

Ordinance No. 15922

Providing for the appropriation  
and condemnation of a right of  
way for a public main sewer.

Council Bill No. 2574

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APR - 8 1907

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BY:  
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COMPARED BY:  
C. J. Johnson

FILE NO.

ORDINANCE NO. 15922

AN ORDINANCE Providing for the appropriation and condemnation of a right of way for a public main sewer through certain lots, blocks, tracts and parcels of land in the City of Seattle; and providing for the ascertainment and payment of the just compensation to be made for the private property taken or damaged for said purpose.

WHEREAS, Public necessity and convenience demands that a public main sewer be constructed and maintained through certain lots, blocks, tracts and parcels of land, in the City of Seattle,

NOW, THEREFORE,

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

Section 1. That a right of way for the construction and maintenance of a public main sewer be, and the same is hereby, taken and appropriated for the public use through certain lots, blocks, tracts and parcels of land, more particularly, described as follows, to-wit:

1 A strip of land sixteen (16) feet in width, being eight (8) feet on both sides of the north and south center line through Block Nine (9), John J. McGilvra's Second Addition to the City of Seattle; also,

2 A strip of land sixteen (16) feet in width, through Tract One Hundred Fifty-seven (157), Replat of John J. McGilvra's Addition to the City of Seattle, being eight (8) feet on both sides of the center line of the alley through Block Twenty (20), of John J. McGilvra's Second Addition to the City of Seattle, produced south; also,

3 A strip of land sixteen (16) feet in width, through Block Two (2), Lewis & Fahren's Addition to the City of Seattle, being eight (8) feet on both sides of the following described center line, to-wit:



4  
Beginning at a point on the east boundary line of Block Two (2), Lewis & Fehren's Addition to the City of Seattle, a distance of one hundred forty-three and fifty one-hundredths (143.50) feet from the south-east corner of said Block Two (2); thence south  $18^{\circ} 31' 32''$  West, a distance of one hundred thirty-two and sixty-nine one-hundredths (132.69) feet to a point on the south line of said Block Two (2); a distance of ten (10) feet east of the south-west corner of said Block Two (2).

5  
A strip of land Sixteen (16) feet in width through a certain unplatted tract of land in Section 19 T. 25 N. R. 4 E. W. M, being Eight (8) feet on both sides of the following described center line, to-wit:

6  
Beginning at the intersection of the center line of the alley between Blocks Five (5) and Six (6), Union Lake Addition Supplemental to the City of Seattle, and running thence  $N 7^{\circ} 22' 34''$  E., a distance of Four hundred ninety-five and ninety-four one-hundredths (495.94) feet, more or less, to a point where the center line of Eloise Terrace intersects the south boundary line of Westlake Boulevard Addition to the City of Seattle.

7  
A strip of land Sixteen (16) feet in width through Block Six (6) Westlake Boulevard Addition to the City of Seattle, being Eight (8) feet on both sides of the following described center line, to-wit:

8  
Beginning at the South-west corner of Lot Two (2), Block Six (6) Westlake Boulevard Addition to the City of Seattle and running thence  $N. 15^{\circ} 46' 47''$  E., a distance of Sixty-five and Forty-one one-hundredths (65.41) feet, more or less, to a point on the north boundary line of said Block Six (6), said point being Fifty (50) feet east of the north-west corner of said Block Six (6).

9 A strip of land Twenty-five (25) feet in width, over, under and across the Right-of-way of the Northern Pacific Railway, being Twelve and Fifty One-hundredths (12.50) feet on both sides of the following described center line, to-wit;

10 A line Twelve and Fifty One-hundredths (12.50) feet south of and parallel with the south line of the Right-of-way of the Northern Pacific Railway as existing between Fourth Avenue North-east and Sixth Avenue North-east, produced westerly to an intersection with the center line of Pacific Place as established by Ordinance No. 14075.

11 Section 2. That all lands, rights, 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 purposes hereinabove set forth, 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.

12 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 set forth in Section One (1) hereof, be ascertained by a jury or by the Court in case a jury be waived.

13 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 just and equitable proportion of 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. 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 Park 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 29<sup>th</sup> day of APRIL 1907 and signed by me in open session in authentication of its passage this 29<sup>th</sup> day of APRIL 1907

C. H. Bussett Jr.  
President of the City Council.

Approved by me this 6<sup>th</sup> day of MAY 1907

W. Hickman Moore  
Mayor.

Filed by me this 6<sup>th</sup> day of MAY 1907

Attest:

A. W. Carroll

City Comptroller and ex-officio City Clerk.

(SEAL)

By \_\_\_\_\_

Deputy Clerk.

Published MAY - 8 1907

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, being sworn, says he is the

The Morning Times and  
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 circula-  
tion in said County and State, and that the annexed, being Ordinance No. 15922

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

8<sup>th</sup> day of May 1907, and that said newspaper was regularly dis-

tributed to its subscribers on said day

*W. P. Hammons*

Subscribed and sworn to before me this 11<sup>th</sup>

day of May 1907

*Alban Beach*

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

ORDINANCE NO. 15922.  
AN ORDINANCE providing for the ap-  
propriation and condemnation of a  
right of way for a public main sewer  
through certain lots, blocks, tracts and  
parts of lots in the City of Seat-  
tle; and providing for the ascertain-  
ment and payment of the just com-  
pensation to be made for the private  
property taken or damaged for said  
purpose.

Whereas, Public necessity and con-  
venience demands that a public main  
sewer be constructed and maintained  
through certain lots, blocks, tracts and  
parts of lots in the City of Seattle,  
Now, therefore, be it ordained by the  
City of Seattle as follows:

Section 1. That a right of way for  
the construction and maintenance of a  
public main sewer, be, and the same is  
herby, taken and appropriated for the  
public use through certain lots, blocks,  
tracts and parts of lots, more particu-  
larly described as follows, to-wit:

A strip of land sixteen (16) feet in  
width, being eight (8) feet on both sides  
of the north and south center line  
through Block Two (2), John J. McGil-  
vra's Second Addition to the City of Seat-  
tle; also.

A strip of land sixteen (16) feet in  
width, through Tract One Hundred Fif-  
ty-seven (157), Maplet of John J. McGil-  
vra's Addition to the City of Seattle, be-  
ing eight (8) feet on both sides of the  
center line of the alley through Block  
Twenty (20), of John J. McGilvra's Sec-  
ond Addition to the City of Seattle, pro-  
duced south; also.

A strip of land sixteen (16) feet in  
width, through Block Two (2), Lewis &  
Fehr's Addition to the City of Seattle,  
being eight (8) feet on both sides of the  
following described center line, to-wit:  
Beginning at a point on the east  
boundary line of Block Two (2), Lewis  
& Fehr's Addition to the City of Seat-  
tle, a distance of one hundred forty-  
three and fifty one-hundredths (143.50)  
feet from the southeast corner of said  
Block Two (2); thence south 18° 21' 32"  
West, a distance of one hundred thirty-  
two and sixty-nine one-hundredths  
(132.69) feet to a point on the south line  
of said Block Two (2); a distance of ten  
(10) feet east of the south-west corner  
of said Block Two (2).

A strip of land sixteen (16) feet in  
width, through a certain unplatted tract  
of land in Section 19, T 25 N, R 4 E, W.  
M., being eight (8) feet on both sides of  
the following described center line, to-  
wit:

Beginning at the intersection of the  
center line of the alley between Blocks  
Five (5) and Six (6), Union Lake Addi-  
tion Supplemental to the City of Seat-  
tle, and running thence N 70° 21' 31" E, a  
distance of Four hundred ninety-five and  
ninety-four one-hundredths (495.94) feet,  
more or less, to a point where the center  
line of Elsie Terrace intersects the  
south boundary line of Westlake Boul-  
levard Addition to the City of Seattle.

A strip of land sixteen (16) feet in  
width through Block Six (6), Westlake  
Boulevard Addition to the City of Seat-  
tle, being eight (8) feet on both sides  
of the following described center line,  
to-wit:

Beginning at the south-west corner of  
Lot Two (2), Block Six (6), Westlake  
Boulevard Addition to the City of Seat-  
tle, and running thence N, 15° 45' 47"  
E, a distance of Sixty-five and Forty-  
one one-hundredths (65.41) feet, more or  
less, to a point on the north boundary  
line of said Block Six (6), said point  
being Fifty (50) feet east of the north-  
west corner of said Block Six (6).

A strip of land twenty-five (25) feet  
in width, over, under and across the  
Right-of-way of the Northern Pacific  
Railway, being twelve and fifty one-  
hundredths (12.50) feet on both sides of  
the following described center line, to-  
wit:

A line twelve and fifty one-hundredths  
(12.50) feet south of and parallel with  
the south line of the Right-of-way of  
the Northern Pacific Railway as existing  
between Fourth Avenue North-east and  
Sixth Avenue North-east, produced  
westerly to an intersection with the center  
line of Pacific Place as established  
by Ordinance No. 14073.

Section 2. That all lands, rights,  
privileges and other property lying within  
the limits of the above bound-  
aries and described tracts are hereby con-  
demned and appropriated to the public use,  
for the purposes hereinabove set forth, 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 Coun-  
cil be, and he is hereby, authorized and  
directed to file in the Superior Court of  
the State of Washington, for the Coun-  
ty of King, in the name of the City of  
Seattle, a petition conforming 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 set forth in Section One  
of this Ordinance be ascertained by a jury or

REPRODUCED FROM BEST  
AVAILABLE DOCUMENT.

AN ORDINANCE providing for the appropriation and condemnation of a right of way for a public main sewer through certain lots, blocks, tracts and parcels of land in the City of Seattle; and providing for the ascertainment and payment of the just compensation to be made for the private property taken or damaged for said purpose.

Whereas, Public necessity and convenience demands that a public main sewer be constructed and maintained through certain lots, blocks, tracts and parcels of land in the City of Seattle,

Now, therefore, be it ordained by the City of Seattle, as follows:

Section 1. That a right of way for the construction and maintenance of a public main sewer be, and the same is hereby, taken and appropriated for the public use through certain lots, blocks, tracts and parcels of land, more particularly described as follows, to-wit:

A strip of land sixteen (16) feet in width, being eight (8) feet on both sides of the north and south center line through Block Nine (9), John J. McQuinn's Second Addition to the City of Seattle; also,

A strip of land sixteen (16) feet in width, through Tract One Hundred Fifty-seven (157), Replat of John J. McQuinn's Addition to the City of Seattle, being eight (8) feet on both sides of the center line of the alley through Block Twenty (20), of John J. McQuinn's Second Addition to the City of Seattle, produced south; also,

A strip of land sixteen (16) feet in width, through Block Two (2), Lewis & Fehren's Addition to the City of Seattle, being eight (8) feet on both sides of the following described center line, to-wit:

Beginning at a point on the east boundary line of Block Two (2), Lewis & Fehren's Addition to the City of Seattle, a distance of one hundred forty-three and fifty-one-hundredths (143.50) feet from the southeast corner of said Block Two (2); thence south 18° 31' 32" West, a distance of one hundred thirty-two and sixty-nine one-hundredths (132.69) feet to a point on the south line of said Block Two (2), a distance of ten (10) feet east of the south-west corner of said Block Two (2).

A strip of land sixteen (16) feet in width through a certain unplatted tract of land in Section 19, T 25 N, R 4 E, W. M., being eight (8) feet on both sides of the following described center line, to-wit:

Beginning at the intersection of the center line of the alley between Blocks

Five (5) and Six (6), Union Lake Addition Supplemental to the City of Seattle, and running thence N 70° 22' 34" E, a distance of four hundred ninety-five and sixty-four one-hundredths (495.64) feet, more or less, to a point where the center line of Elise Terrace intersects the south boundary line of Westlake Boulevard Addition to the City of Seattle.

A strip of land sixteen (16) feet in width through Block Six (6), Westlake Boulevard Addition to the City of Seattle, being eight (8) feet on both sides of the following described center line, to-wit:

Beginning at the south-west corner of Lot Two (2), Block Six (6), Westlake Boulevard Addition to the City of Seattle, and running thence N 18° 46' 41" E, a distance of sixty-five and forty-one one-hundredths (65.41) feet, more or less, to a point on the north boundary line of said Block Six (6), said point being fifty (50) feet east of the north-west corner of said Block Six (6).

A strip of land twenty-five (25) feet in width over, under and across the right-of-way of the Northern Pacific Railway, being twelve and fifty one-hundredths (12.50) feet on both sides of the following described center line, to-wit:

A line twelve and fifty one-hundredths (12.50) feet south of and parallel with the south line of the right-of-way of the Northern Pacific Railway as existing between Fourth Avenue North-east and Sixth Avenue North-east, produced westerly to an intersection with the center line of Pacific Place as established by Ordinance No. 14872.

Section 2. That all lands, rights, privileges and other property lying within the limits of the above bound and described tracts are hereby condemned and appropriated to the public use, for the purposes hereinabove set forth, 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 set forth 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 just and equitable proportion of 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. 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 Park 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 29th day of April, 1907, and signed by me, in open session in authentication of its passage this 29th day of April, 1907.

C. H. BURNETT, JR.,

President of the City Council.

Approved by me this 6th day of May, 1907.

WM. HICKMAN MOORE, Mayor.

Filed by me this 6th day of May, 1907.

Attest: (Seal) H. W. CARROLL,

City Comptroller and ex-officio City Clerk.

Published May 2, 1907.