

Ordinance No. 14110 ✓

Providing for the condemna-  
tion of 11th. Ave. N. E., the  
East One-half of 10th. Ave.  
N. E. and the North One-half  
of East 55th. St., etc.

176

Council Bill No. 716

INTRODUCED: JUL 23 1906	BY: MULLEN
REFERRED: JUL 23 1906	TO: STREET COM.
REPORTED: JUL 30 1906	
SECOND READING: JUL 30 1906	
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COMPARED BY: <u>Compared by Barnes &amp; Newell</u>	FILE NO.

ORDINANCE NO. 14110

AN ORDINANCE Providing for the laying off, opening, extending and establishing of Eleventh Avenue North-east, from the North line of Pettit's University Addition to the City of Seattle to the South line of Interlake Addition to the City of Seattle; the East One-half (E. 1/2) of Tenth Avenue North-east, from the North line of Pettit's University Addition to the City of Seattle to Interlake Addition to the City of Seattle; and the North One-half (N. 1/2) of East Fifty-fifth Street, from Tenth Avenue North-east produced northerly to Eleventh Avenue North-east produced northerly,; 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 for the purpose of making such compensation.

WHEREAS, Public necessity and convenience demand that Eleventh Avenue North-east, from the North line of Pettit's University Addition to the City of Seattle to the South line of Interlake Addition to the City of Seattle; the East One-half (E. 1/2) of Tenth Avenue North-east, from the North line of Pettit's University Addition to the City of Seattle to Interlake Addition to the City of Seattle; and the North One-half (N. 1/2) of East Fifty-fifth Street, from Tenth Avenue North-east produced northerly to Eleventh Avenue North-east produced northerly, all 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 Eleventh Avenue North-east, from the North line of Pettit's University Addition to the City of Seattle

to the South line of Interlake Addition to the City of Seattle; the East One-half (E.½) of Tenth Avenue North-east, from the North line of Pettit's University Addition to the City of Seattle to Interlake Addition to the City of Seattle; and the North One-half (N.½) of East Fifty-fifth Street, from Tenth Avenue North-east produced northerly to Eleventh Avenue North-east produced northerly, all 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 tracts and blocks in said City, more particularly described as follows:-

Beginning at the north-west corner of Pettit's University Addition to the City of Seattle, said point being on the east boundary of Day's Acre Gardens; thence north along the west boundary of said Day's Acre Gardens, One Hundred Sixty-five and Six One-hundredths (165.06) feet to a point which is the south-west corner of Interlake Addition; thence east on the south line of Interlake Addition Thirty (30) feet to the south-west corner of Block Five (5), Interlake Addition; thence south on a right line joining the south-west corner of Block Five (5), Interlake Addition to the City of Seattle, and the north-west corner of Block Twelve (12), Pettit's University Addition to the City of Seattle, a distance of One Hundred Thirty-two and Forty-eight One-hundredths (132.48) feet, to a point which is Thirty-three (33) feet north of the north line of Pettit's University Addition; thence east Two Hundred Five and Twenty-seven One-hundredths (205.27) feet on a right line, which is parallel with and Sixty-six (66) feet distant northerly from, measured at right-angles to, the north line of Block Twelve (12), Pettit's University Addition, to the west line of Eleventh Avenue North-east produced, joining the north-east corner of Block Twelve (12), Pettit's University Addition, and the south-east corner of Block Five (5), Interlake Addition; thence north along said line One Hundred Thirty-five and Thirty-six One-hundredths (135.36) feet to the south-east corner of Block Five (5), Interlake Addition; thence east Sixty (60) feet to the south-west corner of Block Four (4), Interlake Addition; thence south One Hundred Sixty-seven and Twenty-two One-hundredths (167.22) feet on a right line joining the south-west corner of Block Four (4), Interlake Addition, with the North-west corner of Block Five (5), Pettit's University Addition, to a point on the north line of Pettit's University Addition; thence west along the north line of Pettit's University Addition Two Hundred Ninety-five and Twenty-seven One-hundredths (295.27) 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 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 Eleventh Avenue North-east, the East One-half (E.½) of Tenth Avenue North-east, and the North One-half (N.½) of East Fifty-fifth Street, as provided 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 30<sup>th</sup> day of JULY 1906

and signed by me in open session in authentication of its passage

this 30<sup>th</sup> day of JULY 1906

J.P. Mullin  
President of the City Council.

Approved by me this 6<sup>th</sup> day of AUGUST 1906

H.W. Brown  
acting Mayor.

Filed by me this 6<sup>th</sup> day of AUGUST 1906

Attest:

A.W. Carroll  
City Comptroller and ex-officio City Clerk.

By  
Deputy Clerk

Published AUG -8 1906

A.W. Carroll  
City Comptroller and ex-officio City Clerk.

By  
Deputy Clerk

# Affidavit of Publication.

State of Washington,

County of King, City of Seattle,

*W. P. Hammons*  
**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. 14110

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 9<sup>th</sup> day of Aug 1906, and that said newspaper was regularly distributed to its subscribers on said day

*W. J. Blethen*

Subscribed and sworn to before me this 10<sup>th</sup>

day of Aug 1906

*W. J. Blethen*

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

**CITY NOTICES.**

**ORDINANCE NO. 14110.**  
AN ORDINANCE providing for the laying off, opening, extending and establishing of Eleventh Avenue Northeast, from the North line of Pettit's University Addition to the City of Seattle to the South line of Interlake Addition to the City of Seattle; the East One-half (E. 1/2) of Tenth Avenue Northeast, from the North line of Pettit's University Addition to the City of Seattle; and the North One-half (N. 1/2) of East Fifty-fifth Street, from Tenth Avenue Northeast produced northerly to Eleventh Avenue Northeast produced northerly; 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 for the purpose of making such compensation.

Whereas, Public necessity and convenience demand that Eleventh Avenue Northeast, from the North line of Pettit's University Addition to the City of Seattle to the south line of Interlake Addition to the City of Seattle; the East One-half (E. 1/2) of Tenth Avenue Northeast, from the North line of Pettit's University Addition to the City of Seattle to Interlake Addition to the City of Seattle; and the North One-half (N. 1/2) of East Fifty-fifth Street, from Tenth Avenue Northeast produced northerly to Eleventh Avenue Northeast produced northerly, all 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 Eleventh Avenue Northeast, from the North line of Pettit's University Addition to the City of Seattle to the south line of Interlake Addition to the City of Seattle; the East One-half (E. 1/2) of Tenth Avenue Northeast, from the North line of Pettit's University Addition to the City of Seattle; and the North One-half (N. 1/2) of East Fifty-fifth Street, from Tenth Avenue Northeast produced northerly to Eleventh Avenue Northeast produced northerly, all 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 tracts and blocks in said City more particularly described as follows:

Beginning at the northwest corner of Pettit's University Addition to the City of Seattle, said point being on the east boundary of Day's Acre Gardens, thence north along the west boundary of said Day's Acre Gardens, One Hundred Sixty-five and Six One-hundredths (165.6) feet to a point which is the southwest corner of Interlake Addition; thence east on the south line of Interlake Addition Thirty (30) feet to the southwest corner of Block Five (5), Interlake Addition; thence south on a right line joining the southwest corner of Block Five (5), Interlake Addition to the City of Seattle, a distance of One Hundred Thirty-two and Forty-eight One-hundredths (132.48) feet, to a point which is Thirty-three (33) feet north of the north line of Pettit's University Addition; thence east Two Hundred Five and Twenty-seven One-hundredths (205.27) feet on a right line, which is parallel with and Sixty-six (66) feet distant northerly from, measured at right angles to, the north line of Block Twelve (12), Pettit's University Addition, to the west line of Eleventh Avenue Northeast produced, joining the northeast corner of Block Twelve (12), Pettit's University Addition, and the southwest corner of Block Five (5), Interlake Addition; thence north along said line One Hundred Thirty-five and Thirty-six One-hundredths (135.36) feet to the southeast corner of Block Five (5), Interlake Addition; thence east Sixty (60) feet to the southwest corner of Block Four (4), Interlake Addition; thence south One Hundred Sixty-seven and Twenty-two One-hundredths (167.22) feet on a right line joining the southwest corner of Block Four (4), Interlake Addition, with the Northwest corner of Block Five (5), Pettit's University Addition, to a point on the north line of Pettit's University Addition; thence west along the north line of Pettit's University Addition Two Hundred Ninety-five and Twenty-seven One-hundredths (295.27) 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

REPRODUCED FROM BEST AVAILABLE DOCUMENT.

...dredths (187.27) feet on a right line joining the southwest corner of Block Four (4), Interlake Addition, with the Northwest corner of Block Five (5), Pettit's University Addition, to a point on the north line of Pettit's University Addition; thence west along the north line of Pettit's University Addition Two Hundred Ninety-five and Twenty-seven One-hundredths (295.27) feet to the point of beginning.

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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 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 Eleventh Avenue Northeast, the East One-half (E. 1/2) of Tenth Avenue Northeast, and the North One-half (N. 1/2) of East Fifty-fifth Street, as provided 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.

Section 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 30th day of July, 1906, and signed by me in open session in authentication of its passage this 30th day of July, 1906.

J. P. MULLEN,  
President pro tem. of the City Council.  
Approved by me this 6th day of August, 1906.

D. W. BOWEN, Acting Mayor.  
Filed by me this 6th day of August, 1906.

Attest: (Seal) H. W. CARROLL,  
City Comptroller and ex-officio City Clerk.  
Publish August 2, 1906.