

Ordinance No.

10716

An Ordinance providing for the laying off, etc., of Third Avenue West, between the Government Canal and West Smith Street, as a public Street and Highway, and providing for the taking and damaging of land necessary therefor, and for the ascertainment and payment of the just compensation to be made therefor, and for an assessment upon the property benefited for the purpose of making said compensation.

Council Bill No. 3563

INTRODUCED: AUG - 5 1907	BY: MURPHY
REFERRED: AUG - 5 1907	TO: STREET CO.M.
REFERRED:	
REPORTED: AUG 19 1907	
SECOND READING: AUG 19 1907	VETO:
THIRD READING: AUG 19 1907	VETO PUBLISHED:
SIGNED: AUG 19 1907	VETO: <input type="checkbox"/> SUSTAINED
PRESENTED TO MAYOR: AUG 20 1907	APPROVED: AUG 20 1907
FILED: AUG 20 1907	PUBLISHED: AUG 22 1907
ENGROSSED: VOL <i>D1</i> PAGE <i>358</i>	BY: <i>[Signature]</i>
COMBARED BY: <i>Barnes</i> AND <i>Johnson</i>	

ORDINANCE N O. 10716.

AN ORDINANCE providing for the laying off, widening, extending and establishing of Third Avenue West, in the City of Seattle, over and across certain lots, blocks, tracts and parcels of land, between the Government Canal and West Smith Street, as a public street and highway, and providing for the taking and damaging of lands and other property 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 said compensation.

WHEREAS, Public necessity and convenience demand that Third Avenue West, in the City of Seattle, between the Government Canal and West Smith Street be laid off, widened, extended and established 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 Third Avenue West, in the City of Seattle, between the Government Canal and West Smith Street, be, and the same is hereby laid off, extended, widened 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:

All of those portions of the lots, blocks and tracts of land lying between the east margin of Third Avenue West, as laid off in Denny & Hoyt's Addition to the City of Seattle, and a line Seventy-four (74) feet westerly therefrom and parallel therewith, to-wit:

Lots Eighteen (18) and Nineteen (19), Block Twenty-one (21), Ross' Addition to the City of Seattle; Lots Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Block One (1); Lots Twenty-two (22) and Twenty-three (23), Block Two (2), Ross' Second Addition to the City of Seattle; Lots One (1), Two (2),

Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), Block Four (4); Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), Block Five (5); and lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15), Block One (1), Victory Addition to the City of Seattle;

Also, all those portions of lots, blocks, tracts or parcels of land lying between the following described right line, to-wit:

Beginning at the intersection of the east margin of Third Avenue West produced southerly, as laid off in Denny & Hoyt's Addition to the City of Seattle, and the south margin of Florentia Street; thence in a right line to the northwest corner of Block Sixteen (16), Front Street Cable Addition to the City of Seattle, and a line Seventy-four (74) feet westerly from and parallel therewith, said lots, blocks and parcels of land more particularly described as follows, to-wit:

✓ All those portions of the unplatted tracts lying between said lines, and also all those portions of the following described lots and blocks:

Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19) and Twenty (20), Block Two (2); Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19) and Twenty (20), Block Three (3); Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19) and Twenty (20), Block Six (6); ~~All of~~ Block Seven (7); Lots Eleven (11) and Twelve (12), Block Ten (10), Bothwell's Replat of Springbrook Addition to the City of Seattle;

Lot Eleven (11), Block Three (3); Lots Eleven (11) and Twelve (12), Block Two (2), Queen Anne 4th Addition to the City of Seattle;

Also all of Lot One (1), Block Fifty-nine (59); Lot One (1), Block Sixty (60); Lot One (1), Block Sixty-one (61); Lot One (1), Block Sixty-two (62), Denny & Hoyt's Addition to the City of Seattle;

Also the following described tract: Beginning at the intersection of the east margin of Third Avenue West produced southerly, and the south margin of Florentia Street, thence south along the previously described proposed east margin of Third Avenue West, a distance of Four Hundred Sixty (460) feet to a point, thence northeasterly a distance of One Hundred Four $\frac{5}{10}$ (104.5) feet (more or less) to a point, said point being on the north margin of Fulton Street produced easterly, and Thirty (30) feet east of the previously described proposed east margin of Third Avenue West, thence north Thirty (30) feet easterly from and parallel with the previously described proposed east margin of Third Avenue West, a distance of Three Hundred Sixty (360) feet (more or less) to the south margin of Florentia Street, thence west Thirty (30) feet along said south margin 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 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 for 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 Third Avenue West, between the Government Canal and West Smith Street, as provided in Section 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 19th day of August 1907 and signed by me in open session in authentication of its passage this 19th day of August 1907

John P. Revell
President ~~of~~ the City Council.

Approved by me this 20th day of AUGUST 1907

C. H. Bennett Jr
Mayor.

Filed by me this 20th day of AUGUST 1907

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

(SEAL) By _____ Deputy Clerk.
Published AUG 22 1907

City Comptroller and ex-officio City Clerk.
By _____ Deputy Clerk.

Public street, and for the taking and use of the same, 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 paying said compensation.

Whereas, Public necessity and convenience demand that Third Avenue West, in the City of Seattle, between the Government Canal and West Smith Street, be laid out, widened, extended, established as a public street and highway, and

Whereas, The same will be of special benefit to certain lots, blocks and parcels of land owned by the owners of the same, and

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

Section 1. That Third Avenue West, in the City of Seattle between the Government Canal and West Smith Street, be laid out, widened, extended, 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:

All of those portions of the lots, blocks and tracts of land lying between the east margin of Third Avenue West, as laid out in Denny & Hoy's Addition to the City of Seattle, and a line seventy-four (74) feet westerly therefrom and parallel therewith, to-wit: Lots Eighteen (18) and Nineteen (19); Block Twenty-one (21), Ross' Addition to the City of Seattle; Lots Twenty (20), Twenty-one (21), Twenty-two (22), Twenty-three (23), Twenty-four (24), Block One (1); Lots Twenty-five (25) and Twenty-six (26); Block Two (2), Ross' Addition to the City of Seattle; Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Four (4); Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Five (5); and Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Six (6); and

Also, all those portions of lots, blocks, tracts and parcels of land lying between the following described lines, to-wit:

Beginning at the intersection of the east margin of Third Avenue West produced southerly as laid out in Denny & Hoy's Addition to the City of Seattle, and the south margin of Florence Street, thence in a right line to the northwest corner of Block Sixteen (16), Front Street Cable Addition to the City of Seattle, and a line seventy-four (74) feet westerly from and parallel therewith, said lots, blocks and parcels of land more particularly described as follows, to-wit:

All those portions of the unplatted tracts lying between said lines, and also all those portions of the following described lots and blocks:

Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), and Twenty (20); Block Three (3); Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16), Seventeen (17), Eighteen (18), Nineteen (19), and Twenty (20); Block Two (2), Queen Anne 4th Addition to the City of Seattle; and

Also the following described tract: Beginning at the intersection of the east margin of Third Avenue West produced southerly and the south margin of Florence Street, thence south along the previously described proposed east margin of Third Avenue West, a distance of Four Hundred Sixty (460) feet to a point, thence northerly a distance of One Hundred Four (104) feet (more or less) to a point, said point being on the north margin of Fullon Street, produced easterly, and Thirtieth (30) feet east of the previously described proposed east margin of Third Avenue West, thence north, the distance of Three Hundred Sixty (360) feet, (more or less) to the south margin of Florence Street, thence west, Thirty (30) feet along said south margin 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 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 for the same by the owner in the manner provided by law.

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 just compensation to be made for the private property to be taken or damaged for the purpose of laying out Third Avenue West, between the Government Canal and West Smith Street, as provided in Section 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 cost 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 not 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 by the City Council the 19th day of August, 1917, and signed by me in open session in authentication of its passage this 19th day of August, 1917. THOS. J. REVELL, President pro tem. of the City Council. Approved by me this 20th day of August, 1917. C. H. TRINNETT, JR., Acting Mayor. Filed by me this 20th day of August,

to the City of Seattle, and a line between
the two lots, and a line between
and parallel therewith, to-wit:
Block Eighteen (18) and Nineteen (19).
Block Twenty-one (21). Ross' Addition
to the City of Seattle; Lots Twenty (20),
Twenty-one (21), Twenty-two (22),
Twenty-three (23). Block One (1); Lots
Twenty-two (22) and Twenty-three (23).
Block Two (2); Ross' Addition to the
City of Seattle; Lots One (1), Two (2),
Three (3), Four (4), Five (5), Six (6),
Seven (7), Eight (8), Nine (9), Ten (10),
Eleven (11), and Twelve (12). Block Four
(4); Lots One (1), Two (2), Three (3), Four
(4), Five (5), Six (6), Seven (7), Eight
(8), Nine (9), Ten (10), Eleven (11) and
Twelve (12). Block Five (5); and
One (1), Two (2), Three (3), Four (4),
Five (5), Six (6), Seven (7), Eight (8),
Nine (9), Ten (10), Eleven (11), Twelve
(12), Thirteen (13), Fourteen (14), and
Fifteen (15). Block One (1); Victory Ad-
dition to the City of Seattle.
Also all those portions of lots, blocks,
tracts or parcels of land lying between
the following described right line, to-
wit:
Beginning at the intersection of the
east margin of Third Avenue West pro-
duced southerly, as laid out in Denny &
Hoyt's Addition to the City of Seattle,
and the south margin of Florence
Street; thence in a right line to the
northwest corner of Block Sixteen (16);
Front Street Cable Addition to the City
of Seattle, and a line seventy-four (74)
feet westerly from and parallel there-
with, said lots, blocks and parcels of
land more particularly described as fol-
lows, to-wit:
All those portions of the unplatted
tracts lying between said lines, and also
all those portions of the following de-
scribed lots and blocks:
Lots Eleven (11), Twelve (12), Thir-
teen (13), Fourteen (14), Fifteen (15),
Sixteen (16), Seventeen (17), Eighteen
(18), Nineteen (19) and Twenty (20).
Block Two (2); Lots Eleven (11),
Twelve (12), Thirteen (13), Fourteen
(14), Fifteen (15), Sixteen (16), Seven-
teen (17), Eighteen (18), Nineteen (19)
and Twenty (20). Block Three (3); Lots
Eleven (11), Twelve (12), Thirteen (13),
Fourteen (14), Fifteen (15), Sixteen
(16), Seventeen (17), Eighteen (18),
Nineteen (19) and Twenty (20). Block
Six (6); Block Seven (7); Lots Eleven
(11) and Twelve (12). Block Ten (10).
Eastwell's Replat of Springbrook Addi-
tion to the City of Seattle; Lots
Lot Eleven (11), Block Three (3);
Lots Eleven (11) and Twelve (12).
Block Two (2); Queen Anne 4th Addi-
tion to the City of Seattle.
Also all of Lot One (1), Block Fifty-
nine (59); Lot One (1), Block Sixty-
(60); Lot One (1), Block Sixty-one (61);
Lot One (1), Block Sixty-two (62);
Denny & Hoyt's Addition to the City of
Seattle.
Also the following described tract:
Beginning at the intersection of the east
margin of Third Avenue West pro-
duced southerly, to the south margin
of Florence Street; thence south along
the previously described proposed east
margin of Third Avenue West, a dis-
tance of Four Hundred Sixty (460)
feet, thence northerly a dis-
tance of One Hundred Four and one-half
feet (more or less) to a point, said point
being on the north margin of Fifth
Street, produced easterly, and thirty
(30) feet east of the previously de-
scribed proposed east margin of
Third Avenue West; thence north thirty (30)
feet, westerly from and parallel with the
previously described proposed east mar-
gin of Third Avenue West, a distance of
Three Hundred Sixty (360) feet (more
or less) to the south margin of Florence
Street; thence west thirty (30) feet
along said south margin to the point of
beginning.
Section 1. That all lands, rights and
privileges and other property lying
within the limits of the above bounded
and described tracts, are hereby con-
demned and appropriated to the public
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 for
into court for the owner in the manner
provided by law.
Section 2. That the Corporation Court,
as to 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 out
Third Avenue West between the govern-
ment Canal and West Smith Street,
as provided in Section 1 hereof, be as-
certained by a jury or by the Court, in
case a jury be waived.
Section 3. An assessment shall be
made in the manner provided by the
laws of the State of Washington for
the purpose of raising the amount neces-
sary to pay the compensation and dam-
ages 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, dam-
ages 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 assess-
ment, a supplementary petition shall be
filed in said court, and all other
acts and proceedings necessary for
the making, collection, and col-
lection of said assessment, shall be
taken and done as provided by the laws
of the State of Washington.
Section 4. 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 19th day
of August, 1907, and signed by me in
open session in authentication of its
passage this 19th day of August, 1907.
THOS. P. REVELLE,
President pro tem. of the City Council.
Approved by me this 20th day of Au-
gust, 1907.
C. R. BURNETT, JR., Acting Mayor.
Filed by me this 20th day of August,
1907.
Attest: (Seal) H. W. CARROLL,
City Comptroller and ex-officio City
Clerk.
Published August 22, 1907.