

### Ordinance No. 14881

An ordinance providing for the laying off, widening, extending and establishing of Stewart St., between Westlake Avenue and Eastlake Ave., as a public street and highway, etc.

### Council Bill No. 1479

INTRODUCED: NOV 12 1906	BY: REVELLE
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ENGROSSED:	BY:
VOL. FOLIO	
Compared by Barnes & Co.	FILE NO.

ORDINANCE NO. 14881

AN ORDINANCE Providing for the laying off, widening, extending and establishing of Stewart Street, in the City of Seattle, between Westlake Avenue and Eastlake Avenue, as a public Street and highway, over and across certain lots, blocks, tracts and parcels of land, 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 Stewart Street, in the City of Seattle, be laid off, widened, extended and established, between Westlake Avenue and Eastlake Avenue, as a public street and highway; 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 Stewart Street, in the City of Seattle, between Westlake Avenue and Eastlake Avenue, be, and the same is hereby, laid off, widened, extended and established as a public street and highway, over and across certain Lots, Blocks, Tracts and Parcels of land, more particularly described as follows, to-wit:

1. All those Lots, Blocks, Tracts and Parcels of land lying between the center line of Stewart Street, as now established between Westlake Avenue and Denny Way, and a line Forty (40) feet north-westerly from and parallel with said center line.

2. All those Lots, Blocks, Tracts and Parcels of land lying between the center line of Stewart Street, as now established between Westlake Avenue and Denny Way, and a line Forty (40) feet south-easterly from and parallel with said center line.

3. That portion of Block Thirteen (13), Pontius' Fourth Addition to the City of Seattle, more particularly described as follows:

Beginning at the south-east corner of said Block Thirteen (13); running thence west along the south line of said Block a distance of Sixty-five and Twenty-eight One-hundredths (65.28) feet; thence north  $41^{\circ} 02' 10''$  east a distance of Ninety-eight and Seventy-six One-hundredths (98.76) feet to a point on the east line of said Block; thence south along said line a distance of Seventy-four and Sixty-six One-hundredths (74.66) feet to the place of beginning.

4. That portion of Block Twenty-four (24), Pontius' Fourth Addition to the City of Seattle, more particularly described as follows:

Beginning at the north-east corner of said Block; running thence west along the north line of said Block a distance of Sixty-three and Seventy One-hundredths (63.70) feet; thence south  $41^{\circ} 02' 10''$  West a distance of Two Hundred Ninety-one and Seven One-hundredths (291.07) feet to a point on the west line of said Block; thence south along said west line a distance of One Hundred Twenty-one and Four One-hundredths (121.04) feet to a point Twenty-two and Twenty-four One-hundredths (22.24) feet north of the south-west corner of said Block; thence north  $41^{\circ} 02' 10''$  east a distance of Three Hundred Eighty-seven and Fifty-one One-hundredths (387.51) feet to a point on the east line of said Block; thence north along said east line a distance of Forty-eight and Sixty-nine One-hundredths (48.69) feet to the place of beginning.

5. That portion of Block Twenty-three (23), Pontius' Fourth Addition to the City of Seattle, more particularly described as follows:

Beginning at the south-east corner of said Block; running thence west along the south line a distance of Ten and Seventy-nine One-hundredths (10.79) feet; thence north  $41^{\circ} 02' 10''$  East a distance of Sixteen and Thirty-two One-hundredths (16.32) feet to a point on the east line of said Block; thence south along said east line a distance of Twelve and Twenty-four One-hundredths (12.24) feet to the place 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 the just compensation to be made for the private property to be taken or damaged for the purpose of laying off, extending and establishing of Stewart 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 26<sup>th</sup> day of NOVEMBER 1906.  
and signed by me in open session in authentication of its passage  
this 26<sup>th</sup> day of NOVEMBER 1906.

W. H. Brown  
President of the City Council.

Approved by me this 3<sup>rd</sup> day of DECEMBER 1906.

W. H. Hickman Moore  
Mayor.

Filed by me this 3<sup>rd</sup> day of December 1906.

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

(SEAL)

By ~~DECEMBER~~  
Deputy Clerk.

Published DEC -4 1906  
A. W. Carroll  
City Comptroller and ex-officio City Clerk.

By W. H. Moore  
Deputy Clerk.

# 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. 14881

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 4th day of Dec 1906 and that said newspaper was regularly distributed to its subscribers on said day

W P Hammons  
Subscribed and sworn to before me this 8th  
day of Dec 1906  
Alvan Bunch

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

ORDINANCE NO. 14881.  
AN ORDINANCE providing for the laying out, widening, extending, and establishing of Stewart Street, in the City of Seattle, between Westlake Avenue and Eastlake Avenue, as a public street and highway, over and across certain lots, blocks, tracts and parcels of land, 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 Stewart Street, in the City of Seattle, be laid out, widened, extended and established between Westlake Avenue and Eastlake Avenue, as a public street and highway, 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 Stewart Street, in the City of Seattle, between Westlake Avenue and Eastlake Avenue, be, and the same is hereby, laid out, widened, extended and established as a public street and highway, over and across certain lots, blocks, tracts and parcels of land more particularly described as follows to-wit:  
1. All those lots, blocks, tracts and parcels of land lying between the center line of Stewart Street, as now established between Westlake Avenue and Eastlake Avenue, and a line forty (40) feet north westerly from and parallel with said center line.  
2. All those lots, blocks, tracts and parcels of land lying between the center line of Stewart Street, as now established between Westlake Avenue and Eastlake Avenue, and a line forty (40) feet south easterly from and parallel with said center line.  
3. That portion of block thirteen (13) of the Fourth Addition to the City of Seattle, more particularly described as follows:  
Beginning at the southeast corner of said block thirteen (13); running thence west along the south line of said block a distance of sixty-five and twenty-four hundredths (65.24) feet to a point of beginning; and thence north along the east line of said block a distance of one hundred and twenty-four and eight hundredths (124.08) feet to a point on the south line of said block; thence south along said line a distance of seventy and sixty-two hundredths (70.62) feet to the place of beginning.  
4. That portion of block twenty-four (24) of the Fourth Addition to the City of Seattle, more particularly described as follows:  
Beginning at the northeast corner of said block thirteen (13); thence west along the north line of said block a distance of sixty-three and seventy-one hundredths (63.71) feet; thence south 41 degrees 10' west a distance of two hundred and one and seven one-hundredths (201.07) feet to a point on the west line of said block; thence south along said east line a distance of one hundred and twenty-one and four one-hundredths (121.04) feet to a point twenty-two and twenty-four one-hundredths (22.24) feet north of the southwest corner of said block; thence north 41 degrees 07' east a distance of three hundred eighty-seven and fifty-one one-hundredths (387.51) feet to a point on the east line of said block; thence north along said east line a distance of forty-eight and fifty-nine one-hundredths (48.59) feet to the place of beginning.  
5. That portion of block twenty-three (23) of the Fourth Addition to the City of Seattle, more particularly described as follows:  
Beginning at the southeast corner of said block thirteen (13); running thence west along the north line of said block a distance of one hundred and one and seven one-hundredths (101.07) feet; thence north 41 degrees 10' west a distance of two hundred and one and seven one-hundredths (201.07) feet to a point on the west line of said block; thence south along said east line a distance of one hundred and twenty-one and four one-hundredths (121.04) feet to a point twenty-two and twenty-four one-hundredths (22.24) feet north of the southwest corner of said block; thence north 41 degrees 07' east a distance of three hundred eighty-seven and fifty-one one-hundredths (387.51) feet to a point on the east line of said block; thence north along said east line a distance of forty-eight and fifty-nine one-hundredths (48.59) feet to the place of beginning.

Everybody