

Ordinance No. 22833

An Ordinance Providing for the laying off, widening, extending, altering and establishing of Seaview Av. from Market Street produced West to W. 80th Street, etc.

Armstrong

Council Bill No. 10468

INTRODUCED: DEC 13 1909	BY: <i>ARMSTRONG</i>
REFERRED: DEC 13 1909	TO: STREETS
REFERRED:	
REPORTED: DEC 20 1909	VETO:
SECOND READING: DEC 20 1909	PUBLISHED:
THIRD READING: DEC 20 1909	VETO SUSTAINED:
SIGNED: DEC 20 1909	PASSED OVER VETO:
PRESENTED TO MAYOR: DEC 21 1909	APPROVED: DEC 29 1909
FILED: DEC 29 1909	PUBLISHED: JAN - 3 1910
ENGROSSED: VOL. <i>H 1</i> PAGE <i>125</i>	BY: <i>JB</i>
COMPARED BY: <i>Johnson AND Cox</i>	

ORDINANCE NO. 22833

AN ORDINANCE Providing for the laying off, widening, extending, altering and establishing of Seaview Avenue from Market Street, produced West, to West Eightieth Street, 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 Seaview Avenue from Market Street, produced West, to West Eightieth Street be laid off, 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 Seaview Avenue from Market Street, produced West, to West Eightieth Street, all in the City of Seattle, be, and the same is hereby laid off, widened, extended, altered and established as a public street and highway over and across the following lots, blocks and tracts of land, to-wit:

All that part of Lot One (1) Block Twenty (20), Ballard tidelands, described as follows, to-wit:

Beginning at the southeast corner of said lot one (1), and extending thence west one hundred and thirty-five one-hundredths (100.35) feet; thence north $04^{\circ} 46' 26''$ west, one hundred twenty-two and sixty-six one-hundredths (122.66) feet, to the south line of "S" street, (now West 80th street) as platted in the Ballard Tide lands; thence east one hundred fifteen and thirty-four one-hundredths (115.34) feet; thence south $18^{\circ} 08' 09''$ west, thirty-eight and thirty-nine one hundredths (38.39) feet; thence south $04^{\circ} 46' 26''$ east, eighty-six and five one-hundredths (86.05) feet, to place of beginning.

Parts of lots two (2) to eight (8) inclusive, of block twenty (20), Ballard tide lands, lying between the government

meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

All that part of lot nine (9), block twenty (20), Ballard tide lands, described as follows, to-wit:

Beginning at the southeast corner of said lot and extending thence west one hundred one and three one-hundredths (101.03) feet; thence north $08^{\circ} 10' 40''$ east, thirty-one and twenty-four one-hundredths (31.24) feet; thence north $04^{\circ} 46' 26''$ west, sixty-nine and thirty-two one-hundredths (69.32) feet; thence east one hundred and thirty-five one-hundredths (100.35) feet; thence south $04^{\circ} 46' 26''$ east, seventy-two and thirty-two one-hundredths (72.32) feet; thence south $08^{\circ} 10' 40''$ west, twenty-eight and twenty-two one-hundredths (28.22)^{feet} to the place of beginning.

Parts of lots numbered ten (10) to twelve (12), inclusive, of block twenty (20), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet measured at right angles.

Parts of lots numbered one (1) to twelve (12), inclusive, of block nineteen (19) Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

Parts of lots numbered one (1) to five (5), inclusive, of block sixteen (16), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof, one hundred (100) feet, measured at right angles.

All that part of lot six (6), block sixteen (16), Ballard tide lands, described as follows, to-wit:

Beginning at the southeast corner of said lot and extending

thence west one hundred one and seventy-four one-hundredths (101.74) feet; thence north $05^{\circ} 41' 17''$ east, twenty and thirty-five one-hundredths (20.35) feet; thence north $22^{\circ} 06' 58''$ east, eighty-six and eight one-hundredths (86.08) feet; thence east one hundred seven and ninety-four one-hundredths (107.94) feet; thence south $22^{\circ} 06' 58''$ west one hundred seven and ninety-four one hundredths (107.94) feet to the place of beginning.

All that part of lot seven (7), block sixteen (16), Ballard tide lands, described as follows, to-wit:

Beginning at the southeast corner of said lot and extending thence west one hundred and forty-nine one-hundredths (100.49) feet; thence north $05^{\circ} 41' 17''$ east, one hundred and forty-nine one-hundredths (100.49) feet; thence east one hundred ^{one} and seventy-four one-hundredths (101.74) feet; thence south $22^{\circ} 06' 58''$ west, four and thirty-five one-hundredths (4.35) feet; thence south $05^{\circ} 41' 17''$ west, ninety-six and forty-five one-hundredths (96.45) feet, to the place of beginning.

Parts of lots numbered eight (8), to ten (10), inclusive, block sixteen (16), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

All that part of lot number eleven (11), block sixteen (16), Ballard tide lands, described as follows, to-wit:

Beginning at the southeast corner of said lot and extending thence west one hundred (100) feet; thence north $00^{\circ} 12' 29''$ east, thirty-nine and forty-three one-hundredths (39.43) feet; thence north $05^{\circ} 41' 17''$ east, sixty and eighty-seven one-hundredths (60.87) feet; thence east one hundred and forty-nine one-hundredths (100.49) feet; thence south $05^{\circ} 41' 17''$ west, sixty-five and eighty-eight one-hundredths (65.88) feet;

thence west one hundred one and seventy-four one-hundredths (101.74) feet; thence north $05^{\circ} 41' 17''$ east, twenty and thirty-five one-hundredths (20.35) feet; thence north $22^{\circ} 06' 58''$ east, eighty-six and eight one-hundredths (86.08) feet; thence east one hundred seven and ninety-four one-hundredths (107.94) feet; thence south $22^{\circ} 06' 58''$ west one hundred seven and ninety-four one hundredths (107.94) feet to the place of beginning.

All that part of lot seven (7), block sixteen (16), Ballard tide lands, described as follows, to-wit:

Beginning at the southeast corner of said lot and extending thence west one hundred and forty-nine one-hundredths (100.49) feet; thence north $05^{\circ} 41' 17''$ east, one hundred and forty-nine one-hundredths (100.49) feet; thence east one hundred ^{one} and seventy-four one-hundredths (101.74) feet; thence south $22^{\circ} 06' 58''$ west, four and thirty-five one-hundredths (4.35) feet; thence south $05^{\circ} 41' 17''$ west, ninety-six and forty-five one-hundredths (96.45) feet, to the place of beginning.

Parts of lots numbered eight (8) to ten (10), inclusive, block sixteen (16), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

All that part of lot number eleven (11), block sixteen (16), Ballard tide lands, described as follows, to-wit:

Beginning at the southeast corner of said lot and extending thence west one hundred (100) feet; thence north $00^{\circ} 12' 29''$ east, thirty-nine and forty-three one-hundredths (39.43) feet; thence north $05^{\circ} 41' 17''$ east, sixty and eighty-seven one-hundredths (60.87) feet; thence east one hundred and forty-nine one-hundredths (100.49) feet; thence south $05^{\circ} 41' 17''$ west, sixty-five and eighty-eight one-hundredths (65.88) feet;

thence south $00^{\circ} 12' 29''$ west, thirty-four and forty-four one-hundredths (34.44) feet, to the place of beginning.

All that part of lot twelve (12), block sixteen (16), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

Parts of lots numbered one (1) to twelve (12), inclusive, block fifteen (15), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof, one hundred (100) feet, measured at right angles.

All of lots numbered thirteen (13) to twenty-seven (27), inclusive, block fifteen (15), Ballard tide lands.

Parts of lots numbered twenty-eight (28) to thirty-three (33), inclusive, of block fifteen (15), Ballard tide lands, lying between the westerly line of said lots and a line drawn parallel thereto and easterly thereof, one hundred (100) feet, measured at right angles.

All that part of lot forty (40), block fifteen (15), Ballard tide lands, described as follows, to-wit: Beginning at the northwest corner of said lot forty (40) extending thence south $54^{\circ} 50' 01''$ east, forty-five and eight one-hundredths (45.08) feet; thence south $89^{\circ} 34' 45''$ west, thirty-six and eighty-five one-hundredths (36.85) feet; thence north twenty-six and twenty-three one-hundredths (26.23) feet, to the place of beginning.

All of lots numbered thirty-four (34) to thirty-nine (39) inclusive, block fifteen (15), Ballard tide lands.

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.

(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 30th day of DECEMBER, 1909, and signed by me in open session in authentication of its passage this 30th day of DECEMBER, 1909.

President..... of the City Council.

Approved by me this 29 day of December, 1909.

Filed by me this 29th day of DECEMBER, 1909.

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

| SEAL |

By Deputy Clerk.

Published JAN - 3 1910 City Comptroller and ex-officio City Clerk.

By [Signature]
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. 22833, 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 3rd day of January, 1906, and that said newspaper was regularly distributed to its subscribers on said day.

AN ORDINANCE NO. 22833.
Whereas, Public necessity and convenience demand that Seaview Avenue from Market Street, produced west, to West Eighth Street, be laid off, 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 Seaview Avenue from Market Street, produced west, to Eighth Street, all in the City of Seattle, be, and the same is hereby laid off, widened, extended, altered and established as a public street and highway over, and across the following lots, blocks and tracts of land, to-wit:

All that part of lot one (1), block twenty (20), Ballard tide lands, described as follows, to-wit:
Beginning at the southeast corner of said lot one (1), and extending thence west one hundred and thirty-five one-hundredths (135.00) feet; thence north 04° 46' 26" west, one hundred twenty-two and sixty-six one-hundredths (122.66) feet, to the south line of 8th Street (now West 9th Street), as platted in the Ballard tide lands; thence east one hundred fifteen and thirty-four one-hundredths (115.34) feet; thence south 18° 03' 09" west, thirty-eight and thirty-nine one-hundredths (38.39) feet; thence south 04° 46' 26" east, eighty-six and five one-hundredths (86.05) feet, to place of beginning.

Parts of lots two (2) to eight (8), inclusive, of block twenty (20), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

All that part of lot nine (9), block twenty (20), Ballard tide lands, described as follows, to-wit:
Beginning at the southeast corner of said lot and extending thence west one hundred one and three one-hundredths (101.03) feet; thence north 05° 10' 40" east, thirty-one and twenty-four one-hundredths (31.24) feet; thence north 04° 46' 26" west, sixty-nine and thirty-two one-hundredths (69.32) feet; thence east one hundred and thirty-five one-hundredths (135.00) feet; thence south 04° 46' 26" east, seventy-two and thirty-two one-hundredths (72.32) feet; thence south 05° 10' 40" west, twenty-eight and twenty-two one-hundredths (28.22) feet, to the place of beginning.

Parts of lots numbered ten (10) to twelve (12), inclusive, of block twenty (20), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

Parts of lots numbered one (1) to five (5), inclusive, of block sixteen (16), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

Parts of lots numbered one (1) to five (5), inclusive, of block sixteen (16), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

All that part of lot six (6), block sixteen (16), Ballard tide lands, described as follows, to-wit:
Beginning at the southeast corner of said lot and extending thence west one hundred and seventy-four one-hundredths (174.00) feet; thence north 05° 41' 17" east, twenty and thirty-five one-hundredths (20.35) feet; thence north 22° 06' 58" east, eighty-six and eight one-hundredths (86.08) feet; thence east one hundred seven and ninety-four one-hundredths (107.94) feet; thence south 22° 06' 58" west, one hundred seven and ninety-four one-hundredths (107.94) feet, to the place of beginning.

All that part of lot seven (7), block sixteen (16), Ballard tide lands, described as follows, to-wit:
Beginning at the southeast corner of said lot and extending thence west one hundred and forty-nine one-hundredths (149.00) feet; thence north 05° 41' 17" east, one hundred and forty-nine one-hundredths (149.00) feet; thence east one hundred one and seventy-four one-hundredths (101.74) feet; thence south 22° 06' 58" west, four and thirty-five one-hundredths (4.35) feet; thence south 05° 41' 17" west, ninety-six and forty-five one-hundredths (96.45) feet, to the place of beginning.

Parts of lots numbered eight (8) to ten (10), inclusive, block sixteen (16), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

Subscribed and sworn to before me this 3rd day of January, 1906.

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

All that part of lot nine (9), block twenty (20), Ballard tide lands, described as follows, to-wit:

Beginning at the southeast corner of said lot and extending thence west one hundred one and three one-hundredths (101.03) feet; thence north 08° 40' thirty-one and twenty-four one-hundredths (82.24) feet; thence north 04° 46' 24" west sixty-nine and thirty-two one-hundredths (69.32) feet; thence east one hundred and thirty-five one-hundredths (100.35) feet; thence south 04° 46' 24" east seventy-two and thirty-two one-hundredths (72.32) feet; thence south 83° 10' 40" west twenty-eight and twenty-two one-hundredths (28.22) feet to the place of beginning.

Parts of lots numbered ten (10) to twelve (12), inclusive, of block twenty (20), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet measured at right angles.

Parts of lots numbered one (1) to twelve (12), inclusive, of block nineteen (19), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

Parts of lots numbered one (1) to five (5), inclusive, of block sixteen (16), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

All that part of lot six (6), block sixteen (16), Ballard tide lands, described as follows, to-wit:

Beginning at the southeast corner of said lot and extending thence west one hundred one and seventy-four one-hundredths (101.74) feet; thence north 05° 41' 17" east twenty and thirty-five one-hundredths (20.35) feet; thence north 22° 06' 53" east eighty-six and eight one-hundredths (86.08) feet; thence east one hundred seven and ninety-four one-hundredths (107.94) feet; thence south 22° 06' 53" west one hundred seven and ninety-four one-hundredths (107.94) feet to the place of beginning.

All that part of lot seven (7), block sixteen (16), Ballard tide lands, described as follows, to-wit:

Beginning at the southeast corner of said lot and extending thence west one hundred and forty-nine one-hundredths (100.49) feet; thence north 05° 41' 17" east one hundred one and seventy-four one-hundredths (101.74) feet; thence east hundredths (4.35) feet; thence south 05° 41' 17" west ninety-six and forty-five one-hundredths (96.45) feet to the place of beginning.

Parts of lots numbered eight (8) to ten (10), inclusive, block sixteen (16), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

All that part of lot number eleven (11), block sixteen (16), Ballard tide lands, described as follows, to-wit:

Beginning at the southeast corner of said lot and extending thence west one hundred (100) feet; thence north 09° 12' 28" east thirty-nine and forty-three one-hundredths (39.43) feet; thence north 05° 41' 17" east sixty and eighty-seven one-hundredths (60.87) feet; thence east one hundred and forty-nine one-hundredths (100.49) feet; thence south 05° 41' 17" west sixty-five and eighty-eight one-hundredths (65.88) feet; thence south 09° 12' 28" west thirty-four and forty-four one-hundredths (34.44) feet, to the place of beginning.

All that part of lot twelve (12), block sixteen (16), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

Parts of lots numbered one (1) to twelve (12), inclusive, block fifteen (15), Ballard tide lands, lying between the government meander line and a line drawn parallel thereto and westerly thereof one hundred (100) feet, measured at right angles.

All of lots numbered thirteen (13) to twenty-seven (27), inclusive, block fifteen (15), Ballard tide lands.

Parts of lots numbered twenty-eight (28) to thirty-three (33), inclusive, of block fifteen (15), Ballard tide lands, lying between the westerly line of said lots and a line drawn parallel thereto and easterly thereof one hundred (100) feet, measured at right angles.

All that part of lot forty (40), block fifteen (15), Ballard tide lands, described as follows, to-wit: Beginning at the northwest corner of said lot forty (40) feet, extending thence south 54° 0' 01" east, forty-five and eight one-hundredths (45.08) feet; thence south 5° 34' 45" west, thirty-six and eighty-five one-hundredths (36.85) feet; thence north twenty-six and twenty-three one-hundredths (26.23) feet to the place of beginning.

All of lots numbered thirty-four (34) to thirty-nine (39) inclusive, block fifteen (15), Ballard tide lands.

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 or by special assessment upon property specially benefited, in the manner provided by law. Any part of the cost 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.

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 20th day of December, 1909, and signed by me in open session in authentication of its passage this 20th day of December, 1909.

H. C. GILL, President of the City Council.

Approved by me this 20th day of December, 1909.

JOHN F. MILLER, Mayor. Filed by me this 20th day of December, 1909. H. W. CARROLL, City Comptroller and ex-officio City Clerk. Published January 3, 1910.

22833

No. 127 - 104 West St. at \$1,000 No.
118 Mary L. Blomquist et al. \$2,180.
No. 129 - 104 West St. at \$1,000
118 Mary L. Blomquist et al. \$2,180.
No. 129 - 104 West St. at \$1,000

FILED
At _____ o'clock _____ M.

JAN 15 1910

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

SCOTT CALHOUN
CORPORATION COUNSEL

JAMES E. BRADFORD
KING DYKEMAN
BRUCE C. SHORTS
HOWARD A. HANSON
HOWARD D. HUGHES
ASSISTANTS CORPORATION COUNSEL

The City of Seattle

Washington

LAW DEPARTMENT

MUTUAL LIFE BUILDING

RALPH S. PIERCE
CITY ATTORNEY

STEPHEN V. CAREY
CHAS. A. SCOTT
W. F. VAN RUFF
R. B. McCLINTON

January 7 , 1910

Mr. H. W. Carroll,
City Controller and Ex-Officio County Clerk,
Seattle, Wn.

Dear Sir:

In reply to your favor of Mr. Warson, under date of January 4, 1910, in re publication of ordinance No. 22833, I beg to say the error in the ordinance as published, is not such as could possibly mislead any person. Sea View Avenue intersects but one street known as 80th Street, and while the point of intersection is at a portion of 80th street known as West 80th Street, still no one could possibly be misled by the error.

I think the ordinance as published is legally sufficient, and return same herewith.

Yours very truly,

SCOTT CALHOUN,

CORPORATION COUNSEL,

Bruce C. Shorts
Assistant.

RECEIVED

JAN 8 1910

H. W. CARROLL,
CITY CONTROLLER

Attach to Ordinance 27833

January 7, 1910

Mr. H. W. Carroll,

Six Corners and Dr. Office Building,

Seattle, Wn.

Dear Sir:

In reply to your favor of the 2nd inst., under date of January 4, 1910, in the publication of Ordinance No. 27833, I am sorry to hear that the error in the ordinance as published is not being corrected. The law which interests you is that which is published in the ordinance as published, and while the point of interest is in a portion of the ordinance known as West 20th Street, still as one could easily be misled by the error, I think the ordinance as published is legally sufficient, and return your favor.

Very truly,
JOHN CARROLL

CORPORATE ATTORNEY

Assistant

RECEIVED
JAN 10 1910