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Ordinance No. 18732 ✓

An Ordinance vacating all that portion
of Forest Street lying west of
Whatcom Avenue.

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Council Bill No. 245

INTRODUCED: APR 30 1906	BY: MULLEN
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ENDORSED: A-1 517	BY: <i>[Signature]</i>
COMPARED BY: <i>Compared by Barnes & Johnson</i>	FILE NO.

Ordinance No. 13732

AN ORDINANCE VACATING ALL THAT PORTION OF FOREST STREET IN THE CITY OF SEATTLE LYING WEST OF WHATCOM AVENUE.

WHEREAS, the Chicago, Milwaukee and St Paul Railway Company of Washington having heretofore filed with the City Comptroller and ex-officio City Clerk of the City of Seattle and presented to the City Council of said City a petition praying the City Council to make vacation of all that part of Forest Street lying west of Whatcom Avenue in said City, said petition giving a description of the property to be vacated as hereinafter described, and having been signed by the owner of all the private property abutting upon the portion of said street sought to be vacated, and,

WHEREAS, after the presentation and filing of said petition, the City Council of said City did by resolution fix the 30th day of April, A.D. 1906, at the hour of 8 o'clock P.M., at the Council Chambers in the City Hall in the City of Seattle as the time and place when said petition should be heard and determined, said time being not more than sixty (60) days nor less than twenty (20) days after the date of passage of said resolution, and,

WHEREAS, upon the passage of said resolution the City Clerk of said City duly gave twenty (20) days notice of the pendency of said petition by written notice set up in three of the most public places in said City, and a like notice in a conspicuous place on that portion of said Forest Street sought to be vacated, which said notice contained the statement that a petition had been filed as above stated to vacate that portion of said Forest Street hereinafter described, which said part of said street so sought to be vacated was described in said notice together with a

statement of the time and place fixed for the hearing of said petition, and

WHEREAS, said Chicago, Milwaukee and St Paul Railway Company of Washington offered in exchange for the portion of said Forest Street sought to be vacated to dedicate a strip of equal area, to wit, - one hundred (100) feet in width and eight hundred six and one-tenth (806.1) feet in length, the same being all of lot six (6) and the north forty (40) feet of lot seven (7), in block three hundred seventy-three (373), Seattle Tide Lands, and,

WHEREAS, at the time and place appointed for the hearing of said petition by the City Council, the same was duly heard and thereupon said City Council duly determined that the land, so offered to be dedicated in exchange for that portion of said Forest Street sought to be vacated, was equally adapted to the uses of the City of Seattle for street or municipal purposes, and duly determined to grant said petition and determined that the City of Seattle should be authorized and have authority, by ordinance, to vacate that portion of Forest Street lying west of Whatcom Avenue, in said petition and in this ordinance described, and,

WHEREAS, all steps and proceedings required by law for the vacation of said part of Forest Street have been duly taken and carried out;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF SEATTLE as follows:-

Section 1. That there be, and is hereby, vacated by the City of Seattle, all that part of Forest Street lying west of Whatcom Avenue in the City of Seattle, described as follows, to wit;

a strip one hundred (100) feet in width and eight hundred six and one-tenth (806.1) feet in length lying between blocks three hundred seventy-three (373) and three hundred seventy-four (374), Seattle Tide Lands, and extending from the west line of Whatcom Avenue to the East Waterway.

Section 2. That the vacation of said portion of Forest Street provided for in Section one (1) of this ordinance is made for the purpose of altering the location of said street and is subject to the condition that said Chicago, Milwaukee and St Paul Railway Company of Washington shall file with the City Comptroller and ex-officio City Clerk of the City of Seattle, within ten (10) days after this ordinance shall take effect, a written instrument dedicating to the City of Seattle, in exchange for that portion of Forest Street so vacated, all of lot six (6) and the north forty (40) feet of lot seven (7) of block three hundred seventy-three (373), Seattle Tide Lands, being a strip of land one hundred (100) feet in width and eight hundred six and one-tenth (806.1) feet in length and extending from the west line of Whatcom Avenue to the East Waterway, and shall also covenant and agree in said instrument of dedication that said strip shall be dredged to a sufficient depth and shall thereafter remain, and be used for the purpose of, a slip.

Section 3. 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 *7th* day of MAY A.D. 1906, and signed by me in open session in authentication of its

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passage, this 7th day of MAY A.D. 1906.

Arthur D. Swan
President of the City Council

Approved by me this 17th day of MAY A.D. 1906.

John Hickman Moore
Mayor.

Filed by me this 17th day of MAY A.D. 1906.

H. N. Carroll
City Comptroller, and
Ex-officio City Clerk.

OFFICIAL PUBLICATION.
MAY 18 1906

Affidavit of Publication.

State of Washington, }
County of King, City of Seattle, }

W. P. HAMMONS, being sworn, says he is the publisher of the **SEATTLE DAILY BULLETIN**, a daily newspaper, printed and published at Seattle, King County, State of Washington; that it is a newspaper of general circulation in said County and State, and that the annexed, being Ordinance No. 13732

was published in said newspaper, and not in a supplement thereof and is a true copy of the notice, as it was published in the regular and entire issue of said paper on the 18th day of May, 1906, and that said newspaper was regularly distributed to its subscribers on said day.

W. P. Hammons

Subscribed and sworn to before me this 18th day of May, 1906.

Alvan Beach

Notary Public in and for the State of Washington,
residing at Seattle