

Ordinance No. 17587

An Ordinance providing for the laying out, extending and establishing of 12th Ave. N. and Boyer Ave., as public Streets and providing payment therefor.

Council Bill No. 1817

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| INTRODUCED: NOV 18 1907 | BY: REVELLE |
| REFERRED: NOV 18 1907 | TO: STREET COM. |
| REFERRED: | |
| REPORTED: DEC - 2 1907 | |
| SECOND READING: DEC - 2 1907 | VETO: |
| THIRD READING: DEC - 2 1907 | VETO PUBLISHED: |
| SIGNED: DEC - 2 1907 | VETO SUSTAINED: |
| PRESENTED TO MAYOR: DEC - 7 1907 | APPROVED: DEC 10 1907 |
| FILED: DEC 10 1907 | PUBLISHED: DEC 12 1907 |
| ENGROSSED: VOL. 5 / PAGE 110 | BY: <i>[Signature]</i> |
| COMPARED BY: Compared by Barnes & Newell | |

ORDINANCE NO. 17537

AN ORDINANCE Providing for the laying off, extending and establishing of Twelfth Avenue North, from Hamlin Street to Edgar Street, and Boyer Avenue, produced, from the west line of Delmar Park Addition, to Twelfth Avenue North, all in the City of Seattle, as public streets and highways, 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 Twelfth Avenue North, from Hamlin Street to Edgar Street, and Boyer Avenue, produced, from the west line of Delmar Park Addition to Twelfth Avenue North, 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 streets, NOW, THEREFORE:

BE IT ORDAINED BY THE CITY OF SEATTLE, AS FOLLOWS:

Section 1. That Twelfth Avenue North, from Hamlin Street to Edgar Street, and Boyer Avenue, produced, from the west line of Delmar Park Addition to Twelfth Avenue North, all in the City of Seattle, be and the same are hereby laid off, extended and established as public streets and highways across certain Lots, Blocks, Tracts and Parcels of land, more particularly described as follows, to-wit:

All those portions of the Lots, Blocks, Tracts and Parcels of land lying between the west margin of Twelfth Avenue North, as platted in The Denny Fuhrman Addition to the City of Seattle, and in John's Addition to the City of Seattle, and a line seventy-five (75) feet easterly from and parallel with the said west margin and between Hamlin Street and Edgar Street, all in the City of Seattle.

And all those portions of the Lots, Blocks, Tracts and Parcels of land lying between the center line of Boyer Avenue, as platted in Delmar Park Addition to the City of Seattle, produced northwesterly, said center line bearing north 40° 19'

20" west, and lines thirty-seven and five tenths (37.5) feet northeasterly and southwesterly from and parallel with said center line produced, and between the west line of Delmar Park Addition to the City of Seattle and the east margin of Twelfth Avenue North, as platted in The Denny Fuhrman Addition to the City of Seattle, all in the City of Seattle.

Also, all those portions of the lots, Blocks, Tracts and Parcels of land lying southwest of the southwesterly margin of Boyer Avenue, as extended; north of the north margin of Roanoke Street; and east of the east margin of Twelfth Avenue North, all in the City of Seattle.

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 public streets and highways 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 Twelfth Avenue North and Boyer Avenue, all in the City of Seattle, 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 mak-

ing 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 out of 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 2nd day of DECEMBER 1907, and signed by me in open session in authentication of its passage this 2^d day of DECEMBER 1907.

Approved by me this 10th day of DECEMBER 1907.
J. H. Burnett Jr.
President of the City Council.

Filed by me this 10th day of DECEMBER 1907.
W. H. K. Moore
Mayor.

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

(SEAL) By _____ Deputy Clerk.

Published DEC 12 1907
A. M. Carroll
City Comptroller and ex-officio City Clerk.

By A. M. Carroll
Deputy Clerk.