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Ordinance 12502

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Ordinance No. 12502

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An Ordinance for the laying off, extending and establishing of Elliott Avenue.

grades - see 24604

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Council Bill No. 1970

INTRODUCED: MAY 29 1905	BY: Muller
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COMPAED BY:	FILE NO.

ORDINANCE NO. 12502

An Ordinance providing for the laying off, extending and establishing of Elliott Avenue, in the City of Seattle, over and across an unplatted tract of land lying between Western Avenue and Railroad Avenue, and Bay Street and Broad Street, and for the laying off, extending and establishing of a public street and highway over and across Blocks Thirty-three (33) and Thirty-four (34), A.A. Denny's Addition to the City of 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 the private property to be taken or damaged for said purpose, and for an assessment upon the property benefited, and for the purpose of making such compensation.

WHEREAS, public necessity demands that Elliott Avenue be laid off, extended and established, and that a public street and highway be laid off, extended and established over said blocks, as herein provided, and that the same will be of special benefit to certain lands and premises situated in the vicinity of said proposed streets, now, therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That Elliott Avenue in the City of Seattle, be, and the same is hereby laid off, extended and established, over and across an unplatted tract of land lying between Western Avenue and Railroad Avenue and Bay Street and Broad Street, more particularly described as follows:

Beginning at the northwest corner of Block Four (4), William N. Bell's Seventh Addition to the City of Seattle, and running thence northerly to a point on the south line of Bay Street, said point being the intersection of said south line with the easterly line of Elliott Avenue, produced south; thence West, along said south line of Bay Street, to an intersection with the westerly line of Elliott Avenue, produced south; thence southerly to the northeast corner of block five (5) of said

any part of the compensation, recovery of costs that is
Addition; thence easterly to the place of beginning.

And that a public street and highway, in the City of Seattle, be and the same is hereby laid off, extended and established over and across Blocks Thirty-three (33) and Thirty-four (34), A.A. Denny's Addition to the City of Seattle, and more particularly described as follows:

A strip of land sixty-six (66) feet in width, the easterly boundary line of which is described as follows: Beginning at the northwest corner of Block Thirty-three (33), A.A. Denny's Addition, and running thence to the southwest corner of Block Thirty-nine (39) of said Addition.

Section 2. That all the lands, rights and privileges and other property lying within the limits of the above bounded and described tracts are hereby condemned and appropriated to the public use for the purpose of public streets and highways forever, 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 is hereby authorized and directed to file in the Superior Court of the State of Washington, for the County of King, in the name of the City of Seattle, a petition, complying with the requirements of the laws of the State of Washington, and praying that just compensation to be made for the private property to be taken or damaged for the purpose of laying off, extending and establishing of said public streets, as provided in Section 1 hereof, be ascertained by a jury, or by the court, in case a jury be waived.

Section 4. An assessment shall be made in the manner provided by the laws of the State of Washington, 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 the costs of the proceedings, including the costs of making and collecting such assessment, and such assessment shall be made, subject to the provisions of said laws 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 supplementary petition shall be filed in said Court, and all other acts and proceedings necessary for the making, completion and collection of said assessment, shall be taken and done as provided by the laws of the State of Washington.

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 5th day of June 1905
and signed by me in open session in authentication of its passage
this 5th day of June 1905

W. Hill
President of the City Council.

Approved by me this 7th day of June 1905
R. B. Ballinger
Mayor.

Filed by me this 7th day of June 1905
Attest: J. H. Rippeing
City Comptroller and ex-officio City Clerk.

By

Deputy Clerk.

Published JUN 8 1905 160

J. H. Rippeing
City Comptroller and ex-officio City Clerk.

By

Deputy Clerk.