

Ordinance No. 21766

AN ORDINANCE Providing for the extension of Fairview Avenue, Denny Way to Virginia Street.

Council Bill No. 7494

INTRODUCED: FEB -1 1909	BY: REVELLE
REFERRED: FEB -1 1909	STREET COM.
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REPORTED: SEP -7 1909	VETO:
SECOND READING: SEP -7 1909	PUBLISHED:
THIRD READING: SEP -7 1909	VETO SUSTAINED:
SIGNED: SEP -7 1909	PASSED OVER VETO:
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COMPARED BY: Compared by Arthur S. Johnson AND	

12
1909

1909

ORDINANCE NO. 21766

AN ORDINANCE Providing for the laying off, extending and establishing of Fairview Avenue, from Denny Way to Virginia 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 Fairview Avenue, from Denny Way to Virginia Street, in the City of Seattle, be laid off, 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 Fairview Avenue, from Denny Way to Virginia Street, in the City of Seattle, be and the same is hereby laid off, 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:

IN THE HEIRS OF SARAH A. BELL'S ADDITION TO THE CITY OF SEATTLE.

That portion of lot four (4), block fifty-three (53), described as follows, to-wit: Beginning at a point on the southeasterly line of said lot, said point being distant seventy-one and ninety-one one-hundredths (71.91) feet northeasterly from the southerly corner of said lot; thence northeasterly along the southeasterly line thereof a distance of forty-eight and nine one-hundredths (48.09) feet to the easterly corner of said lot; thence northwesterly along the northeasterly line thereof a distance of seven and twelve one-hundredths (7.12) feet to a point on the north line of said lot; thence west along said north line a distance of twenty-six and forty-six one-hundredths (26.46)

feet; thence south along the west margin, produced south, of Fairview Avenue as existing, a distance of forty-one and four one-hundredths (41.04) feet, to the point of beginning.

That portion of lot three (3), block fifty-three (53), described as follows, to-wit: Beginning at a point on the southeasterly line of said lot, said point being distant three and eighty-one one-hundredths (3.81) feet northeasterly from the southerly corner of said lot; thence northeasterly along the southeasterly line thereof a distance of ninety-five and twenty-nine one-hundredths (95.29) feet; thence north along the east margin, produced south, of Fairview Avenue as existing, a distance of twenty-seven and eighty-six one-hundredths (27.86) feet to a point on the northeasterly line of said lot; thence northwesterly along said northeasterly line a distance of forty-one and fifty-eight one-hundredths (41.58) feet to the northerly corner of said lot; thence southwesterly along the northwesterly line thereof a distance of forty-eight and nine one-hundredths (48.09) feet; thence south along the west margin, produced south, of Fairview Avenue as existing, a distance of ninety and seventy-four one-hundredths (90.74) feet, to the point of beginning.

That portion of lot two (2), block fifty-three (53), described as follows, to-wit: Beginning at a point on the southeasterly line of said lot, said point being distant eighty-nine (89) feet southwesterly from the easterly corner of said lot; thence southwesterly along the southeasterly line thereof a distance of thirty-one (31) feet to the southerly corner of said lot; thence northwesterly along the southwesterly line thereof a distance of sixty (60) feet to the westerly corner of said lot; thence northeasterly along the northwesterly line thereof a distance of ninety-nine and ten one-hundredths (99.10)

feet; thence south along the east margin, produced south, of Fairview Avenue as existing, a distance of ninety and seventy-four one-hundredths (90.74) feet, to the point of beginning.

That portion of lot one (1), block fifty-three (53), described as follows, to-wit: Beginning at a point on the southwesterly line of said lot, said point being distant thirty-two and seventy-two one-hundredths (32.72) feet northwesterly from the southerly corner of said lot; thence northwesterly along the southwesterly line thereof a distance of twenty-seven and thirty-one one-hundredths (27.31) feet to the westerly corner of said lot; thence northeasterly along the northwesterly line thereof a distance of thirty-one (31) feet; thence south along the east margin, produced south, of Fairview Avenue, as existing, a distance of forty-one and thirty one-hundredths (41.30) feet, to the point of beginning.

That portion of lot five (5), block fifty-three (53), lying west of the east margin, produced south, of Fairview Avenue as existing.

That portion of lot twelve (12), block forty (40), described as follows, to-wit: Beginning at a point on the southeasterly line of said lot, said point being distant thirty-four and seventy-three one-hundredths (34.73) feet northeasterly from the southerly corner of said lot; thence northeasterly along the southeasterly line thereof a distance of eighty-five and twenty-seven one-hundredths (85.27) feet to the easterly corner of said lot; thence northwesterly along the northeasterly line thereof a distance of fifty-eight and forty-nine one-hundredths (58.49) feet; thence south along the west margin, produced south, of Fairview Avenue as existing, a distance of sixty-nine and fifty-seven one-hundredths (69.57) feet, to the beginning of a curve to the right having a uniform radius of

fifty (50) feet; thence southwesterly along said curve a distance of thirty-six and twelve one-hundredths (36.12) feet to the point of beginning.

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 the property lying between the following described streets, to-wit: Fairview Avenue, from Denny Way to Mercer Street; Virginia Street, from Westlake Avenue to Fairview Avenue, as extended herein; Boren Avenue, from Howell Street to Fairview Avenue, as extended herein; and lines parallel to and distant one hundred twenty (120) feet from the respective margins of said streets, in the manner provided by law. Any part of the costs of said improvement that is not finally assessed against the property included in the above described district, 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.

(To be used for all Ordinances except emergency.)

Section 5. This ordinance shall take effect and be in force thirty days 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 7th day of SEPTEMBER, 1909, and signed by me in open session in authentication of its passage this 7th day of SEPTEMBER, 1909.

T. W. M. Hines
President PRO TEM of the City Council.

Approved by me this 14 day of SEPTEMBER, 1909.

John Hill
Mayor.

Filed by me this 15th day of SEPTEMBER, 1909.

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

[SEAL]

By _____
Deputy Clerk.

Published Sept 20 1909 A. M. Carroll
City Comptroller and ex-officio City Clerk.

By W. H. ...
Deputy Clerk.

Affidavit of Publication

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

JOSEPH BLETHEN, being duly sworn, says he is the publisher of **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. 20766, 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 September 1909, and that said newspaper was regularly distributed to its subscribers on said day.

ORDINANCE NO. 21766.
AN ORDINANCE providing for the laying off, extending and establishing of Fairview Avenue from Denny Way to Virginia 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 Fairview Avenue, from Denny Way to Virginia Street, in the City of Seattle, be laid off, 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 therefor.

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

Section 1. That Fairview Avenue, from Denny Way to Virginia Street, in the City of Seattle, be and the same be hereby laid off, 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:

IN THE HEIGHTS OF SARAH A. BELL'S ADDITION TO THE CITY OF SEATTLE.

That portion of lot four (4), block fifty-three (53), described as follows, to-wit: Beginning at a point on the southerly line of said lot, said point being distant seventy-one and ninety-one one-hundredths (71.91) feet northwesterly from the southerly corner of said lot; thence northwesterly along the southerly line thereof a distance of forty-eight and nine one-hundredths (48.09) feet to the easterly corner of said lot; thence northwesterly along the southerly line thereof a distance of seven and twelve one-hundredths (7.12) feet to a point on the north line of said lot; thence west along said north line a distance of twenty-six and forty-six one-hundredths (26.46) feet; thence north along the west margin, produced south, of Fairview Avenue as existing, a distance of forty-one and four one-hundredths (41.04) feet, to the point of beginning.

That portion of lot three (3), block fifty-three (53), described as follows, to-wit: Beginning at a point on the southerly line of said lot, said point being distant three and eighty-one one-hundredths (3.81) feet northwesterly from the southerly corner of said lot; thence northwesterly along the southerly line thereof a distance of thirty-five and twenty-nine one-hundredths (35.29) feet; thence north along the east margin, produced south, of Fairview Avenue as existing, a distance of twenty-seven and eighty-six one-hundredths (27.86) feet to a point on the southerly line of said lot; thence northwesterly along said northwesterly line a distance of forty-one and five-eight one-hundredths (41.58) feet to the northerly corner of said lot; thence southwesterly along the northwesterly line thereof a distance of forty-eight and nine one-hundredths (48.09) feet; thence south along the west margin, produced south, of Fairview Avenue as existing, a distance of ninety and seventy-four one-hundredths (90.74) feet, to the point of beginning.

That portion of lot two (2), block fifty-three (53), described as follows, to-wit: Beginning at a point on the southerly line of said lot, said point being distant eighty-nine (89) feet southwesterly from the easterly corner of said lot; thence southwesterly along the southwesterly line thereof a distance of thirty-one (31) feet to the southerly corner of said lot; thence northwesterly along the southwesterly line thereof a distance of thirty (30) feet to the westerly corner of said lot; thence northwesterly along the northwesterly line thereof a distance of ninety-nine and ten one-hundredths (99.10) feet; thence south along the east margin, produced south, of Fairview Avenue as existing, a distance of ninety and seventy-four one-hundredths (90.74) feet, to the point of beginning.

That portion of lot one (1), block fifty-three (53) described as follows, to-wit: Beginning at a point on the southwesterly line of said lot, said point being distant thirty-two and seventy-two one-hundredths (32.72) feet northwesterly from the southerly corner of said lot; thence northwesterly along the southwesterly line thereof a distance of twenty-seven and thirty-one one-hundredths (27.31) feet to the westerly corner of said lot; thence northwesterly along the northwesterly line thereof a distance of thirty-one (31) feet; thence south along the east margin, produced south, of Fairview Avenue, as existing, a distance of forty-one and thirty-one one-hundredths (41.31) feet, to the point of beginning.

That portion of lot five (5), block fifty-three (53), plus west of the east margin, produced south, of Fairview Avenue as existing.

That portion of lot twelve (12), block forty (40), described as follows, to-wit: Beginning at a point on the southwesterly line of said lot, said point being distant thirty-four and seventy-three one-hundredths (34.73) feet northwesterly from the southerly corner of said lot; thence northwesterly along the southwesterly line thereof a distance of

Joseph Blethen
Subscribed and sworn to before me this 20th day
of September 1909.

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

...beginning at a point on the north-
easterly line of said lot, said point be-
ing distant seventy-two and thirty-one
one-hundredths (103.31) feet north-
westerly from the southerly corner of said lot,
thence northwesterly along the north-
easterly line thereof a distance of forty
eight and nine one-hundredths (48.09)
feet to the easterly corner of said lot,
thence northwesterly along the north-
easterly line thereof a distance of seven
and twelve one-hundredths (7.12) feet
to a point on the north line of said lot,
thence west along said north line a dis-
tance of twenty-six and forty-six one-
hundredths (26.46) feet; thence south
along the west margin produced south
of Fairview Avenue as existing, a dis-
tance of forty-one and four one-hun-
dredths (41.04) feet to the point of be-
ginning.

That portion of lot three (3), block
fifty-three (53), described as follows, to-
wiz: Beginning at a point on the north-
easterly line of said lot, said point be-
ing distant three and eight one-hun-
dredths (3.81) feet; thence northwesterly
from the southerly corner of said lot,
thence northwesterly along the north-
easterly line thereof a distance of nine
and five one-hundredths (9.05) feet to the
easterly corner of said lot; thence
southwesterly along the northwesterly
line thereof a distance of forty-eight
and nine one-hundredths (48.09) feet;
thence south along the west margin pro-
duced south of Fairview Avenue as ex-
isting a distance of ninety and seventy-
four one-hundredths (90.74) feet to the
point of beginning.

That portion of lot two (2), block
fifty-three (53), described as follows, to-
wiz: Beginning at a point on the
northwesterly line of said lot, said point
being distant eight and nine one-hun-
dredths (8.09) feet; thence southwesterly
from the easterly corner
of said lot, thence southwesterly along
the southwesterly line thereof a distance
of thirty-one (31) feet to the southerly
corner of said lot; thence northwesterly
along the southwesterly line thereof
a distance of thirty (30) feet to the west-
erly corner of said lot; thence north-
easterly along the northwesterly line
thereof a distance of ninety-nine and ten
one-hundredths (99.10) feet; thence
south along the west margin produced
south of Fairview Avenue as existing, a
distance of ninety and seventy-four one-
hundredths (90.74) feet to the point of
beginning.

That portion of lot one (1), block
fifty-three (53), described as follows, to-
wiz: Beginning at a point on the south-
westerly line of said lot, said point be-
ing distant thirty-four and seventy-two
one-hundredths (34.72) feet northwesterly
from the southerly corner of said
lot; thence northwesterly along the
southwesterly line thereof a distance of
twenty-seven and thirty-one one-hun-
dredths (27.31) feet to the westerly cor-
ner of said lot; thence northwesterly
along the northwesterly line thereof a
distance of thirty-one (31) feet; thence
south along the east margin produced
south of Fairview Avenue as existing,
a distance of thirty-one and thirty one-
hundredths (31.30) feet to the point of
beginning.

That portion of lot five (5), block
fifty-three (53), lying west of the east
margin produced south of Fairview
Avenue as existing.

That portion of lot twelve (12), block
forty (40), described as follows, to-wit:
Beginning at a point on the southerly
line of said lot, said point being
distant thirty-four and seventy-three
one-hundredths (34.73) feet north-
easterly from the southerly corner of said
lot; thence northwesterly along the
southerly line thereof a distance of
thirty-five and twenty-seven one-hun-
dredths (35.27) feet to the easterly cor-
ner of said lot; thence northwesterly
along the northwesterly line thereof a
distance of thirty-eight and forty nine
one-hundredths (38.49) feet; thence
south along the west margin produced
south of Fairview Avenue as existing,
a distance of sixty-one and fifty-seven
one-hundredths (61.57) feet to the be-
ginning of a curve to the right having
a uniform radius of fifty (50) feet;
thence southwesterly along said curve a
distance of thirty-one and twenty one-
hundredths (31.21) feet to the point of
beginning.

Section 4. That all lands, rights, privi-
leges and other interests 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 5. That the improvement pro-
vided for in this ordinance be paid for
by special assessment upon the property
fronting between the following described
streets, to-wit: Fairview Avenue, from
Denny Way to Mercer Street; Virginia
Street, from Wallace Avenue to Fair-
view Avenue as extended herein; Brown
Avenue, from Howell Street to Fairview
Avenue as extended herein; and have
attached to and distant one hundred
twenty (120) feet from the respective
sides of said streets, in the manner
prescribed by law. Any part of the costs
of said improvement that is not fully
assessed against the property included
in the above described district, shall be
paid from the General Fund of the City
of Seattle.

Section 6. That the Corporation Coun-
cil be and he is hereby authorized and
directed to begin and prosecute the nec-
essary proceedings in the manner
provided by law, to condemn, take, dam-
age 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.

Section 7. This ordinance shall take
effect and be in force thirty days after
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 14th day
of September, 1909, and signed by me
in open session in authentication of its
passage this 14th day of September, 1909.

JOHN F. MILLER, Mayor.
Attest: H. W. CARROLL,
City Comptroller and ex-officio City
Clerk.
Published September 20, 1909.

21766

FILED

At _____ o'clock _____ M.

SEP 24 1909

H. W. CARROLL,
CITY COMPTROLLER
BY EX. OFFICIO CITY CLERK