

Ordinance No. 10051 ✓

Providing for the opening and widening of Pike St. from Fourth Avenue to Melrose and Minor Avenues.

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Council Bill No. 2346

INTRODUCED:	BY:
REFERRED:	TO
REPORTED:	
SECOND READING:	
THIRD READING:	
FINAL PASSAGE:	SIGNED:
PRESENTED TO MAYOR:	APPROVED:
FILED:	PUBLISHED:
ENGROSSED:	BY:
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COMPARED BY:	FILE NO.
	19362

ORDINANCE NO. 10051.

AN ORDINANCE providing for the opening, widening and altering of Pike Street from Fourth Avenue as the westerly limit of such opening, widening and altering, to Melrose Avenue, on the Northerly side of Pike Street, and Minor Avenue on the Southerly side of Pike Street, as the Easterly limit of such opening, widening and altering; and providing for the taking and damaging of land and other property necessary therefor, and for the ascertainment and payment of the just compensation to be made for the private property to be taken, or damaged for said purpose, and an assessment upon the property specially benefited for the purpose of making such compensation.

WHEREAS, public necessity demands that Pike Street in the city of Seattle, between Fourth Avenue, as the Westerly limit of such opening, widening and altering, and Melrose Avenue upon the Northerly side of said Pike Street, and Minor Avenue upon the Southerly side of said Pike Street, as the Easterly limit of such opening, widening and altering, be opened, widened and altered in the manner, and to the extent hereinafter provided; and

WHEREAS, the same will be ^{of} special benefit to certain lands and other premises, within the assessment district hereinafter described;

NOW THEREFORE, be it ordained by the City of Seattle, as follows:

SECTION 1. That Pike Street, in the City of Seattle, from Fourth Avenue, as the Westerly limit, to Melrose Avenue upon the Northerly side of said Pike Street, and Minor Avenue upon the Southerly side of said Pike Street, as the Easterly limit, be and the same hereby is opened, widened and altered so that the width of said Pike Street, between the limits hereinbefore defined, shall be Eighty-six (86) feet; being Forty-three (43) feet wide on both sides of the

present center line of said Pike Street.

SECTION 2. That all lands, rights, privileges and other property, which may be affected by said widening within the limits aforesaid, to said width of eighty-six (86) feet (being forty-three (43) feet on both sides of the center line of said Pike Street) are hereby condemned and appropriated to the public use for the purpose of a public street forever; the same to be taken and appropriated only after just compensation has been made, or paid into Court for the owners, in the manner provided by law.

SECTION 3. That the corporation Counsel to and he is hereby authorized and directed to file in the Superior Court of King County, State of Washington, a petition in the name of the City of Seattle, praying that compensation to be made for the private property to be taken or damaged for the purpose of so opening, widening and altering said Pike Street within the limits aforesaid, as provided in Section One, hereof, "be ascertained by a jury, or by the Court in case a jury be waived", which Petition shall comply with the requirements of the Act of the Legislature of the State of Washington entitled: "An Act to enable cities of the first class to exercise the right of eminent domain for the taking and damaging of land and property for public purposes, providing a method for making compensation therefor, and providing for special assessments in certain cases upon property benefited, and declaring an emergency;" approved March 9, 1893, and acts amendatory thereof, and all such acts and proceedings shall be taken and done as are provided for by said act and amendments.

SECTION 4. That an assessment shall be made in the manner provided by the said Act of the Legislature and amendments for the purpose of raising the amount necessary to pay the compensation and damages, which shall be awarded for the property taken, or damaged, as aforesaid, and for the costs of the proceedings and such assessment shall be made subject to the provisions of the said act of the Legislature and amendments upon all the property specially benefited

by said proposed improvement, so far as said land shall lie within the following described boundaries, (the area enclosed thereby being hereby designated, "Pike Street Local Improvement District") to wit:

All that property lying in the City of Seattle, bounded on the westerly side thereof by Fourth Avenue; on the Northerly side thereof by a line drawn parallel with, and one hundred and seventy (170) feet distant, in a Northerly direction from the Northerly side of Pike Street as herein established, and extending from Fourth Avenue as the Westerly end thereof to Minor Avenue as the Easterly end thereof; on the Easterly side by Minor Avenue and that portion of the Westerly line of Melrose Avenue extending from Minor Avenue in a Southerly direction to Pike Street; on the Southerly side thereof by a line drawn parallel with and One Hundred and seventy (170) feet distant in a Southerly direction from the Southerly side of Pike Street as herein established, and extending from Minor Avenue as the Easterly end thereof to Fourth Avenue as the Westerly end thereof.

For the purpose of such special assessment, a supplemental petition shall be filed in said court, and all other acts and proceedings shall be taken and done for the making, completion and collection of said assessment, as in said act of the Legislature, and the amendments thereto, provided.

SECTION 5. That nothing herein contained, or provided shall be construed to modify or repeal ordinance No. 7881 passed by the City Council on the 7th day of March, 1902; approved by the Mayor on the 15th day of March, 1902, and entitled: "An Ordinance establishing the grade of Pike Street and East Pike Street in the City of Seattle, from Seventh Avenue to Boylston Avenue, providing for the improvement of said Pike Street and East Pike Street, in the City of Seattle, from Seventh Avenue to Boylston Avenue, by re-grading the same to the grade herein established, and constructing sidewalks on both sides thereof, and providing for the payment thereof by the

mode of Payment by bonds, as provided by an act of the Legislature of the State of Washington, entitled, 'An act authorizing the issuance and sale of bonds by cities, to pay for local improvements providing for the payment thereof and declaring an emergency', approved March 14, 1899, and Ordinance No. 5693 of said City, approved December 6, 1899, and the city charter as now in force, authorizing and directing proceedings to ascertain the damages occasioned by such change of grade, and repealing all ordinances or parts of ordinances in conflict with Section 1 hereof", nor in any manner to change, or modify the work or nature of the improvement provided for by said ordinance No. 7861.

SECTION 6. This ordinance shall take effect and be in force 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 the City Council the 8th day of SEPTEMBER, 1903, and signed by me in open session in authentication of its passage this 8th day of SEPTEMBER, 1903.

Wm. H. Parry
President of the City Council.

Approved by me this 9th day of SEPTEMBER, 1903.

J. H. James
Mayor.

Filed by me this 9th day of SEPTEMBER, 1903.

Ed. Rippeing
City Comptroller and ex-Officio

City Clerk.

Published September 12, 1903.
Ed. Rippeing