

Ordinance No. 20756

AN ORDINANCE Providing for the laying off, etc., of Thirty-fifth Avenue Southwest, from West Oregon Street to Roxbury Street, etc.

Council Bill No. 7585

INTRODUCED: FEB -8 1909	BY: <i>W. W. WARDALL</i> WARDALL
REFERRED: FEB -8 1909	STREET COM.
REFERRED:	
REPORTED: APR 19 1909	VETO:
SECOND READING: APR 19 1909	PUBLISHED:
THIRD READING: APR 19 1909	VETO SUSTAINED:
SIGNED: APR 19 1909	PASSED OVER VETO:
PRESENTED TO MAYOR: APR 21 1909	APPROVED: APR 23 1909
FILED: APR 26 1909	PUBLISHED: APR 30 1909
ENGROSSED: VOL <i>21</i> PAGE <i>89</i>	BY: <i>W. W. WARDALL</i>
COMPARED BY:	
AND	

ORDINANCE NO. 20756

AN ORDINANCE Providing for the laying off, opening, widening, extending and establishing of Thirty-fifth Avenue Southwest, from West Oregon Street to Roxbury Street, in the City of Seattle; and providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; and providing that the payment for such improvement be made by special assessment upon property specially benefited, in the manner provided by law.

WHEREAS, Public necessity and convenience demand that Thirty-fifth Avenue Southwest, from West Oregon Street to Roxbury Street, in the City of Seattle, be laid off, opened, widened, extended and established as a public street and highway; and

WHEREAS, Said 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:

SECTION 1. That Thirty-fifth Avenue Southwest, from West Oregon Street to Roxbury Street, in the City of Seattle, be and the same is hereby laid off, opened, widened, extended and established as a public street and highway over and across certain lots, blocks and tracts of land in said city, more particularly described as follows, to-wit:

That portion of Section Fourteen (14), Township Twenty-four (24) North, Range Three (3) East, W. M., lying west of the east line of said Section, east of a line which is parallel to and distant forty-five (45) feet west from said east line, and south of the north margin of West Oregon Street, as it now exists.

That portion of Section Thirteen (13), Township Twenty-four (24) North, Range Three (3) East, W. M., lying east of the west line of said Section, west of a line which is parallel to and distant forty-five (45) feet east from said line, and south of the north margin, produced east, of West Oregon Street, as it now exists.

That portion of Section Twenty-three (23), Township Twenty-four (24) North, Range Three (3) East, W. M., lying between the east line of said section and a line which is parallel to and distant forty-five (45) feet west from said east line.

That portion of Section Twenty-four (24), Township Twenty-four (24) North, Range Three (3) East, W. M., lying between the west line of said Section and a line which is parallel to and distant forty-five (45) feet east from said line.

That portion of Section Twenty-six (26), Township Twenty-four (24) North, Range Three (3) East, W. M., lying between the east line of said Section and a line which is parallel to and distant forty-five (45) feet west from said east line.

That portion of Section Twenty-five (25), Township Twenty-four (24) North, Range Three (3) East, W. M., lying between the west line of said Section and a line which is parallel to and distant forty-five (45) feet east from said west line.

That portion of Section Thirty-five (35), Township Twenty-four (24) North, Range Three (3) East, W. M., lying between the east line of said Section and a line which is parallel to and distant forty-five (45) feet west from said east line.

That portion of Section Thirty-six (36), Township Twenty-four (24) North, Range Three (3) East, W. M., lying between the west line of said Section and a line which is parallel to and distant forty-five (45) feet east from said west line.

SECTION 2. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in this ordinance be, and the same are hereby condemned, taken, damaged and appropriated to the public use for the purpose of a public street and highway, forever.

SECTION 3. That the improvement provided for in this ordinance be paid for by special assessment upon property specially

benefited, in the manner provided by law. Any part of the costs of said improvement that is not finally assessed against the property specially benefited, shall be paid from the General Fund of the City of Seattle.

SECTION 4. That the Corporation Counsel be, and he is hereby, authorized and directed to begin and prosecute the actions and proceedings, in the manner provided by law, to condemn, take, damage and appropriate the lands and other property necessary to carry out the provisions of this ordinance; and also to take the steps necessary to make such special assessment.

NOW, THEREFORE, by reason of the foregoing facts, an emergency is hereby declared to exist in which it is necessary for the immediate preservation of the public peace, health and safety that this ordinance shall become effective without delay.

Section 5 This ordinance shall take effect and be in force ~~therefrom~~ 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 APRIL, 1909, and signed by me in open session in authentication of its passage this 19th day of APRIL, 1909.

W. B. Murphy

President pro. tem. of the City Council.

Approved by me this 20 day of April, 1909.

John Allison

Mayor.

Filed by me this 26th day of APRIL, 1909.

Attest: *W. N. Carroll*

City Comptroller and ex-officio City Clerk.

| SEAL |

By *W. N. Carroll* Deputy Clerk.

Published APR 30 1909

City Comptroller and ex-officio City Clerk.

W. N. Carroll

Deputy Clerk.

F. 11 M

Affidavit of Publication

STATE OF WASHINGTON, } ss.
County of King, City of Seattle }

JOSEPH BLETHEN, being duly 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 No. 20756, 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 30th day of April, 1909, and that said newspaper was regularly distributed to its subscribers on said day.

AN ORDINANCE providing for the laying out, opening, widening, extending and vacating of Thirty-fifth Avenue Southwest from West Oregon Street to Roxbury Street, in the City of Seattle; and providing for the condemnation, appropriation, taking and damaging of land and other property necessary therefor; and providing that the payment for such improvement be made by special assessment upon property specially benefited, in the manner provided by law.

Whereas, Public necessity and convenience demand that Thirty-fifth Avenue Southwest, from West Oregon Street to Roxbury Street, in the City of Seattle, be laid out, opened, widened, extended and established as a public street and highway; and

Whereas, said 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:

Section 1. That Thirty-fifth Avenue Southwest, from West Oregon Street to Roxbury Street, in the City of Seattle, be and the same is hereby laid out, opened, widened, extended and established as a public street and highway over and across certain lots, blocks and tracts of land in said city, more particularly described as follows, to-wit:

That portion of Section Fourteen (14), Township Twenty-four (24), North, Range Three (3) East, W. M., lying west of the east line of said Section and east of a line which is parallel to and distant forty-five (45) feet west from the east line, and south of the north margin of West Oregon Street, as it now exists.

That portion of Section Thirteen (13), Township Twenty-four (24), North, Range Three (3) East, W. M., lying east of the west line of said Section and west of a line which is parallel to and distant forty-five (45) feet east from said line, and south of the north margin of West Oregon Street, as it now exists.

That portion of Section Twenty-three (23), Township Twenty-four (24), North, Range Three (3) East, W. M., lying between the east line of said section and a line which is parallel to and distant forty-five (45) feet west from said east line.

That portion of Section Twenty-four (24), Township Twenty-four (24), North, Range Three (3) East, W. M., lying between the west line of said Section and a line which is parallel to and distant forty-five (45) feet east from said line.

That portion of Section Twenty-six (26), Township Two (2), North, Range Three (3) East, W. M., lying between the east line of said Section and a line which is parallel to and distant forty-five (45) feet west from said east line.

That portion of Section Twenty-five (25), Township Twenty-four (24), North, Range Three (3) East, W. M., lying between the west line of said Section and a line which is parallel to and distant forty-five (45) feet east from said east line.

That portion of Section Thirty-five (35), Township Twenty-four (24), North, Range Three (3) East, W. M., lying between the east line of said Section and a line which is parallel to and distant forty-five (45) feet west from said east line.

That portion of Section Thirty-six (36), Township Twenty-four (24), North, Range Three (3) East, W. M., lying between the west line of said Section and a line which is parallel to and distant forty-five (45) feet east from said west line.

Section 2. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in this ordinance be, and the same are hereby condemned, taken, damaged and appropriated to the public use for the purpose of a public street and highway, forever.

Section 3. That the improvement provided for in this ordinance be paid for by special assessment upon property specially benefited, in the manner provided by law. Any part of the costs of said improvement that is not finally assessed against the property specially benefited, shall be paid from the General Fund of the City of Seattle.

Section 4. That the Corporation Council be, and he is hereby, authorized and directed to begin and prosecute the proceedings and proceedings, in the manner provided by law, to condemn, take, other property necessary to carry out the provisions of this ordinance; and also to take the steps necessary to make such special assessment.

Now, therefore, by reason of the foregoing facts, an emergency is hereby declared to exist in which it is necessary for the immediate preservation of the public peace, health and safety that this ordinance shall become effective without delay.

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 12th day of April, 1909, and signed by me in presence of the City Clerk.

Joseph Blethen
Subscribed and sworn to before me this 30th day
of April, 1909.
[Signature]
Notary Public in and for the State of Washington,
residing at Seattle.

Washington; that it is a newspaper of general circulation in said County and State, and that the annexed, being Ordinance No. 20756, 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 20th day of April, 1909, and that said newspaper was regularly distributed to its subscribers on said day.

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Section 2. That all lands, rights, privileges and other property lying within the limits of the lots, blocks and tracts of land described in this ordinance be, and the same are hereby condemned, taken, damaged and appropriated to the public use for the purpose of a public street and highway, forever.

Section 3. That the improvement provided for in this ordinance be paid for by special assessment upon property specially benefited, in the manner provided by law. Any part of the costs of said improvement that is not specially assessed against the property specially benefited, shall be paid from the General Fund of the City of Seattle.

Section 4. That the Corporation Counsel be, and he is hereby, authorized and directed to begin and prosecute the various proceedings, in the manner provided by law, to condemn, take, damage and appropriate the lands and other property necessary to carry out the provisions of this ordinance; and also to take the steps necessary to make such special assessment.

Now, therefore, by reason of the foregoing facts, an emergency is hereby declared to exist in which it is necessary for the immediate preservation of the public peace, health and safety that this ordinance shall become effective without delay.

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 April, 1909, and signed by me in open session in authentication of its passage this 19th day of April, 1909.

WM. H. MITCHELL,
President pro tem. of the City Council.
Approved by me this 23rd day of April, 1909.

JOHN F. MILLER, Mayor.
Filed by me this 25th day of April, 1909.
Attest: (Seal) H. W. CARROLL,
City Comptroller and Ex-Omnibus City Clerk.
Published April 30, 1909.

Joseph Beets
Subscribed and sworn to before me this 30th day
of April, 1909.

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