

Citation: Appointment of Appraiser and Protest against Condemnation by H. L. Yesler, July 19, 1889. File 993597. General Files, 1802-04. Seattle Municipal Archives.

To the

HONORABLE THE MAYOR AND COMMON COUNCIL of the City of Seattle:

XX  
In the matter of the appointment X  
of an appraiser under Ordinance X  
No. 1146 of the City of Seattle X  
by the owners of land sought to be X  
condemned and appropriated by the X  
said Ordinance No. 1146 to ass- X  
ess damages and benefits, as per X  
notice of City Clerk of July 19<sup>th</sup> X  
1889 X  
XX

And now comes H. L. Yesler and states that he is the owner,  
in fee simple, of certain real estate sought to be appropriated and  
condemned by said ordinance, to wit:

Commencing at the northeast corner of Lot eight (8) in Block  
One (1), and running south along the west line of Commercial street  
24 feet, thence west 9 feet, thence north, parallel to the west  
line of Commercial street, 24 feet to the south line of Yesler Ave-  
nue, thence east 9 feet, to the place of beginning, being a piece  
of land 9 feet by 24 feet, and situated in the City of Seattle,  
King County, Washington Territory.

which said lots or real estate will be injured and damaged, and said H. L. Yealer will be damaged by such proposed condemnation in a large sum of money, to wit, in the sum of .....

..... *Five Thousand dollars (\$5,000.00)* .....

And the said H. L. Yealer now here interposes his objections to the said City of Seattle proceeding under the said Ordinance No. *1106* and to said Ordinance, and all proceedings thereunder, in this, to wit:

I.

The said city has no power or authority to enact the said ordinance No. *1106*, and said ordinance is void.

II.

The said ordinance is in conflict with the Charter of the city of Seattle, and especially sections *10, 11, and 12*, and is in conflict with the general laws of the Territory of Washington.

III.

No provisions are made by said ordinance, in accordance with law, for compensating the owners of lands sought to be condemned and appropriated thereby.

And the said H. L. Yealer now protesting against the authority of said city of Seattle to proceed under the provisions of such ordinance, and fully saving all benefit of exception and objections the said H. L. Yealer hereby selects and appoints to act on his part, as an appraiser of damages and benefits sustained by him, under said ordinance, Hon. John Leary, who is an owner of land in said city, and a citizen thereof.

*H. L. Yealer* .....