \_\_\_\_\_**

AN ORDINANCE relating to the railroad franchise granted to the Oregon and Washington Railroad Company, a corporation organized under the laws of the State of Oregon, its successors and assigns; amending Section 2 of Ordinance 18030, as amended by Ordinances 26254, 30947, 75816, 77271, 92571, 117479, and 118994 to amend the description of certain railroad rights-of-way.

WHEREAS, The City of Seattle (City) previously granted the Oregon and Washington Railroad Company the right to construct, maintain and operate railroad tracks along such streets, avenue and other public places within the City of Seattle under the above-mentioned Ordinance 18030; and the Oregon and Washington Railroad Company, its successors or assigns has constructed, maintained and operated trains and trackage in accordance with these rights for many years; and Sections 4 and 6 of Ordinance 18030 requires grantees to pay for an equitable and ratable proportion of the value of any overhead bridges and approaches and pay an equitable and ratable proportion of the cost of renewal and maintenance of said bridges and approaches; and

WHEREAS, the City is reconstructing East Marginal Way and the East Marginal Way North Segment Project will involve: a new roadway built to heavy haul standards between Jack Perry Memorial Park and S. Spokane Street; a two-way protected bike lane on the east side of the street; a rebuilt traffic signal at South Hanford Street and a new signal at South Horton Street; an improved sidewalk on the west side of East Marginal Way South adjacent to roadway reconstruction; a replaced water main north of South Horton Street; and the readjustment of railroad tracks crossing at South Hanford Street and within Whatcom Yard; and

WHEREAS, the East Marginal Way North Segment Project will touch upon Railroad Franchise Areas in and around Whatcom Yard, South Hanford Street, South Horton Street, and South Spokane Street; and

WHEREAS, the Washington State Department of Transportation purchased, vacated, and removed the railroad tracks north of Whatcom Yard; and

WHEREAS, the original Railroad Franchise Agreements must be amended to account for the updated location of the railroad tracks, roadway, sidewalk, and bike lane, and the updated real property descriptions;

NOW, THEREFORE,

**BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. The City Council finds and declares that Union Pacific Railroad Company, a Foreign Profit Corporation (Union Pacific), and Burlington Northern Railroad Holdings, Inc. (BNSF), a Foreign Profit Corporation, are the current owners of the railroad franchise rights at Whatcom Yard and the adjoining areas. Both companies have rights to operate trains along East Marginal Way and within Whatcom Yard.

Section 2. Section 2 of Ordinance 18030, last amended by Ordinances 26254, 30947, 75816, 77271, 92571, 11747, and 118994 are amended as follows:

Section 2. The tracks of standard gauge railway, the laying down, construction, maintenance and operation whereof are authorized by this ordinance, and the rights-of-way hereby granted for the same are described as follows:

First: A right-of-way thirty (30 feet) in width for two tracks of standard gauge railway, the centerline of which is described as follows:

Beginning at a point on the southerly boundary line of the City of Seattle where the same is intersected by the centerline of Duwamish Avenue South, as the same is shown on the official plat of Ladd's Factory Sites, which said point is one hundred twenty-eight and eighty four hundredths (128.84) feet west of the stone monument at the northeast corner of Eli B. Maple's Donation Claim No. 39; thence north forty-one degrees, one minute and forty five seconds west on the centerline of Duwamish

Avenue South, to a point that is one hundred thirty-five and ninety-eight hundredths (135.98) feet north of and two hundred ninety-seven and seventy-five hundredths (297.75) feet west of Meander Post No. 2, as the same is shown on sheet forty (40) of the official plat of Seattle Tide Lands; thence on a curve to the right with a radius of seven hundred sixty-four and forty-nine hundredths (764.49) feet through eight degrees nineteen minutes of arc a distance of one hundred eleven (111) feet; thence north thirty-two degrees forty-two minutes, and forty-five seconds west a distance of six hundred fourteen and seventy-six hundredths (614.76) feet; thence on a curve to the left of a radius of seven hundred sixty-four and forty nine hundredths (764.49) feet through eight degrees nineteen minutes of arc a distance of one hundred eleven (111) feet to a point sixty (60) feet northeasterly from, when measured at right angles to, the southerly marginal line of Duwamish Avenue South, as the same is shown on sheet forty (40) of the official plat of the Seattle Tide Lands; thence north forty-one degrees, one minute and forty-five seconds west on a line that is sixty (60) feet distant from and parallel with the southerly marginal line of Duwamish Avenue South, and Duwamish Avenue south produced to a point that is one hundred fifty-seven and eleven hundredths (157.11) feet south of and two hundred sixteen and twenty-four hundredths (216.24) feet east of the north corner of Block 378, Seattle Tide Lands; thence on a curve to the left with a radius of eleven hundred fifty-three and seventy-eight hundredths (1153.78) feet through five degrees, fourteen minutes of arc a distance of one hundred five and thirty-five hundredths (105.35) feet; thence north forty-six degrees, fifteen minutes, forty-five seconds west a distance of seventy-nine and eighty-four hundredths (79.84) feet to a point that is twenty-five and sixty-eight hundredths (25.68) feet south of and eighty-five and eighty-five hundredths (85.85) feet east of the north corner of Block 378, Seattle Tide Lands; and from this point a right-of-way thirty-five and sixty-six hundredths (35.66) feet in width for two (2) tracks of standard gauge railway, the centerline of which shall begin at the last mentioned point, thence northwesterly along a curve to the left having a radius of four hundred sixty-six and seven hundred seventy-six thousandths (466.776) feet in distance of three hundred fifty-five and sixty-four

hundredths (355.64) feet to a point on the centerline of the Northern Pacific Railway Company's franchise, granted by King County, Washington January 22<sup>nd</sup>, 1904, also a right-of-way thirty (30) feet in width for two tracks of standard gauge railway, the centerline of which is described as follows: Beginning at a point one hundred ninety-five (195) feet south of and thirty-four and nine hundred and ninety-six thousandths (34.996) feet east of the northwest corner of Block 390, Seattle Tide Lands; thence northwesterly along a curve to the right having a radius of six hundred thirty-seven and two hundred and seventy-five thousandths (637.275) feet a distance of one thousand (1,000) feet to a point on a line distant one hundred ten (110) feet west of the east line of Eleventh Avenue Southwest (formerly Kitsap Avenue); thence north parallel to the east line of Eleventh Avenue Southwest (formerly Kitsap Avenue) a distance of one hundred eighty-nine and nine hundred ninety thousandths (189.990) feet, said line in its course crossing Block "C," Wallingford's Addition; Sixth Avenue South, Block Two (2) and Three (3), Painter's Addition, Fifth Avenue South, Block Three (3), Elliot Bay Addition, and Fourth Avenue South, First Avenue South, Diagonal Avenue South (formerly Seattle Boulevard), East Marginal Way South (formerly Whatcom Avenue, Sixth Avenue Southwest (formerly Montana Avenue), East Waterway, Tenth Avenue Southwest (formerly Missouri Avenue) and South Spokane Street.

Also the right, privilege, and authority to lay down, construct, maintain and operate such tracks as the said grantee, its successors and assigns, may see fit to construct within the following described territory:

All of that part of Ladd's Factory Sites, including streets and private property, between Duwamish Avenue South and Colorado Avenue South (Formerly Colorado Street); all of Painter's, Black's, Elliott Bay and Wallingford's Additions, including streets and private property, that lies southerly and westerly of the Puget Sound Electric Company's right-of-way all of that unplatted portion of what would be the northern half of Block Three Hundred Fifty-One (351), Seattle Tide Lands, as shown on the official plat thereof; all that unplatted portion of what would be Block Three Hundred

Fifty-Five (355), Seattle Tide Lands; as shown on the official plat thereof; all that unplatted portion of what would be Colorado Avenue South (formerly Colorado Street) between Blocks Three Hundred Fifty-One (351) and Three Hundred Fifty-Five, Seattle Tide Lands, as shown on the official plat thereof; also all of Lots One (1) to Thirteen (13) inclusive, and Thirty-Six (36) to Forty-Five (45) inclusive, Block Three Hundred Fifty-Five (355), Seattle Tide Lands; all of Block Three Hundred Fifty-Six (356), Seattle Tide Lands, and all that unplatted portion of what would be the easterly part of Block Three Hundred Fifty-Six (356), Seattle Tide Lands, as the same is shown on the official plat thereof; all of South Dakota Street, and what would be South Dakota Street between Blocks Three Hundred Fifty-Five (355) and Three Hundred Fifty-Six (356); Seattle Tide Lands, as shown on the official plat thereof; all that part of what would be Duwamish Avenue South if the same were established, as shown on Sheet Forty (40) of the official plat of Seattle Tide Lands, bounded as follows: On the west by the Government Meander line, on the south by the southerly line of Duwamish Avenue South produced, on the east and north by that certain thirty (30) foot right-of-way above described. Lots Eight (8) to Eleven (11) inclusive, Block Three Hundred Eighty-Six (386), Seattle Tide Lands, Block Three Hundred Ninety-Two (392), Seattle Tide Lands; Tenth Avenue Southwest (formerly Missouri Street) between Blocks Three Hundred Ninety-Two (392) and Three Hundred Ninety-Three (393), Seattle Tide Lands; Block Three Hundred Ninety-Three (393), Seattle Tide Lands; Chelan Avenue Southwest between Blocks Three Hundred Ninety-Three (393) and Three Hundred Ninety-Four (394), Seattle Tide Lands; Block Three Hundred Ninety-Four, (394), Seattle Tide Lands; Southwest Lander Street (formerly Mississippi Street), between Blocks Three Hundred Ninety-Four (394) and Three Hundred Ninety-Five (395), Seattle Tide Lands; Blocks Three Hundred Ninety-Five (395), Seattle Tide Lands; Blocks Three Hundred Ninety-Five (395) and Three Hundred Ninety-Six (396), Seattle Tide Lands.

Second: A right-of-way thirty (30) feet in width for two tracks of standard gauge railway, the centerline of which is described as follows:

Beginning at a point in that certain thirty (30) foot right-of-way described in the first paragraph above, where a curve to the right with a radius of seven hundred sixty-four and forty-nine hundredths (764.49) feet, consuming an angle of thirty-two degrees, forty-two minutes and forty-five seconds of arc would become tangent to a line drawn forty-five (45) feet distant east from, when measured at right angles to, the westerly line of Colorado Avenue South (formerly Colorado Street) produced southerly across Island No. one (1), as the same is shown on Sheet Forty (40) of the official plat of Seattle Tide Lands; thence north on a line that is forty-five (45) feet distant east of, when measured at right angles to and parallel with the westerly line of Colorado Avenue South (formerly Colorado Street) produced, to that old boundary line of the City of Seattle coincident with the east and west centerline of Section Eighteen (18) Township Twenty-Four (24) North, Range four (4) East. Willamette Meridian.

Third: A right-of-way fifteen (15) feet in width for one track of standard gauge railway, the centerline of which is described as follows: Beginning at the intersection of that old boundary line of the City of Seattle which is coincident with the east and west centerline of Section Eighteen (18) Township Twenty-Four (24) North, Range Four (4) East, Willamette Meridian; with a line parallel with and thirty-seven and five-tenths (37.5) feet east of the west line of Colorado Avenue South (formerly Colorado Street) produced south, run thence north and on said last described line to its intersection with the south line of South Atlantic Street. The above and foregoing in this sub-paragraph has been granted and allowed by the City of Seattle in Ordinance 9118, amended by Ordinance No. 12018, approved January 25, 1905, and entitled "An ordinance amending Section Two (2) and Three (3) of an Ordinance of the City of Seattle, No. 9118, entitled "An Ordinance of the City of Seattle granting to the Northern Pacific Railway Company, its successors and assigns, the right, privileges; and authority to lay down, construct, maintain and operate sundry railway tracks along and across sundry street, avenue, alleys, and other public places within the City of Seattle, and upon other property within the limits of said city, and granting to said company, its successors and assigns, rights-of-way for such tracks along and across all

such streets, avenues, alleys and other public places of said city.”

Fourth: A right-of-way fifteen (15) feet in width for one (1) track of standard gauge railway, the centerline of which is described as follows: Beginning at the intersection of that old boundary line of the City of Seattle coincident with the east and west centerline of Section Eighteen (18), Township Twenty-Four (24) North, Range Four (4) East, Willamette Meridian, and a line seven and five-tenths (7.5) feet east of the westerly marginal line of Colorado Avenue South (formerly Colorado Street) produced south, run thence north on a line seven and one-half (7-1/2) feet easterly of and parallel with the westerly marginal line of Colorado Avenue South (formerly Colorado Street) to the north line of South Horton Street (formerly the Canal Waterway).

~~((Fifth: A right-of-way fifteen (15) feet in width for one track of standard gauge railway the centerline of which is described as follows: Beginning at the intersection of that part of the old south boundary line of the City of Seattle which crosses Island No. 1 with a line parallel with and forty-seven and five-tenths (47.5) feet measure at right angles, west of the east line of Colorado Avenue South (formerly Colorado Street) produced south, shall run thence north on last described line to and in said Colorado Avenue South (formerly Colorado Street) to a point as near as may be eight (8) feet south of the north line of Lot Ten (10), Block Three Hundred Thirty One (331), Seattle Tide Lands, produced west; thence on a curve to the right with a radius of nine hundred ninety five (995) feet to a point where said centerline becomes tangent to said curve and identical with the centerline of the right-of-way for a track laid parallel with and one hundred ten and five-tenths (110.5) feet easterly of, measured at right angles to the west line of Alaskan Way South (formerly Railroad Avenue), as granted and described in the first subdivision of Section Two (2) of Ordinance No. 13633 of the City of Seattle, passed on the 23<sup>rd</sup> day of April, 1906, approved on the second day of May, 1906, and entitled “An ordinance of the City of Seattle granting to the Chicago, Milwaukee and St. Paul Railway Company of Washington, its successors and assigns, and to the joint owners hereafter acquiring an interest in this franchise, in~~

~~accordance with the provisions thereof, the right, privilege and authority to locate, lay down, construct, maintain and operate sundry railway tracks in, along and across sundry streets, avenues, alleys and other public places within the limits of said city, and granting to said company, its successors and assigns, rights of way for such tracks in, along and across all such streets, avenues, alleys and other public places of said city.”~~

~~Sixth: A right of way fifteen (15) in width for one track of standard gauge railway, the centerline of which is described as follows: Beginning at a point on the north line of South Horton Street (formerly the Canal Waterway), twenty two and five tenths (22.5) feet \_\_\_\_\_ of the westerly margin of Colorado Avenue South (formerly Colorado Street); thence north on a line that is twenty two and one half (22-1/2) feet east of and parallel with the westerly marginal line of Colorado Avenue South (formerly Colorado Street) to the north line of South Massachusetts Street; and from this point a right of way thirty (30) feet in width for two (2) tracks of standard gauge railway the centerline of which is described as follows: Beginning at the intersection of the north line of South Massachusetts Street produced with a line parallel with and fifteen (15) feet east of the west line of Colorado Avenue South (formerly Colorado Street) and shall run thence north along said last described line to a point as nearly as may be at the intersection thereof with the south line of South Atlantic Street produced westward, thence on a curve to the right with a radius of nine hundred fifty five and four tenths (955.4) feet, through seventeen degrees, fourteen minutes and fifteen seconds of curvature to a point where such curve is tangent to a line in Alaskan Way South (formerly Railroad Avenue) parallel with and one hundred thirty three (133) feet easterly of the westerly line of said avenue, measure at right angles thereto, thence northerly on said last described line to a point as nearly as may be at the intersection thereof with the north line of Lot Seventeen (17) in Block Three Hundred and Twenty Nine (329) of said Seattle Tide Lands produced westward, thence on a curve to the left with a radius of nine hundred fifty five and four tenths (955.4) feet, through seventeen (17) degrees, fourteen (14) minutes and fifteen (15) seconds of curvature to a~~



~~point where such curve is tangent to a line Alaskan Way South (formerly Railroad Avenue) parallel with and sixty-seven (67) feet west of the east line of said avenue, thence north on said last described line to a point as nearly as may be at the intersection thereof with the north line of Lot Eight (8) in Block Three Hundred Sixty Seven (367), Seattle Tide lands produces eastward, thence on a reverse curve, curving first to the left and then to the right, each branch thereof with a radius of nine hundred fifty-five and four-tenths (955.4) feet, to a point where the northerly branch of such reverse curve intersects with a line drawn at right angle across Alaskan Way South (formerly Railroad Avenue), sixty-five (65) feet south of the centerline of South King Street, said right-of-way however, tapering uniformly, as nearly as may be from thirty (30) feet in width at the south end of the southerly branch of said reverse curve to fifteen (15) feet in width at said last mentioned point. The above and foregoing in this subparagraph has been granted and allowed by the City of Seattle in Ordinance No. 9119, approved January 6, 1903, and entitled "An ordinance of the City of Seattle granting to the Columbia and Puget Sound Railroad Company, its successors and assigns, the right, privilege and authority to lay down, construct, maintain and operate sundry railway tracks along and across sundry streets, avenues, and other places within the City of Seattle and upon other property within the limits of said city, and granting to said company, its successors and assigns, rights of way for said tracks along and across all such streets, avenues and other public places of said city."))~~

Seventh: A right-of-way fifteen (15) feet in width for one (1) track of standard gauge railway, the center of which is described as follows: Beginning at a point in that part of the old south boundary line of the City of Seattle, which crosses Island No. 1, one hundred twenty-five (125) feet east of the west line of Block Three Hundred Fifty-Six (356), Seattle Tide Lands, and which point is on the arc of a curve having a radius of one thousand two hundred seventy-three and six-tenths (1,273.6) feet, consuming a total angle of forty-one degrees, one minute and forty-five seconds, the beginning of which curve is on a tangent drawn parallel with and eighty-two (82) feet northeasterly of and measured at right

angles to the southeasterly line of Duwamish Avenue South, produced southeasterly; thence northerly curving to the right on the said curve of said radius to a point where said center line becomes tangent to a line drawn parallel with and one hundred and five-tenths (100.5) feet west of the east line of East Marginal Way South (formerly Whatcom Avenue) produced south; thence ~~((north))~~ N 1-07-32 E in said East Marginal Way South (formerly Whatcom Avenue) parallel with said east line to an intersection with the north line of South Horton Street (formerly the Canal Waterway).~~((;))~~

Track 654

One track of standard gauge railway, the center line whereof shall be as nearly as may be, coincident with the center line of the right of way fifteen (15) feet in width for such track, the sidelines of said right of way lying parallel with and 7.5 feet on both sides of the following described line:

Commencing at the intersection of a line drawn parallel with and 100.50 feet west of the east line of East Marginal Way South (formerly Whatcom Avenue) produced south and the north line of South Horton Street (formerly Canal Waterway); Thence North 1°07'00" East, 102.01 feet, parallel with said east line, to the beginning of a 764.49-foot radius non-tangent curve concave westerly from which the radial point bears North 88°52'09" West; thence northerly along said curve through a central angle of 5°08'59" an arc distance of 68.71 feet to a point of tangency; Thence North 4°01'08" West, 75.86 feet to the beginning of a 955.37-foot radius curve concave easterly; Thence northerly along said curve through a central angle of 5°09'16" an arc distance of 85.95 feet; Thence North 1°08'08" East, 185.71 feet; Thence North 5°13'28" West, 494.67 feet to the POINT OF BEGINNING; Thence North 1°09'26" East, 2414.24 feet. ~~((thence northerly in said East Marginal Way South (formerly Whatcom Avenue), curving to the left with a radius of five hundred seventy three and seven tenths (573.7) feet through a total angle of fourteen degrees, seven minutes and seven seconds; thence on a tangent running north fourteen degrees, seven minutes and seven seconds west a distance of two hundred ten and forty seven hundredths (210.47) feet; thence curving to the right with a radius of five hundred seventy three and~~

~~seven tenths (573.7) feet through a total angle of fourteen degrees, seven minutes and seven seconds to a point where it intersects the south line of Block Three Hundred and Sixty (360), Seattle Tide Lands, produced west, and where it also become tangent to a line parallel with and one hundred and eighty-six and five-tenths (186.5) feet west of the east line of East Marginal Way South (formerly Whatcom Avenue); thence north in said East Marginal Way South (formerly Whatcom Avenue) on said last described line to an intersection with the north line of Block Three Hundred Sixty Four (364), Seattle Tide Lands, produced westerly; thence curving to the right along the arc of a curve having a radius of six hundred eighteen (618) feet through an angle of thirty-two degrees, sixteen minutes and twenty-three seconds; thence on a tangent a distance of about four hundred forty-five (445) feet along a line parallel with and one hundred four and five-tenths (104.5) feet westerly of the west line of Lots One (1) and Two (2) and Three (3), Block Three Hundred Sixty Five (365), Seattle Tide Lands produced; thence curving to the left along the arc of a curve having a radius of fifteen hundred twenty-five and five-tenths (1,525.5) feet through an angle of fifteen degrees, two minutes and eight seconds to a tangent, which tangent is parallel with and ninety-five and five-tenths (95.5) feet easterly of the westerly line of Alaskan Way South (formerly Railroad Avenue); thence northeasterly along said tangent in Alaskan Way South (formerly Railroad Avenue) to a point where it intersects the north line of Lot eight (8), Block three Hundred Sixty Nine (369), Seattle tide Lands, produced east; thence on a reverse curve having a uniform radius of seven hundred sixty-four and five tenths (764.5) feet to a connection with a tangent parallel with and one hundred ten and five-tenths (110.5) feet easterly of the westerly line Alaskan Way South (formerly Railroad Avenue);))(( thence northerly on said tangent line along Alaskan Way South (formerly Railroad Avenue) to a point as near as may be on the north line of Lot Seventeen (17), Block Three Hundred Twenty Nine (329), Seattle Tide Lands, produced westerly; thence on a curve to the left with a radius of nine hundred thirty-two and nine tenths (932.9) feet through an angle of seventeen degrees, fourteen minutes and fifteen seconds to a point where said curve~~

~~is tangent to a line in Alaskan Way South (formerly Railroad Avenue) parallel with and ninety and five-tenths (90.5) feet east of the west line of Alaskan Way South (formerly Railroad Avenue); thence north on said last described line to a point as nearly as may be at the intersection thereof with the north line of Lot eight (8), Block Three Hundred Sixty Seven (367), Seattle Tide Lands, produced easterly; thence on a reverse curve turning first to the left, then to the right; with a radius of nine hundred thirty-two and nine-tenths (932.9) feet and one hundred seventy and four tenths (170.4) feet respectively to a point where the northerly curve intersects with a line drawn at right angle across Alaskan Way South (formerly Railroad Avenue), sixty-five feet south of the center line of South King Street.)~~

The above and foregoing in the subparagraph has been granted and allowed by the City of Seattle in Ordinance No. 13633 passed on the 23<sup>rd</sup> day of April, 1906, approved on the second day of May, 1906, and entitled "An Ordinance of the City of Seattle granting to the Chicago, Milwaukee & St. Paul Railroad Company of Washington, its successors and assigns, and to the joint owners hereafter acquiring an interest in this franchise, in accordance with the provision thereof, the right, privilege and authority to locate, lay down, construct, maintain and operate sundry railway tracks in, along and across sundry streets, avenues, alleys and other public places within the limits of said City, and granting to said company, its successors and assigns rights-of-way for such tracks in, along and across all such street, avenues, alleys and other public places of said City."

~~Eighth: ((A right-of-way fifteen (15) feet in width, being seven and one-half (7.5) feet on each side of the following described centerline: Beginning at a point on the centerline of the right-of-way granted to the Chicago, Milwaukee, St. Paul & Pacific Railroad as described in Paragraph 1 of Section 2 of Ordinance No. 13633. Where it intersects with South Line of Block Three Hundred Fifty Nine (359) Seattle Tide Lands; thence north along a straight line a distance of 104.3 feet; thence along a tangent curve to the left having a radius of 764.49 feet a distance of 104.4 feet; thence along a reversed curve to the right having a radius of 764.49 feet a distance of 104.4 feet to a point where said curve becomes~~

~~tangent to a line drawn in East Marginal Way South parallel with and 114.5 feet west of that east line of said East Marginal Way South; thereto north along said last above described line a distance of 171.5 feet to a point where it intersects the South line of Block 360, Seattle Tide Lands, produce west; thence continuing north on said last above described line to a point of curve, which point of curve is, as near as may be, one hundred (100) feet south of the south line of South Holgate Street produced west one hundred fourteen and five tenths (114.5) feet, thence on a curve to the right with a radius of one thousand one hundred thirty one and three tenths (1,131.3) feet through an angle of thirty two degrees, sixteen minutes and twenty three seconds to a point where said curve becomes tangent to a line drawn parallel with and seventy four and five tenths (74.5) feet northwesterly of the southeasterly line of Alaskan Way South (formerly Railroad Avenue) between Lots three (3) and eighteen (18) inclusive, of Block Three Hundred Sixty Five (365), Seattle Tide Lands, thence northeasterly on said last described line a distance of two hundred five (205) feet more or less; thence on a curve to the left with a radius of one thousand five hundred fifty five and five tenths (1,555.5) feet through an angle of fifteen degrees, two minutes and eight seconds to the point where said curve becomes a tangent to a line drawn in Alaskan Way South (formerly Railroad Avenue) parallel with and one hundred twenty five and five tenths (125.5) feet easterly from the westerly line of Alaskan Way south (formerly Railroad Avenue) thence northeasterly on said last described line in Alaskan Way South (formerly Railroad Avenue), a distance of 98 feet more or less; thence northeasterly through a No. 7 turnout to the left having a frog angle of  $8^{\circ}10'$  a distance of 70.2 feet to the heel of frog; thence continuing northeasterly along a straight line tangent to the last above described turnout a distance of 24.6 feet to the heel of frog of a No. 7 turnout; thence through said No. 7 turnout having a frog angle of  $8^{\circ}10'$  a distance of 70.2 feet to the point of switch, in Alaskan Way South (formerly Railroad Avenue), said point of switch being 110.9 feet easterly from and measured at right angles to the westerly line of said Alaskan Way South (formerly Railroad Avenue).))~~

Track 130

One track of standard gauge railway, the center line whereof shall be as nearly as may be, coincident with the center line of the right of way fifteen (15) feet in width for such track, the sidelines of said right of way lying parallel with and 7.5 feet on both sides of the following described line:

Beginning at the intersection of a line drawn parallel with and 100.50 feet west of the east line of East Marginal Way South (formerly Whatcom Avenue) produced south and the north line of South Horton Street (formerly Canal Waterway); Thence North 1°07'00" East, 102.01 feet, parallel with said east line, to the beginning of a 764.49-foot radius non-tangent curve concave westerly from which the radial point bears North 88°52'09" West; Thence northerly along said curve through a central angle of 5°08'59" an arc distance of 68.71 feet to a point of tangency; Thence North 4°01'08" West, 75.86 feet to the beginning of a 955.37-foot radius curve concave easterly; Thence northerly along said curve through a central angle of 5°09'16" an arc distance of 85.95 feet; Thence North 1°08'08" East, 2,178.80 feet to the beginning of a 955.37-foot radius curve concave westerly; Thence northerly along said curve through a central angle of 6°19'34" an arc distance of 105.48 feet, where the right of way widens to 19.5 feet in width, being 7.5 feet on the westerly side and 12.0 feet on the easterly side of said center line; Thence North 5°11'26" West, 437.46 feet; Thence North 1°09'26" East, 153.84 feet.

Ninth: A right-of-way one hundred (100) feet in width for as many tracks of standard gauge railway as the said grantee, its successors or assigns, may see fit to construct, the center line of which is described as follows:

Beginning at a point on the easterly line of S. A. Maple's Donation Claim where a line drawn fifty (50) feet distant westerly from and parallel with the westerly margin of the county road intersects same; thence north thirty-eight degrees, forty-six minutes west a distance of ten hundred and sixty (1060) feet to the boundary line of the City of Seattle in S. A. Maple's Donation Claim.

~~((Tenth: A right-of-way thirty (30) feet in width and for two (2) tracks of standard gauge railway,~~

the centerline of which is described as follows:

Beginning at a point of intersection with a line drawn forty (40) feet west of the east margin of Colorado Avenue south (formerly Colorado Street) and the north line of Lot Four (4), Block Three Hundred and Thirty Two (332), Seattle Tide Lands, produce west, thence north on a line forty (40) feet west of and parallel to the easterly line of Colorado Avenue South (formerly Colorado Street) to where a curve with a radius of nine hundred thirty two and nine tenths (932.9) feet produced to the right would become tangent to a line drawn seven (7) feet westerly from, when measured at right angles to the easterly line of Alaskan Way South (formerly Railroad Avenue), thence on above described curve to the right with a radius of nine hundred thirty two and nine tenths (932.9) feet through seventeen degrees, fourteen minutes and fifteen seconds of curvature to a point where such curve is tangent to a line in Alaskan Way South (formerly Railroad Avenue) which is seven (7) feet westerly from, when measure at right angles to, the easterly line of Alaskan Way South (formerly Railroad Avenue); thence north seventeen degrees, fourteen minutes and fifteen seconds east along a line that is seven (7) feet westerly from and parallel with the easterly line of Alaskan Way South (formerly railroad Avenue), to a point as near as may be at the intersection thereof with the north line of Lot Seventeen (17), Block Three hundred Twenty Nine (329), Seattle tide Lands produced westward; thence on a curve to the left with a radius of one thousand fifteen and four tenths (1,015.4) feet through seventeen degrees, fourteen minutes and fifteen seconds of curvature to a point where such curve is tangent to a line in Alaskan Way South (formerly Railroad Avenue), and parallel with and seven (7) feet west of the east line of Alaskan Way South (formerly Railroad Avenue); thence north to a point fifty seven (57) feet north of the south line of Lot Five (5), Block Three Hundred Twenty Nine (329), Seattle Tide Lands, and from this point a right of way fifteen (15) feet in width for one (1) track of standard gauge railway, the centerline of which is described as follows: Beginning at a point in Alaskan Way South (formerly Railroad Avenue) that is fourteen and one half (14 1/2) feet west of a point fifty seven (57) feet north of the south line of

~~Lot Five (5), Block Three Hundred Twenty-Nine (329), Seattle Tide Lands; thence north to the south line of South Dearborn Street as the same exists.))~~

Also the right, privilege and authority to lay down, construct, maintain and operate such tracks as the said grantee, its successors or assigns, may see fit to construct within the following described limits: the north marginal line of South Atlantic Street on the south, the south marginal line of South Dearborn Street, as the same now exists, on the north, and the west marginal line of first Avenue South on the east, and the east marginal line of Alaskan Way South (formerly Railroad Avenue) on the west, excepting across that part of South Connecticut Street lying with seventy-five (75) feet of the west margin of first Avenue South.

Also, the right to lay down, construct, maintain and operate such tracks for the purpose of turn-out tracks in the above described property, in all that portion of South Atlantic Street west of the centerline of Block Three Hundred Thirty-One (331) produced south.

Section 3. In order to claim the benefits of this ordinance and to acquire the rights, privileges and authorities hereby granted, Union Pacific and BNSF, on behalf of itself, its successors and assigns, shall within six (6) months after the effective date of this ordinance, file in the office of the City Clerk written acceptance of the ordinance, duly certified and attested to by its Secretary, under its corporate Seal; or a resolution adopted by its Board of Directors or by the Executive Committee, or Finance Committee of said Board, thereunto duly authorized, accepting the benefits of this ordinance and the rights, privileges and authorities hereby granted, subject to all the conditions, restrictions, specifications and requirements herein expressed.

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2023, and signed by



me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
President \_\_\_\_\_ of the City Council

Approved / returned unsigned / vetoed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Bruce A. Harrell, Mayor

Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Scheereen Dedman, City Clerk

(Seal)

Attachments (if any):