

Ordinance No. 12818 ✓

AN ORDINANCE providing for the laying off, extending and establishing of Elliott Avenue, and Milwaukee Street, in the City of Seattle, as public streets and highways, over and across certain lots, blocks and parcels of land in said City, 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, etc.

Council Bill No. 2338

INTRODUCED: SEP 5 1905	BY: CRICHTON
REFERRED: SEP 5 - 1905	TO STREET COM.
REPORTED: SEP 18 1905	
	363
SECOND READING: SEP 18 1905	
THIRD READING: SEP 18 1905	
FINAL PASSAGE: SEP 18 1905	SIGNED: SEP 18 1905
PRESENTED TO MAYOR: SEP 19 1905	APPROVED: SEP 19 1905
FILED: SEP 19 1905	PUBLISHED: SEP 20 1905
ENGROSSED: VOL 3 FOLIO 363	BY: H.B.S.
COMPARED BY: Compared by Barnes & Newell	FILE NO.

D. 78011 - L. 15, B. 29, Northern Road

ORDINANCE NO. 12818.

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WHEREAS public necessity and convenience demand that Elliott Avenue and Milwaukee Street, in the City of Seattle, be laid off, extended and established as public streets and highways, and

WHEREAS the same will be of special benefit to certain lands and other premises situated in the vicinity of the proposed street, Now, Therefore,

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

Section 1. That Elliott Avenue, and Milwaukee Street, in the City of Seattle, be, and the same are, hereby, laid off, extended and established, as public streets and highways over and across certain lots, blocks and parcels of land, in said City, more particularly described as follows:---

*Across Block Twenty-nine (29), Northern Addition to the City of Seattle, as Follows:

*Beginning at a point on the westerly line of said Block Twenty-nine (29), said point being the intersection of the Government Meander line with the east line of Elliott Avenue in Seattle Tide Lands; thence south $40^{\circ} 32' 32''$ East along the Easterly line of said Elliott Avenue, produced, seven hundred thirty-eight and sixty-seven hundredths (738.67) feet, to a point on the southeasterly line of said Block Twenty-nine (29); thence southwesterly along the southeasterly line of said Block Twenty-nine (29), a distance of one and ninety-nine hundredths (1.99) feet, more or less, to the south line of said Northern Addition; thence south $89^{\circ} 59' 05''$ west along said south line, one hundred twenty-eight

and ninety-four hundredths (128.94) feet to the point of intersection with the westerly line of said Elliott Avenue, produced; thence north $40^{\circ} 32' 32''$ West along said westerly line of said Elliott Avenue, produced, one hundred twenty-seven and fifty-three hundredths (127.53) feet, more or less, to the point of intersection with the Government Meander line; thence north $29^{\circ} 48' 21''$ West, along said Government Meander line, five hundred thirty-six and eighty hundredths (536.80) feet, to the point of beginning; excepting, a strip of land twenty-four (24) feet wide, occupied by a plank roadway, more particularly described as follows:

Beginning at a point on the Government Meander line, said point being twelve and forty-three hundredths (12.43) feet distant northeasterly from, measured at right angles to, the center line of Elliott Avenue, in Seattle Tide Lands; thence southeasterly four hundred thirty-two and fifty-nine hundredths (432.59) feet to the point of curvature of a curve to the left, said point being two (2) feet distant, southwesterly, measured at right angles to, the center line of said Elliott Avenue, produced; thence southeasterly, along ~~the~~ the arc of said curve to the left, having a uniform radius of seven thousand nine hundred thirty-three (7,933) feet, a distance of sixty-three and fifty-one hundredths (63.51) feet, more or less, to a point on the south line of Block Twenty-nine (29), Northern Addition to the City of Seattle, said point being two and seventy-five hundredths (2.75) feet westerly, measured on said south line, from the center line of said Elliott Avenue produced; thence westerly, along the south line of said Block Twenty-nine (29), a distance of thirty-three and seventy hundredths (33.70) feet; thence northwesterly, along the arc of a curve to the right, having a uniform radius of seven thousand nine hundred fifty-seven (7,957) feet, a distance of forty-three and fifty hundredths (43.50) feet, more or less, to the point of tangency of said curve; thence northwesterly along a tangent to the last described curve, a distance of two hundred seventy-eight and thirty-eight (278.38) feet, to the point of intersection with the Government Meander line, said point being one hundred fifty-six and ninety-one hundredths (156.91) feet southeasterly, measured on said Government Meander line, from the point of beginning, thence north, $29^{\circ} 48' 21''$ west along said meander line one hundred fifty-six and ninety-one hundredths (156.91) feet, to the point of beginning; also excepting a strip of land ten (10) feet wide occupied by the Seattle Electric Company, more particularly described as follows:

Beginning at a point on the Government Meander line, said point being twenty and forty-six hundredths (20.46) feet distant southwesterly from, measured at right angles to, the center line of Elliott Avenue, in Seattle Tide Lands, produced; thence southeasterly, three hundred and ten hundredths (300.10) feet, to a point on the south line of Block Twenty-nine (29), Northern Addition to the City of Seattle, said point being forty and twenty-nine hundredths (40.29) feet westerly, measured on said south line, from the center line of said Elliott Avenue produced; thence westerly along the south line of said Block Twenty-nine (29), a distance of twelve and seventy-nine hundredths (12.79) feet; thence northwesterly two hundred twenty-seven and fifty-one hundredths (227.51) feet, more or less, to a point on the Government Meander line, said point being sixty-five and thirty-eight hundredths (65.38) feet, southeasterly, measured on said meander line, from the point of beginning; thence north, $29^{\circ} 48' 21''$ West along said meander line, sixty-five and thirty-eight hundredths (65.38) feet, to the point of beginning.

Across Block Twenty-nine (29), G. Kinnear's Addition to the City of Seattle, as follows:

Beginning at the point of intersection of the north line of said Block Twenty-nine (29) with the southeasterly line of ~~Ward Street~~ Wharf Street, as platted in Northern Addition to the City of Seattle produced, thence south $51^{\circ} 16' 38''$ West along said southeasterly line of Wharf Street produced, eighty-two and sixty-nine hundredths (82.69) feet, more or less, to the point of intersection with the easterly line of Elliott Avenue, in the Seattle Tide Lands, produced; thence south $40^{\circ} 32' 32''$ East along said easterly line of Elliott Avenue produced, two hundred fifty-six and eighty-five hundredths (256.85) feet, more or less, to the point of intersection with the westerly line of said Block Twenty-nine (29); thence north, $42^{\circ} 56' 14''$ West along said westerly line three hundredthirty-eight and thirty-six hundredths (338.36) feet, more or less, to the northwest corner of said Block Twenty-nine (29); thence south, $89^{\circ} 38' 38''$ east along the northerly line of said Block Twenty-nine (29), a distance of one hundred twenty-eight and five hundredths (128.05) feet, more or less, to the point of beginning.

Across Block Thirty (30), G. Kinnear's Addition to the City of Seattle, as follows:

Beginning at a point on the southwesterly line of said Block Thirty (30), said point being the intersection of the southeasterly line of Milwaukee Street, in the Seattle Tide Lands, with the Government Meander line; thence North $48^{\circ} 49' 37''$ east, along the southeasterly line of Milwaukee Street, produced, seven and seventy hundredths (7.70) feet, more or less, to the easterly line of said Block Thirty (30); thence northwesterly along said ~~Westerly~~ easterly line of said Block Thirty (30), a distance of one hundred and five hundredths (100.05) feet, to the point of intersection with the northerly line of said Milwaukee Street produced; thence south $48^{\circ} 49' 37''$ west along said northerly line produced, three and ninety-seven hundredths (3.97) feet, more or less, to the point of intersection with the government meander line; thence south, $40^{\circ} 48' 16''$ east along said Government Meander line one hundred and two thousandths (100.002) feet, to the point of beginning.

Section 2. That all 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 a public street and highway 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 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 Elliott Avenue and Milwaukee Street, as provided for in Section One (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 for the costs of the proceedings, including the cost 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 18th day of September 1905 and signed by me in open session in authentication of its passage

this 18th day of September 1905

H. Hill
President of the City Council.

Approved by me this 19th day of September 1905

R. Bauman
Mayor.

Filed by me this 19th day of September 1905

Attest:

J. H. [Signature]
City Comptroller and ex-officio City Clerk.

~~by~~
~~Deputy Clerk.~~

Published SEP 20 1905 190

J. H. [Signature]
City Comptroller and ex-officio City Clerk.

~~by~~
~~Deputy Clerk.~~