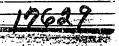
Ordinance No. 17629

An Ordinance providing for the laying off, etc., of Westlake Avenue, North, et. al.

Council Bill No. 4403				
INTRODUCED: NOV 25 1907	"YAURPHY.			
REFERRED: NOV 25 1907	STREET COM			
REFERRED:				
REPORTED: DEC -9 1907				
second reading: DFC =9 1907	VETO:			
THIRD READINGS	VETO PUBLISHEDI			
SIGNED: - 0 1907	VETO SUSTAINED			
PRESENTED TO MAYOR: DEC 1 4 1907	APPROVED: DEC 23 1507			
FILED: DEC 23 1907	ровізнес: DEC 24 1907 ·			
ENGROSSED: VOLE / PAGE / 36	P. S.			
COMPARED BY: COMPARED BY:	i.Newell			



EXHIBIT

ORDINANCE NO. 17629.

AN ORDINANCE providing for the laying off, widening, extending and establishing of Westlake Avenue North, from Mercer Street to the south line of the Lake Washington Canal, and of Fremont Avenue, from the north line of the Lake Washington Canal to Ewing Street, all in the City of Scattle, as public streets and highways, over and across certain lots, blocks, and unplatted land in said City, and providing for the changing and establishing of the grades thereof, and providing for the taking and damaging of all land and other property necessary for the laying off, widening, extending and established grades, and for the grading and regrading of said avenues, and of approaches thereto, in conformity with such established grades, and for the construction of the necessary clopes and retaining walls for cuts and fills upon the property abutting on said avenues, and providing for the ascertainment and payment of the just compensation to be made for the property and property rights taken or damaged for said priposes, and providing for an assessment upon the property benefited, for the purpose of making such compensation and paying the cost of such proceedings, and repealing all ordinances and parts of ordinances in conflict herewith.

Whereas, Public necessity demands that Westlake Avenue North, from Mercer Street to the south line of the Lake Washington Canal, and Fremont Avenue, from the north line of the Lake Washington Canal to Ewing Street, all in the City of Seattle, be laid off, widened, extended and established, as public streets and highways, over and across certain lots, blocks and unplatted land in said city, and that the grades thereof be changed and established, and that said avenue and approaches thereto be graded in conformity with such established grades; and,

Whereas, Such improvement will be of special benefit to certain lands, premises and other property; Now, therefore, Be it ordained by the City of Seattle as follows:

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Section 1. That Westlake Avenue North, in the City of Seattle, from Mercer Street to the south line of the Lake Washington Canal, be, and the same is hereby, laid off, widened, extended and established, as a public street and highway, over and across certain lots, blocks and unplatted land in said City, more particularly described as follows, to-wit:

- (1) All those lots, blocks and unplatted land, included between the east line of Block seventy-eight (78), Lake Union Shore Lands, and the west line of Block seventy-seven (77), Lake Union Shore Lands, each produced south to the north line of Mercer Street.
- (2) All those lots, blocks and unplatted land, lying between the casterly line of Westlake Avenue North, as platted in the Lake Union Shore Lands, from Valley Street to a point opposite the north line of Lot seventeen (17). Block fitteen (15), B. F. Day's Eldorado Addition, and a line one hundred fifty (150) feet westerly from and parallel with said easterly line.

...(3) All those lots, blocks and unplatted land lying between the following described line and a line one hundred fitty (150) feet northerly from and parallel with said line, to-wit:

Beginning at the northeast corner of Lot seventeen (17) of Block fifteen (15), B. F. Day's Eldorado Addition, and runing thence in a northwesterly direction, along the arc of a curve to the left, having a radius of one hundred ninety-eight and sixty-one one-hundredths (198.61) feet, a distance of ninety-three and fourteen one-hundredths (198.61) feet, a distance of ninety-three and fourteen one-hundredths (32.72) feet southerly from and parallel with the south line of the right-of-way of the Lake Washington Canal produced, to an intersection with the center line of Fourth Avenue North. almongeria Lorentae News

- (4) That portion of Block seventy-eight (78) in Denny and Hoyt's Supplemental Plat, lying east of a line forty (40) feet west of and parallel with the center line of Fremont Avenue produced.
- feet west of and parallel with the center line of Fremont Avenue produced.

 (5) That portion of Block one (1), B. F. Day's Eldorado Addition, particularly described as follows:

 Beginning at the southeast corner of said Block one (1); running thence north along the east line of said Block, a distance of three hundred twenty-seven and sixty one-hundredths (327.00) feet, more or less, to the westerly line of Westlake Avenue North, as platted in said Addition; thence northerly along said westerly line a distance of eighty-four and forty one-hundredths (84.40) feet, more or less, to the northeast corner of said Block; thence west along the north line said Block a distance of eighteen and ninety-two one-hundredths (18.92) feet, more or less, to an intersection with a har forty (40) feet west of and parallel with the existing center line of Fremoni Avenue produced south; thence south along said line produced, a distance of one hundred twenty-eight and ninety-three on-hundredths (128.93) feet; thence in a westerly direction along the arc of a curve to the right, having a radius of twenty (20) feet, a distance of forty-three and thirty-two one-hundredths (43.22) feet to a point on the north line of Nickerson Street, as platted in Mayfair Addition produced; thence northwesterly along said northerly line produced, a distance of block one (1) of said Alayfair Addition; thence south a distance of one hundred eighteen and seventy-nine one-hundredths (118.79) feet, more or less, to the northeast corner of Block one (1) of said Alayfair Addition; thence south alayfair Addition; thence south alayfair him of the produced and forty one-hundredths (118.79) feet, more or less, to the northeast corner of Block one (1) of said Alayfair Addition; thence southeasterly a distance of one hundred ninety-five and twenty-one one-hundredths (195.21) feet, more or less, to a point on the south line of said Block one (1) B. F. Day's Eldorado Addition; thence east along said south line, a distance of one and forty one-hundredths (1.80) feet to
- (6) That remaining portion of Elock eight (8), B. F. Day's Eldorado Addition, lying northerly and easterly from a line more particularly described as follows:

Beginning at a point on the easterly line of said Block, said point being twelve and fifty-seven one-hundredths (12.57) feet northeasterly from the northeast corner of Lot eleven (11) of said Block, running thence in a northwesterly direction a distance of one hundred eighty-five and time one-hundredths (15.09) feet, more or less, to a point on the north line of Lot eight (5) of said Block; thence west along said north line a distance of sixteen and eighty-nine one hundredths (16.89) feet, to the northwest corner of said Lot eight (8).

- (7) All that portion of Block eighty-five (S5), Denny and Hoyt's Supplemental Plat, lying south of the right-of-way of the Lake Washington Canal.
- (8) All of Lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), and eleven (11), Block nine (9), B. F. Day's Eldorado Addition.
- . (9) All of Lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), and twelve (12), Block fifteen (15), B. F. Day's Eldorado Addition.

That Fremont Avenue, in the City of Seattle, from the north line of the Lake Washington Canal to Ewing Street, be, and the same is hereby, laid off, widened, extended and established as a public street and highway, over and across certain lots, blocks and unplatted lands in said City, more particularly described as follows, to-wit:

All those lots, blocks, and unplatted land lying between the center line of Fremont Avenue, from the north line of the Lake Washington Canal to Ewing Street, and a line forty (40) feet west of and parallel with said center line.

All those lots, blocks and unplatted land lying between the center line of Fremont Avenue, from the north line of the Lake Washington Canal to Ewing Street, and a line forty (40) feet east of and parallel with said center line.

Section 2. That the grades of Westlake Avenue North, in the City of Seattle, from Member Street to the south line of the Lake Washington Canal, be and the same are hereby changed and established at the following respective elevations above City Datum, to-wit:

At the north line of Mercer Street, 20.00 feet.

At the north line of Lot seventeen (17), Block fifteen (15), B. F. Day's Eldorado Addition, 20.00 feet.

At the east line of Fourth Avenue North: North curb, 48.00 feet; South curb, 48.00 feet.

At the south line of Lake Washington Canal, 45.00 feet.

That the grades of Fremont Avenue, in the City of Scattle, from the north line of the Lake Washington Canal to Ewing Street, be and the same are hereby changed and established at the following respective elevations above City Datum, to-wit:

At the north line of Lake Washington Canal, 45.00 feet.
At the south line of Ewing Street, 45.00 feet.
At the north line of Ewing Street, 46.00 feet.
At the north line of Ewing Street, 46.00 feet.
That the grades of the approaches to the intersection of Ewing Street and Fremont Avenue shall be straight lines connecting the grades herein established at said intersection with the existing grades at the following respective points:

On Fremont Avenue, at the south margin of Blewett Street. On Ewing Street, east approach, at the west margin of Woodland Park Avenue.

west approach, at a point one hundred seventy-sir and five tenths (176.5) feet east of the east mar-On Ewing Stre

Section 3. That all the lands, rights, privileges and other property within the limits of the lots, blocks and unplatted land described in Section one (1) herein, be and the same are hereby condemned and appropriated to the public use for the purpose of public streets and highways forever; and that all the lands, rights, privileges and other property necessary to be taken, used or damaged in the grading and regrading of Westlake Avenue North, from Mercer Street to the south line of the Lake Washington Canal, and of Fremont Avenue, from the north line of the Lake Washington Canal to Ewing Street, and of the approaches thereto in conformity with the grades established in Section two (2) herein, and in the construction of slopes and retaining walls for cuts and fills upon the property abutting upon said avenue, and upon the approaches thereto, be and the same are hereby condemned and appropriated to the public use for such purposes.

That in the construction of the necessary slopes and retaining walls for cuts and fills upon property abutting upon said avenue and approaches thereto, each cut shall be carried back into and extended upon said abutting property one (1) foot for each foot in depth of cut, and each fill shall be carried back and extended upon the abutting property one and one-half (12) feet for each foot in depth of fill.

· Section 4. That the Corporation Counsel be, and he is hereby authorized and directed to take the necessary steps for such condemnation and to prosecute the actions and proceedings necessary to carry out the provisions of this ordinance.

Section 5. An assessment shall be made in the manner provided by law, for the purpose of raising the amount necessary to pay the compensation and damages which shall be awarded for the property taken or damaged as aforesaid, and the cost of making and collecting such assessment, and said assessment shall be made subject to the provisions of said laws upon all the 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 and completion and collection of said assessment shall be taken and done as provided by the laws of the State of Washington.

Section 6. That all ordinances and parts of ordinances in conflict herewith, be, and the same are hereby repealed:

Section 7. 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 9th day of December, 1907, and signed by me in open session in authentication of its passage this 9th day of December, 1907.

J. E. CRICHTON.

Approved by me this 23rd day of December, 1907.

President pro tem. of the City Council. WM. HICKMAN MOORE, Mayor.

Filed by me this 23rd day of December, 1907.

Attest:

H. W. CARROLL City Comptroller and ex-officio City Clerk.

Published December 24, 1907.

STATE OF WASHINGTON, COUNTY OF KING, CITY OF SEATTLE.

I, H. W. Carroll, City Comptroller and ex-officio City Clerk of the City of Seattle, do hereby certify that the within and foregoing is a true and correct copy of Ordinance No. 17629 of said City, as the same appears

IN WITNESS WHEREOF, I have hereunto set my hand and offixed the seal of the City of Seattle this 16th day of July, 1908.

H. W. CARROLL.

(Seal.)

City Comptroller and ex-officio City Clerk of the City of Seattle.

By R. L. WARSON, Deputy Clerk.

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ORDINANCE NC 17629

AN ORDINANCE Providing for the laying off, widening, extending and establishing of Westlake Avenue North, from Mercer Street to the south line of the Lake Washington Canal, and of Fremont Avenue, from the north line of the Lake Washington Canal to Ewing Street, all in the City of Seattle, as public streets and highways, over and across certain lots, blocks, and unlatted land in said City, and providing for the changing and estab-lishing of the grades thereof, and providing for the taking and damaging of all land and other property necessary for the laying off, widening, extending and establishing, and for the grading and regrading of said avenues, and of approaches thereto, in conformity with such established grades, and for the construction of the necessary slopes and retaining walls for outs and fills upon the property abutting on said avenues, and providing for the ascertainment and payment of the just compensation to be made for the property and property rights taken or damaged for said purposes, and providing for an assessment upon the property benefited, for the purpose of making such compensation and paying the cost of such proceedings, and repealing all ordinances and parts of ordinances in conflict herewith.

WHEREAS, Public necessity demands that Westlake Avenue North, from Mercer Street to the south line of the Lake Washington Canal, and Fremont Avenue, from the north line of the Lake Washington Canal to Ewing Street, all in the City of Seattle, be laid off, widened, extended and established, we public streets and highways, over and across certain lots, blocks and unplatted land in said City, and that the grades thereof be changed and established, and that said avenue and approaches thereto be graded in conformity with such established grades; and,

WHEREAS, Such improvementwill be of special cenefit to certain lands, premises and other property: NOW, THEREFORE,

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

Section 1. That Westlake Avenue North, in the City of Seattle, from Mercer Street to the south line of the Lake Washington Canal, be, and the same is hereby, laid off, widened, extended and established, as a public street and highway, over and across certain lots, blocks and unplatted Land in said City, more particularly described as follows, to-wit:

- (1) All those lots, blocks and unplatted land, included between the east line of Block seventy-eight (78), Lake Union Shore Lands, and the west line of Block Seventy-seven (77), Lake Union Shore Lands, each produced south to the north line of Mercer Street.

 (2) All these lots, blocks and unplatted land, lying be-
- tween the easterly line of Westlake Avenue North, as platted in the Lake Union Shore Lands; from Valley Street to a point opposite the north line of Lot seventeen (17), Block fifteen (15), B. F. Day's Eldorado Addition, and a line one hundred fifty (150) feet westerly from and parallel with said easterly line.
- (3) All those lots, blocks, and unplatted land lying between the following described line and a line one hundred fifty (150) feet northerly from and parallel with said line, to-wit:

Beginning at the northeast corner of Lot seventeen (17) of Block Fifteen (15), B. F. Day's Eldorado Addition, and running theme in a northwesterly direction, along the arc of a cur 3 to the left, having a radius of one hundred ninety-cight and sixty-one one-hundredths (198.61) feet, a distance of ninety-three and fourteen one-hundredths (93.14) feet; thence along a line tangent to said curve; said line being three hundred forty-two and seventy-two one-hundredths (342.72) feet southerly from and parallel with the south line of the right-of-way of the Lake Washington Canal produced, to an intersection with the center line of Fourth Avenue North.

- (4) That portion of Block seventy-cight (78) in Denny and Hoyt's Supplemental Plat, lying east of a line forty (40) feet west of and parallel with the center line of Fre out Avenue produced.
- Block one (1),
 (5) That portion of B. F. Day's Elderade Addition, particularly described as follows:

Beginning at the southeast corner of said Block one (1); running thence north along the east line of said Block, a distance

of three hundred twenty-seven and sixty one-hundredths (327.60) feet, more or less, to the westerly line of Westlake Avenue North, as platted in said Addition; thence northerly along said westerly line a distance of eighty-four and forty one-hundredths (84.40) feet, more or less, to the northeast corner of said Block; thence west along the north line of said Block a distance of eighteen and ninety-two one-hundredths (18.92) feet, more or less, to an intersection with a line forty (40) feet west of and parallel with the existing center line of Fremont Avenue produced south; thence south along said line produced, a distance of one hundred twenty-eight and ninety-three one-hundredths (128.93) feet; thence in a westerly direction along the arc of a curve to the right, having a radius of twenty (20) feet, a distance of forty-three and thirty-two one-hundredths (43.32) feet to a point on the north line of Nickerson Street as platted in Mayfair Addition produced; thence northwesterly along said northerly line produced, a distance of thirty-two and sixty-three one-hundredths (32.63) feet to lie southerly corner of Block "A" of said Mayfair Addition thence south a distance of one hundred eighteen and seventy-nine one-hundredths (118.79) feet, more or less, to the northeast corner of Block one (1) of said mayfair Addition; thence southeasterly a distance of one hundred ninety-five and twenty-one one-hundredths (195.21) feet, more or less, to a point on the south line of said Block one (1), B. F. Day's Eldorado Addition; thence east along said south line, a distance of one and forty one-hundredths (1.40) feet to the place of beginning.

(6) That remaining portion of Block eight (8), B. F. Day's Eldorado Addition, lying northerly and easterly from a line more particularly described as follows:

Beginning at a point on the easterly line of said Block, said point being twelve and fifty-seven one-bundredths (12.57) feet northeasterly from the northeast corner of Lot eleven (11) of said Block, running thence in a northwesterly direction a dis-

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tance of one hundred eighty-five and nine one-hundredths (185.09) feet, more or less, to a point on the north line of Lot eight (8) of said block; thence west along said north line a distance of sixteen and eighty-nine one-hundredths (16.89) feet, to the north-west corner of said Lot eight (8).

- (7) All that portion of Block eighty-five (85), Denny and Hoyt's Supplemental Plat, lying south of the right-of-way of the Lake Washington Canal.
- (8) All of Lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), ten (10), and eleven (11), Block nine (9), B. F. Day's Eldorado Addition.
- (9) All of Lots one (1), two (2), three (3), four (4), five (5), six (6), seven (7), eight (8), nine (9), and twelve (12), Block fifteen (15), B. F. Day's Eldorado Addition.

That Fremont Avenue, in the City of Seattle, from the north line of the Lake Washington Canal to Ewing Street, be, and the same is hereby, laid off, widened, extended and established as a public street and highway, over and across certain lots, blocks and unplatted land in said City, more particularly described as follows, to-wit:

All those lots, blocks, and unplatted land lying between the center line of Fremont Avenue, from the north line of the Lake Washington Canal to Ewing Street, and a line forty (40) feet west of and parallel with said center line.

All those lots, blocks and unplatted land lying between the center line of Fremont Avenue, from the north line of the Lake Washington Canal to Ewing Street, and a line forty (40) feet east of and parallel with said center line.

Section 2. That the grades of Westlake Avenue North, in the City of Seattle, from Mercer Street to the south line of the Lake Washington Canal, be and the same are hereby changed and established at the following respective elevations above City Datum, to-wit:

...4 - .

At the north line of Mercer Street,

At the north line of Lot seventeen (17), Block fifteen (15), B. F. Day's Eldorado Addition,

At the ear. line of Fourth Avenue North,
North curb,
South Curb,

At the south line of the Lake Washington Canal,

45.00 Feet

That the grades of Fremont Avenue, in the City of Seattle, from the north line of the Lake Washington Canal to Ewing Street, be and the same are hereby changed and established at the following respective elevations above City Datum, to-wit:

At the north line of the Lake Washington Canal, 45.00 Feet
At the south line of Ewing Street, 45.00 Feet
At the north line of Ewing Street, 46.00 Feet

That the grades of the approaches to the intersection of Ewing Street and Fremont Avenue shall be straight lines connecting the grades herein established at said intersection with the existing grades at the following respective points:

On Fremont Avenue, at the south margin of Blewett Street On Ewing Street, east approach, at the west margin of Woodland Park Avenue.

On Ewing Street, west approach, at a point one hundred seventy-six and five-tenths (176.5) feet east of the east margin of Phinney Avenue.

Section 3. That all the lands, rights, privileges and other property within the limits of the lots, blocks, and unplatted land described in Section one (1) herein, be and the same are hereby condemned and appropriated to the public use for the purpose of muclic streets and highways forever; and that all the lands, rights, privileges and other property necessary to be taken, used or damaged in the grading and regrading of Westlake Avenue North, from Mercer Street to the south line of the Lake Washington Canal, and of Fremont Avenue, from the north line of the Lake Washington

Canal to Ewing Street, and of the approaches thereto in conformity with the grades established in Section two (2) herein, and in the construction of slopes and retaining walls for cuts and fills upon the property abutting upon said avenue, and upon the approaches thereto, be and the same are hereby condemned and appropriated to the public use for such purposes.

That in the construction of the necessary slopes and retaining walls for cuts and fills upon property abutting upon said avenue and approaches thereto, each cut shall be carried back into and extended upon said abutting property one (1) foot for each foot in depth of cut, and each fill shall be carried back and extended upon the abutting property one and one-half $(1\frac{1}{2})$ feet for each foot in depth of fill.

Section 4. That the Corporation Counsel be, and he is hereby, authorized and directed to take the necessary steps for such condemnation and to prosecute the actions and proceedings necessary to earry out the provisions of this ordinance.

Section 5. An assessment shall be made in the manner provided by law, for the purpose of raising the amount necessary to pay the compensation and damages which shall be awarded for the property taken or damaged as aforesaid, and the cost of making and coalecting such assessment; and said assessment shall be made subject to the provisions of said laws upon all the 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 Stattle.

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 and completion and collection of said assessment shall be taken and done as provided by the laws of the State of Washington.

Section 6. That all ordinances and parts of ordinances in conflict herewith be, and the same are hereby, repealed.

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under the	provisions of	the Cit	y Charter	•0		
					y of DECEMI	BER 1907,
and signed	by me in op	en sessio	on in auth	entic	ation of its	passage
this	g rd	day	of OK	PA	OFOEMBER	1907.
			XX	le	Klove	
			Fresident	PRO-TE	of the City	Council.
А	pproved by m	e this	day	of	DECEMBER	1907.
			U	ruff	CKWau M	VV14/
F	iled by me	this V	day of		DEOEMBER	Mayor. 1907.
	Attes		<i>A.</i> 7	1. Ce	roroll.	
		City Con	nptroller	and e	ex-officio Cit	y Clerk.
(SEAL)			Ву			
	***	V 1007			Deput	y Clerk.
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		City Cor	nptroller	and e	ex-officio Cit	y Clerk.
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				100	Deput	y Clerk.

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Section 7. This ordinance shall take effect and be in force from and after its passage and approval, if approved by the Mayor;

Attidavit of Publication

State of Washington (County of King, City of Seattle

W. P. HAMMONS, being duly sworn, says he is the pub-

	f The MORNING TIMES and the SEATTLE DAILY BULLETIN, a daily news-
paper, j	printed and published at Seattle, King County, State of Washington; that it is a newspaper of circulation in said County and State, and that the annexed, being Ordinance No. 176.
	, 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
	day of 1900 May 1900, and that said newspaper was 1 games

distributed to its subscribers on said day.

ORDINANCE NO. 7022

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Subscribed and sworn to before me this....

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Notary Publicain and for the State of Washington,

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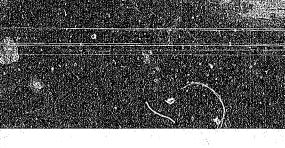
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