

ORDINANCE NO. 110

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An Ordinance to Widen and E  
- tablish Second street, and to  
- provide for the condemnation  
- of real estate necessary therefo

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ORDINANCE NO. 1109

An Ordinance to widen and establish Second street, in the City of Seattle, King County, Washington Territory, and to provide for the condemnation of real estate necessary therefor.

The City of Seattle does ordain as follows:

SECTION I.

That Second street, in the City of Seattle, the entire length thereof from the beginning to the end of the same, as the same now exists, ~~is hereby established~~ <sup>twelve feet (12)</sup> be and the same hereby is widened twenty-four (24) feet, on each side thereof, the entire length thereof, thus making said Second street, from the beginning to the end along the whole length thereof ninety (90) feet wide, the boundaries of which said Second street, so widened and established by this ordinance, shall be and the same hereby ~~is~~ described as follows, to-wit:

Commencing at a point on the south marginal line of Depot street, in the City of Seattle, which point is forty-five (45) feet westerly from the center line of Second street produced; said distance being measured at right angles to said center line of Second street produced; thence southerly parallel to the center line of said Second street and forty-five (45) feet distant therefrom to the north line of Yesler Avenue; thence east along said north line of Yesler Avenue to a point forty-five (45) feet distant from the center line of said Second street produced, said distance being measured at right angles to the center line of Second street produced; thence northerly parallel to and forty-five (45) feet distant from said center line of Second street to the south marginal line of Depot street; thence west along said south line of Depot street to the place of beginning.

~~SECTION II.~~  
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~~That so much of private property as is embraced within the~~  
limits and boundaries of Second street, as widened and established  
by Section one (I) of this ordinance, be and the same is hereby ~~con-~~  
*Condemned*  
~~demned~~ and appropriated to public use *of* said City as a public  
street and highway forever, due compensation to be made therefor as  
provided by *law* and the amount of said compensation is hereby made  
a charge upon the lots and parcels of land embraced within the as-  
sessment district hereinafter created.

SECTION III.

That the City surveyor shall, as soon as practicable, make a  
plat of the land appropriated for the widening and establishing of  
said Second street by this ordinance, and of the land within the as-  
sessment district created and described by Section four (IV) of  
this ordinance, and file the same in the office of the City Clerk.  
The said plat to show the lines of said street, as widened and es-  
tablished by this ordinance, and of each smallest subdivision of  
land subject to assessment within *said* ~~the~~ district.

SECTION IV.

That an assessment district be and the same hereby is created  
consisting ~~of~~ and comprising all the lands lying and included with-  
in the limits of the City of Seattle, King County, Washington Terri-  
tory, more particularly described as follows, to-wit:

The north half of Section 17, all of Sections 3, 4, 5, 6, 8, 9 and  
10 in Township 24 North of Range 4 East, and the South half of Sec-  
tions 19 and 20 and all of Sections 27, 28, 29, 30, 31, 32, 33, and 34  
in Township 25 North of Range 4 East; and the South half of Sec-  
tion 24, and all of Sections 25 and 36 in Township 25 North of Range  
3 East, and the whole cost of all proceedings for the widening and  
establishing of said Second street as aforesaid, including pay-



ments to be made to the owners of land appropriated as compensation therefor, is hereby levied and made a charge upon the lands subject to taxation for general municipal purposes within said assessment district; and all the lots and fractions of lots and lands within the limits of said assessment district, and outside of the limits of said street, as so widened and established, are hereby declared to be the property benefited by the widening and establishing of said Second street.

#### SECTION V.

That the assessment of the land within said district for the purpose specified in the preceding Section and the appraisal of the land appropriated by this ordinance, shall be made by three appraisers, who shall be appointed in the manner prescribed by Section 101 of the Charter of the City of Seattle, and a notice to appoint said appraisers shall be given in the following manner, viz: The City clerk shall, as soon as this Ordinance takes effect, issue and sign a notice to the owners of the land appropriated by this ordinance to appoint one of said appraisers, and a similar notice to the owners of the land within said assessment district to appoint one of said appraisers, and cause each of said notices to be published for five consecutive days in the official newspaper of the City of Seattle, and each of said notices shall specify the time within which said appointment shall be made, and shall require said appointments to be made in writing and filed with the City Clerk.

#### SECTION VI.

That the assessment of the land in said district shall be according to value, and as soon as practicable after the whole amount necessary to be raised by said assessment shall have been ascertained, the Common Council shall, by an order, fix the rate of assessment, and the City Clerk shall prepare an assessment roll and list thereon each parcel of land in said district, showing the amount

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thereof, as fixed by said appraisers, and the amount of the assessment thereon at the rate fixed by the Common Council the same as the other rolls, and deliver the same to the City Treasurer who shall at once publish a notice for five days in the official newspaper of the City to all persons claiming any interest in said lands to pay the assessment thereon within forty days from the date of the first publication of said notice. All assessments not paid within the time specified in said notice shall be delinquent and shall be collected by suit in the name of the City of Seattle, and foreclosure of the lien upon said land.

#### SECTION VII.

That, from and after the passage of this ordinance, it shall not be lawful for any person to erect or construct or cause to be erected or constructed, any building or other improvements within the limits of said Second street as herein widened and established, and any person or persons so doing or causing to be<sup>so</sup> done, shall be deemed to be guilty of a misdemeanor and, upon conviction thereof, shall for each offense, be fined in any sum not exceeding One Hundred (\$100) Dollars, and the City Council of said City may cause the same to be torn down and removed therefrom.

#### SECTION VIII.

That all buildings, fences, structures, foundations or other improvements shall be removed from said Second street, as herein widened and established, by the owners thereof within six months after the publication of this ordinance; and any person or persons failing, neglecting or refusing to remove such buildings, fences, structures, foundations or other improvements within said time, shall be deemed to be guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding One Hundred (\$100) Dollars, or be imprisoned for any period not exceeding thirty days, or by



both such fine and imprisonment; and every day that the owner of said buildings, fences, structures, foundations or other improvements shall fail, neglect or refuse, after the expiration of the time limited by this ordinance, to remove the same or any part thereof from the limits of said street, shall be deemed to be guilty of a separate offense and punishable therefor as herein provided. And if any buildings, fences, structures, foundations or other improvements shall, after the expiration of the time limited by this Section, remain within the limits of said Second street, <sup>as</sup> ~~is~~ herein widened and established, the same may be removed by order of the Common Council of said City, by any officer of said City, from the limits of said street, and all expense and costs of removing the same shall be paid by the party owning the property upon which said buildings, fences, structures, foundations or other improvements are situated, be recovered by a civil action in the name of the City in any Court of competent jurisdiction.

SECTION IX.

That Ordinance No. 951, entitled, "An Ordinance to widen and establish Second street, in the City of Seattle, from Blanchard street to Depot street, and to provide for the condemnation of real estate necessary therefor," Approved June 20th., 1888. And all ordinances and parts of ordinances in conflict with this ordinance be and the same are hereby repealed.

SECTION X.

That this Ordinance shall take effect and be in force from and after its approval and publication.

Passed by the Common Council this 21<sup>st</sup> day of June, 1889.  
 Approved by me this 26 day of June, 1889.

Robert Moran  
 Mayor.

Filed this 26 day of June, 1889.

C. W. Ferris  
 Clerk.

Published this \_\_\_\_\_ day of \_\_\_\_\_, 1889.