

ORDINANCE

No. 505

AN ORDINANCE TO DECLARE THE BUILDING OF R. H. SCHMIDT AND W. J. WILLS, AS IT NOW EXISTS, A NUISANCE AND TO ABATE THE SAME

THE CITY COUNCIL OF THE CITY OF KIRKLAND DO ORDAIN AS FOLLOWS:

Section 1. That whereas it has come to the attention and knowledge of the Council of this City that that certain building located on the Northeast corner of the intersection of Second Street and Kirkland Avenue and described as follows, to-wit:

Beginning at the meander corner between sections 5 and 8, township 25 north, range 5 east, W.M., and running thence along the section line, north  $89^{\circ}39'00''$  east 459.32 feet; thence north  $0^{\circ}21'00''$  west 30.00 feet to the true point of beginning of this description; thence continuing north  $0^{\circ}21'00''$  west 100.00 feet; thence north  $89^{\circ}39'00''$  east 50.00 feet; thence south  $0^{\circ}21'00''$  east 100.00 feet; thence south  $89^{\circ}39'00''$  west 50.00 feet to the true point of beginning; (BEING KNOWN as lots 47 and 48, block 106, Burke & Farrar's Kirkland Addition to the City of Seattle, Division No. 26, according to the unrecorded plat thereof).

ALSO

Beginning at the meander corner between sections 5 and 8, township 25 north, range 5 east, W.M., and running thence north  $89^{\circ}39'00''$  east along the section line 509.32 feet; thence north  $0^{\circ}21'00''$  west 30.00 feet to the true point of beginning of this description; thence continuing north  $0^{\circ}21'00''$  west 100.00 feet; thence north  $89^{\circ}39'00''$  east 100.00 feet; thence south  $0^{\circ}21'00''$  east 100.00 feet; thence south  $89^{\circ}39'00''$  west 100.00 feet to the true point of beginning, LESS the easterly 40 feet thereof; (BEING KNOWN as lots 49, 50, and the westerly 10 feet of lot 51, block 106, Burke & Farrar's Kirkland Addition to the City of Seattle, Division No. 26, according to the unrecorded plat thereof);

which is owned by R. H. Schmidt and Frances M. Schmidt, his wife, and W. J. Wills and Ethel C. Wills, his wife, and the construction of which is at this time incomplete, is in such a state and condition that there is danger that said building may at any time collapse in such a manner as to fall upon the public street and sidewalk located adjacent thereto, and

WHEREAS, said condition creates a danger to the health and well-being of the citizens of this town using said public street and sidewalk, and

WHEREAS, this Council is informed that the owners of said building have and are maintaining said building with full knowledge of this dangerous condition.

NOW, THEREFORE, Said building as now kept and maintained is hereby declared to be a public nuisance.

The City Attorney in and for the City of Kirkland is hereby directed to begin a suit in the Superior Court of King County in the name of the City of Kirkland against said property and against the said R. J. Schmidt and Frances M. Schmidt, his wife, and the said W. J. Wills and Ethel C. Wills, his wife, for the purpose of abating said nuisance and enjoining the continuance of the same.

Introduced this 27th day of June, 1945.

Passed and approved this 16th day of July, 1945.

*Harry M. Everett*

Harry M. Everett, Mayor

ATTEST:

*C. F. Trent*

C. F. Trent, City Clerk

APPROVED:

*L. N. Ostrander*

L. N. Ostrander, City Attorney

I hereby certify that the foregoing is a true and correct copy of an Ordinance of the City of Kirkland and that the same was published or posted according to law, said Ordinance being No. 505 and entitled "An Ordinance as above."  
*C. F. Trent*, City Clerk.