

Ordinance No. 16270

An Ordinance providing for the condemnation of Twenty-eighth Avenue West, from the south line of Block Six (6), Buena Vista Addition Number Two (2) to the City of Seattle, to the South Line of Dewey's Addition to the City of Seattle.

Council Bill No. 2975

INTRODUCED: MAY 27 1907	BY: <i>MURPHY</i>
REFERRED: MAY 27 1907	STREET COM.
REFERRED: JUN 10 1907	
REPORTED: JUN 10 1907	
SECOND READING: JUN 10 1907	VETO:
THIRD READING: JUN 10 1907	VETO PUBLISHED:
EMERGED: JUN 10 1907	VETO SUSTAINED:
PRESENTED TO MAYOR: JUN 11 1907	APPROVED: JUN 17 1907
FILED: JUN 17 1907	PUBLISHED: JUN 18 1907
EMERGED: VOL. D 1 PAGE 113	BY: <i>SLB</i>
COMPALED BY: <i>Barnes Johnson</i>	

ORDINANCE NO. 16270

AN ORDINANCE providing for the laying off, opening, extending and establishing of Twenty-eighth Avenue West, in the City of Seattle, from the south line of Block Six (6), Buena Vista Addition, to the City of Seattle, to the South Line of Dewey's Addition to the City of Seattle, 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 Twenty-Eighth Avenue West, in the City of Seattle, be laid off, opened, extended and established, as a public street and highway, from the South Line of Block Six (6), Buena Vista Addition^{No. 2,} to the City of Seattle, to the South Line of Dewey's Addition to the City of Seattle, 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 Twenty-eighth Avenue West, in the City of Seattle, be and the same is hereby, laid off, opened, extended and established as a public street and highway, over and across certain lots, blocks, tracts and parcels of land in said City, more particularly described as follows, to-wit:-

All those portions of the following described lots, blocks, tracts or parcels of land lying between the North and South One-sixteenth (1/16) line through the center of the West half (1/2) of Section Twenty-three (23), Township Twenty-five (25) North, Range Three (3) East, W. M., and a line Thirty-seven (37) feet westerly from and parallel therewith:

UNPLATTED LAND, lying between Block Six (6), Buena Vista Addition^{No. 2,} to the City of Seattle, and West McGraw Street.

IN ELLIMORE ADDITION TO THE CITY OF SEATTLE:--

Lots Five (5) and Six (6), Block Two (2);
Lots Five (5) and Six (6), Block Three (3);
Lots Five (5) and Six (6), Block Six (6);
Lots Five (5) and Six (6), Block Seven (7);
Lots Five (5) and Six (6), Block Ten (10).

IN DEWEY'S ADDITION TO THE CITY OF SEATTLE:

Lots Four (4), Five (5), and Six (6), Block Four (4);
Lots Four (4), Five (5) and Six (6), Block Five (5);
Lots Four (4), Five (5), and Six (6), Block Twelve (12);
Lots Four (4), Five (5), and Six (6), Block Thirteen (13);
Lots Four (4), Five (5), and Six (6), Block Twenty (20)

Also, all those portions of the following described lots, blocks, tracts or parcels of land lying between the North and South One-sixteenth (1/16) line through the center of the West One-half (1/2) of Section Twenty-three (23), Township Twenty-five (25) North, Range Three (3) East, W. M., and a line Thirty (30) feet easterly from and parallel therewith.

IN GILMAN'S ADDITION TO THE CITY OF SEATTLE:

Lot One (1), Block One Hundred and Eighty (180)
Lots One (1) and Thirty (30), Block One Hundred Eighty-one (181);
Lots One (1) and Thirty (30), Block One Hundred Eighty-eight (188);
Lots One (1) and Thirty (30), Block One Hundred Eighty-nine (189);
Lots One (1) and Thirty (30), Block One Hundred Ninety-six (196);
Lot One (1), Block One Hundred Ninety-seven (197).

Section 2. That all lands, rights and privileges and other property lying within the limits of the above bounded and described lots, blocks, tracts, and parcels of land 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, opening, extending and establishing Twenty-eighth Avenue West, 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 10th day of June 1907
and signed by me in open session in authentication of its passage
this 10th day of June 1907

W. H. Burnett Jr.
President of the City Council.

Approved by me this 17th day of June 1907

W. H. Moor
Mayor.

Filed by me this 17th day of June 1907

Attest:

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

(SEAL)

By R. H. Hanson

Deputy Clerk.

Published

JUN 18 1907

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

By R. H. Hanson

Deputy Clerk.

AFFIDAVIT OF PUBLICATION

STATE OF WASHINGTON }
County of King } s. a.

W. P. HAMMONS, being sworn, says he is the publisher of THE MORNING TIMES and 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

#16270, 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 for a period of one

day, commencing on the 18th day of June 1907.

and ending on the day of 1907, and

that said newspaper was regularly distributed to its subscribers during all of said period.

Subscribed and sworn to before me this 18th day

of June 1907

W.P. Hammons
Notary Public in and for the State of Washington, residing at Seattle

ORDINANCE NO. 16270.

AN ORDINANCE providing for the laying out, opening, extending and widening of Twenty-eighth Avenue North, in the County of King, State of Washington, from the south line of Block No. (1) between First and Second Avenues to the City of Seattle, and from the south line of Dewey's Addition to the City of Seattle, and providing for the taking and damaging of private property necessary therefor, and for the compensation to be made for the private property so taken or damaged. For all purposes and for an assessment upon the property benefited for the purpose of the laying out, opening, extending and establishing of the same, the City of Seattle is authorized to do as follows:

Whereas, Public necessity and convenience require that Twenty-eighth Avenue North, in the County of King, State of Washington, be opened, extended and established as a public street and highway, from the south line of Block No. (1) between First and Second Avenues to the City of Seattle, and from the south line of Dewey's Addition to the City of Seattle, and that certain lands and other premises situated in the vicinity of the proposed street be acquired by the City of Seattle for the purpose of opening, extending and establishing the same, and

Section 1. That the following portions of the following described lots, blocks, tracts or parcels of land lying between the north and south lines of blocks (1-14) and between the east and west lines of blocks (1-14), between Twenty-eighth Avenue North (28) and Twenty-ninth Avenue North (29), north, south, east, west, and diagonally:

Dissected land lying between Block No. (1) between First and Second Avenues to the City of Seattle, and West Hedberg's Addition to the City of Seattle:

Lot (5) and six (6), block two (2).

Lot five (5) and six (6), block three (3).

Lot five (5) and six (6), block four (4).

Lot five (5) and six (6), block five (5).

Lot five (5) and six (6), block six (6).

Lot five (5) and six (6), block seven (7).

Lot five (5) and six (6), block eight (8).

Lot five (5) and six (6), block nine (9).

Lot five (5) and six (6), block ten (10).

Lot five (5) and six (6), block eleven (11).

Lot five (5) and six (6), block twelve (12).

Lot five (5) and six (6), block thirteen (13).

Lot five (5) and six (6), block fourteen (14).

Also, all those portions of the following described lots, blocks, tracts or parcels of land lying between the north and south lines of blocks (1-14) and between the east and west lines of blocks (1-14), between Twenty-eighth Avenue North (28) and Twenty-ninth Avenue North (29), north, south, east, west, and diagonally:

Lot one (1), block one hundred and thirty (130).

Lot one (1) and thirty (30), block one hundred eighty-one (181).

Lot one (1) and thirty (30), block one hundred eighty-two (182).

Lot one (1) and thirty (30), block one hundred eighty-three (183).

Lot one (1) and thirty (30), block one hundred eighty-four (184).

Lot one (1) and thirty (30), block one hundred eighty-five (185).

Section 2. That all lands, rights and privileges and other property lying within the limits of the above bounded and described lots, blocks, tracts and parcels of land be taken and appropriated for the purpose of opening, extending and establishing Twenty-eighth Avenue North, as provided in section one (1), hereof, in accordance with the laws of the State of Washington, and that the compensation to be made for the private property so taken or damaged for the purpose of laying out, opening, extending and establishing Twenty-eighth Avenue North, as provided in section one (1), hereof, be ascertained by a jury or by the court in case a jury be waived.

Section 3. That the corporation council 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 out, opening, extending and establishing Twenty-eighth Avenue North, as provided in section one (1), hereof, be ascertained by a jury or by the court in case a jury be waived.

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.

ORDINANCE NO. 1870.

AN ORDINANCE providing for the laying off, opening, extending and establishing of Twenty-eighth Avenue West in the City of Seattle, from the south line of Block Six (4), Buena Vista Addition No. 1 to the City of Seattle, to the south line of Dewey's Addition to the City of Seattle, 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 Twenty-eighth Avenue West in the City of Seattle, be laid off, opened, extended and established as a public street and highway from the south line of Block Six (4), Buena Vista Addition No. 2 to the City of Seattle, to the south line of Dewey's Addition to the City of Seattle, 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,

day, commencing on the 18th day of June 1907, and ending on the day of 1907, and

that said newspaper was regularly distributed to its subscribers during all of said period.

Subscribed and sworn to before me this 18th day of June 1907
Notary Public in and for the State of Washington, residing at Seattle

Be it ordained by the City of Seattle as follows:
Section 1. That Twenty-eighth Avenue West, in the City of Seattle, be and the same is hereby laid off, opened, extended and established as a public street and highway over and across certain lots, blocks, tracts and parcels of land in said city, more particularly described as follows:

All those portions of the following described lots, blocks, tracts or parcels of land lying between the north and south one-half (1-1/2) line through the center of the west half (1/2) of section twenty-three (23), township twenty-five (25), north range three (3), east of W. M., and a line thirty-seven (37) feet westerly from and parallel therewith; Unplatted land lying between block six (4), Buena Vista Addition No. 2 to the City of Seattle, and West McGraw Street.

- In Gilmore Addition to the City of Seattle:
Lots (5) and six (6), block two (2).
Lots five (5) and six (6), block three (3).
Lots five (5) and six (6), block six (6).
Lots five (5) and six (6), block seven (7).
Lots five (5) and six (6), block ten (10).
- In Dewey's Addition to the City of Seattle:
Lots four (4), five (5) and six (6), block four (4).
Lots four (4), five (5) and six (6), block five (5).
Lots four (4), five (5) and six (6), block twelve (12).
Lots four (4), five (5) and six (6), block thirteen (13).
Lots four (4), five (5) and six (6), block fifteen (15).
Lots four (4), five (5) and six (6), block twenty (20).

Also all those portions of the following described lots, blocks, tracts or parcels of land lying between the north and south one-half (1-1/2) line through the center of the west one-half (1/2) of section twenty-three (23), township twenty-five (25), north range three (3), east of W. M., and a line thirty (30) feet westerly from and parallel therewith, in Gilman's Addition to the City of Seattle:
Lots one (1), block one hundred and eighty (180).
Lots one (1) and thirty (30), block one hundred eighty-one (181).
Lots one (1) and thirty (30), block one hundred eighty-eight (188).
Lots one (1) and thirty (30), block one hundred eighty-nine (189).
Lots one (1) and thirty (30), block one hundred ninety-six (196).
Lot one (1), block one hundred ninety-seven (197).

Section 2. That all lands, rights and privileges and other property lying within the limits of that above described and described lots, blocks, tracts and parcels of land are hereby condemned and appropriated to the public use for the purpose of a road, 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 same in the manner provided by law.

Section 3. That the corporation created, 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, opening, extending and establishing Twenty-eighth Avenue West, 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 setting 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 16th day of June, 1907, and signed by me in open session in authentication of its passage this 16th day of June, 1907.
C. H. BURNETT, Jr.
President of the City Council.
Approved by me this 17th day of June, 1907.
Wm. MICKMAN MOORE, Mayor.
Filed by me this 17th day of June, 1907.
Attest: (Seal.) H. W. CARROLL,
City Comptroller and ex-officio City Clerk.
By W. L. WARREN, Deputy Clerk.
Published June 18, 1907.