

Ordinance No. 12023 V

AN ORDINANCE providing for the laying off, widening and establishing of Westlake Avenue, in the City of Seattle, between Denny Way and Mercer Street, over and across certain portions of D. T. Denny's Fifth Addition to the City of Seattle, and D.T. Denny's First Addition to North Seattle, 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 private property, etc.

Council Bill No. 1180

INTRODUCED: JAN 23 1905	BY: <i>[Signature]</i>
REFERRED: JAN 28 1905	TO STREET COM.
REPORTED:	
SECOND READING: JAN 26 1905	
THIRD READING: JAN 26 1905	
FINAL PASSAGE: JAN 26 1905	SIGNED: JAN 26 1905
PRESENTED TO MAYOR: JAN 27 1905	APPROVED: JAN 27 1905
FILED: JAN 27 1905	PUBLISHED: JAN 28 1905
ENGROSSED: VOL. <i>366</i>	BY: <i>[Signature]</i>
	FOLIO
COMPARED BY:	FILE NO.

ORDINANCE NO. 12023

AN ORDINANCE providing for the laying off, widening and establishing of Westlake Avenue, in the City of Seattle, between Denny Way and Mercer Street, over and across certain portions of Blocks Eighty-nine (89), Ninety (90), Ninety-one (91), Ninety-six (96), Ninety-seven (97), and Ninety-eight (98), D. T. Denny's Fifth Addition to the City of Seattle, and Blocks Ninety-two (92), Ninety-three (93), Ninety-four (94), and Ninety-five (95), D. T. Denny's First Addition to North Seattle, and providing for the taking 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 for an assessment upon the property benefited for the purpose of making such compensation.

WHEREAS public necessity demands that Westlake Avenue, be laid off, widened and established as a public street and highway, in the City of Seattle, as herein provided, and that the same will be of special benefit to certain lands and other property adjoining, contiguous and proximate thereto, Now, Therefore,

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

Section 1. That Westlake Avenue, in the City of Seattle, be, and the same is, hereby, laid off, widened and established as a public street and highway, over and across certain portions of land more particularly described as follows:--

The easterly twelve (12) feet of Blocks Eighty-nine (89), Ninety (90) and Ninety-one (91), and the westerly twelve (12) feet of Blocks Ninety-six (96), Ninety-seven (97) and Ninety-eight (98), all in D. T. Denny's Fifth Addition to the City of Seattle, and the easterly twelve (12) feet of Blocks Ninety-two (92) and Ninety-three (93), and the westerly twelve (12) feet of Blocks Ninety-four (94) and Ninety-five (95), in D. T. Denny's First Addition to North Seattle.

Section 2. That all the lands, rights and privileges and other property within the limits of the above bounded and described tracts are hereby condemned and appropriated to the public use for the purpose of a public street, and the same to be taken and appropriated only after just compensation has been made or paid into court for the owner in the manner provided by law.

Section 3. That the Corporation Counsel be, and he hereby is, 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 just compensation to be made for the private property to be taken or damaged for the purpose of laying off, widening and establishing of Westlake Avenue, "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 other 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 9th, 1893, and all such acts and proceedings shall be taken and done as are provided by said act.

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

Any part of the compensation, damages or costs that is not finally assessed against said property benefited shall be paid from the General Fund of the City of Seattle.

For the purpose of said 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 provided.

*J. P. [Signature]*  
City Clerk

Sec. 5. 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 26 day of January 1905  
and signed by me in open session in authentication of its passage  
this 26 day of January 1905

J.P. Mullin  
President of the City Council.

Approved by me this 27 day of January 1905  
R.A. Baerling  
Mayor.

Filed by me this 27 day of January 1905

Attest:

J.P. Baerling  
City Comptroller and ex-officio City Clerk.

By \_\_\_\_\_  
Deputy Clerk

Published JAN 28 1905 1905

J.P. Baerling  
City Comptroller and ex-officio City Clerk.

By \_\_\_\_\_  
Deputy Clerk