



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

August 16, 2005

Ordinance 15256

Proposed No. 2005-0240.2

Sponsors Phillips

1 AN ORDINANCE authorizing the vacation of a portion of
2 74th Avenue South, File V-2467, Petitioner: Rodrick
3 Williams.

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STATEMENT OF FACTS:

7

1. A petition has been filed requesting vacation of that portion of 74th
8 Avenue South hereinafter described.

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2. The department of transportation notified the various utility companies
10 serving the area and has been advised that easements were not required
11 within the vacation area.

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3. The department of transportation records indicates that King County
13 has not been maintaining 74th Avenue South as petitioned. The records
14 indicate that no public funds have been expended for its acquisition.

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4. The department of transportation considers the subject portion of the
16 right-of-way useless as part of the county road system and believes the

16

17 public would benefit by the return of this unused area to the public tax
18 rolls.

19 5. The right-of-way is classified as "C-Class" and, in accordance with
20 K.C.C. 14.40.020, the compensation due King County is based on fifty
21 percent of the assessed value of the subject right-of-way which was
22 determined from records of the department of assessments. King County
23 is in receipt of \$11,718.00 from the petitioner.

24 Due notice was given in the manner provided by law and a hearing was
25 held by the office of the hearing examiner on the 20th day of July, 2005.

26 In consideration of the benefits to be derived from the subject vacation,
27 the council has determined that it is in the best interest of the citizens of
28 King County to grant said petition.

29 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

30 SECTION 1. The council, on the effective date of this ordinance, hereby vacates
31 and abandons that portion of the northerly 30 feet of the southwesterly 90 feet of 74th
32 Avenue South as conveyed to King County by the recording of Plats recorded in Volume
33 40 of Plats, Page 6, records of King County, Washington as described below:

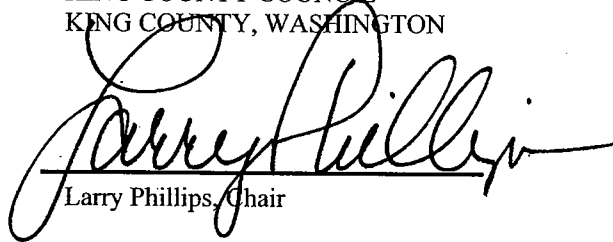
34 The northerly 30 feet of the southwesterly 90 feet of 74th Avenue South
35 adjacent to Lot 4, Block 12, Skyway Park Addition according to the plat

36 thereof, recorded in Volume 40 of Plats, Page 6, in King County,
37 Washington.
38

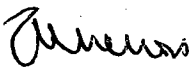
Ordinance 15256 was introduced on 6/6/2005 and passed by the Metropolitan King County Council on 8/15/2005, by the following vote:

Yes: 12 - Mr. Phillips, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Pelz, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons and Mr. Constantine
No: 0
Excused: 1 - Ms. Patterson

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Phillips, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 23 day of August, 2005.


Ron Sims, County Executive

2005 AUG 25 AM 9:36
CLERK
KING COUNTY COUNCIL
RECEIVED

Attachments A. Hearing Examiner Report dated July 21, 2005

15256

July 21, 2005

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

400 Yesler Way, Room 404
Seattle, Washington 98104
Telephone (206) 296-4660
Facsimile (206) 296-1654

REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL

SUBJECT: Department of Transportation File No. **V-2467**
Proposed Ordinance no. **2005-0240**

RODRICK L. WILLIAMS
Road Vacation Petition

Location: 74th Avenue South

Petitioner: **Rodrick L. Williams**
11919 Renton Avenue South
Seattle, Washington 98178
Telephone: (206) 772-1971

King County: Department of Transportation, Road Services Division, *represented by*
Nicole Keller
201 S. Jackson Street
Seattle, Washington 98104-3856
Telephone: (206) 296-6522
Facsimile: (206) 296-0567

SUMMARY OF RECOMMENDATIONS:

Department's Preliminary:	Approve road vacation
Department's Final:	Approve road vacation
Examiner:	Approve road vacation

DEPARTMENT'S REPORT:

The Department of Transportation's written report to the King County Hearing Examiner for Item No. V-2467 was received by the Examiner on July 14, 2005.

PUBLIC HEARING:

After reviewing the Department of Transportation's Report and examining available information on file with the petition, the Examiner conducted a public hearing on the subject as follows:

The hearing on Item No. V-2467 was opened by the Examiner at 1:35 p.m., July 20, 2005, in the Hearing Examiner's Conference Room, 400 Yesler Way, Seattle, WA 98104, Seattle, WA 98104, and closed at 1:39. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

FINDINGS, CONCLUSIONS & RECOMMENDATION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:

1. General Information:

Road name and location:	74th Avenue South
Right of way classification:	C
Area:	2,700 square feet
Compensation:	\$11,718.00

2. Except as provided below, the Examiner adopts and incorporates herein by this reference the facts set forth in the Department of Transportation's report to the King County Hearing Examiner for the July 20, 2005, public hearing and the statement of facts contained in Proposed Ordinance No. 2005-0240. The Department's report will be attached to those copies of this report and recommendation that are submitted to the Metropolitan King County Council.
3. Maps showing the vicinity of the proposed vacation and the specific area to be vacated appear in the hearing record as exhibit nos. 6 and 8.

CONCLUSIONS:

1. The road subject to this petition is useless as part of the King County road system, and the public will be benefited by its vacation.
2. The Notice of Hearing on the report of the Department of Transportation was given as required by law, and a hearing on the report was conducted by the King County Hearing Examiner on behalf of the King County Council.
3. The compensation required by law to be paid as a condition precedent to the vacation of this road has been deposited with King County, and the easements, if any, necessary for the construction, repair and maintenance of public utilities and services have been provided in form satisfactory to the affected public utilities.

RECOMMENDATION:

APPROVE proposed Ordinance No. 2005-0240 to vacate the subject road.

RECOMMENDED this 21st day of July, 2005.

Stafford L. Smith
King County Hearing Examiner

TRANSMITTED this 21st day of July, 2005, to the following parties and interested persons:

Comcast Attn: Kermit Benson 410 Valley Ave. NW, Bldg. C- Puyallup WA 98371	Don Dauphiny Qwest Communications 1550 Newport Way NW Issaquah WA 98027	Puget Sound Energy ATTN: Judy McCollum 411 - 108th Ave. NE Bellevue WA 98009-9734
Skyway Sewer & Water District 11909 Renton Avenue South Attn: Chais Campbell Seattle WA 98178	Rodrick L. Williams 11919 Renton Ave. S. Seattle WA 98178	Kim Claussen DDES/LUSD MS OAK-DE-0100
Clerk of the Council MS KCC-CC-1025	Neil DeGoojer DNRP/WLRD MS KSC-NR-0600	Sarah Gagnon DNRP - Wastewater Trtmt. MS KSC-NR-0503
Nancy Gordon KCDOT/D&C MS KSC-TR-0431	David Gualtieri KCDOT/CIP & Planning MS KSC-TR-0317	Denise Hauck KC Dept. of Exec. Svcs. MS ADM-ES-0500
Bill Hintz King Co. Dept. of MS RSD-TR-0100	Nicole Keller Vacations Engineer Engineering Services Section MS KSC-TR-0231	Kristen Langley KC-DOT/RSD MS KSC-TR-0222
Tom Lew KC DNRP/WLRD MS KSC-NR-0600	Paulette Norman KCDOT/RD SERV. MS KSC-TR-0231	Robert Nunnenkamp KC Parks & Recreation MS KSC-NR-0700
Lydia Reynolds-Jones KC DOT/RD SERV. MS KSC-TR-0231	Charlie Sundberg BR&ED Historic Preserv. Prog. MS KCC-EX-0402	Kelly Whiting KC Rd. Svcs. Unit MS KSC-TR-0231

**NOTICE OF RIGHT TO APPEAL
AND ADDITIONAL ACTION REQUIRED**

In order to appeal the recommendation of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$250.00 (check payable to King County Office of Finance) *on or before August 4, 2005*. If a notice of appeal is filed, the original and 6 copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council *on or before August 11, 2005*.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Courthouse, 516 3rd Avenue, Seattle, Washington 98104, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within 14 days calendar days of the date of this report, or if a written appeal statement and argument are not filed within 21 calendar days of the date of this report, the Clerk of the Council shall place a proposed ordinance which implements the Examiner's recommended action on the agenda of the next available Council meeting. At that meeting, the Council may adopt the Examiner's recommendation, may defer action, may refer the matter to a Council committee, or may remand to the Examiner for further hearing or further consideration.

Action of the Council Final. The action of the Council on a recommendation of the Examiner shall be final and conclusive unless within twenty-one (21) days from the date of the action an aggrieved party or person applies for a writ of certiorari from the Superior Court in and for the County of King, State of Washington, for the purpose of review of the action taken.

TRANSMITTED this 21st day of July, 2005, to the following parties and interested persons:

MINUTES OF THE JULY 20, 2005, PUBLIC HEARING ON DEPARTMENT OF TRANSPORTATION, ROAD SERVICES DIVISION FILE NO. V-2467.

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing were Nicole Keller and Kelly Whiting, representing the Department.

The following exhibits were offered and entered into the record:

- Exhibit No.1 Report to the Hearing Examiner for the July 20, 2005 hearing, with 15 attachments
- Exhibit No.2 Petition transmittal letter, dated February 5, 2003, to KC Department of Transportation, from Clerk of the Council
- Exhibit No.3 Petition for vacation of a County road including legal descriptions of petitioners' properties
- Exhibit No.4 Revised Map depicting vacation area dated May 11, 2004
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- Exhibit No.7 Plat map of Skyway Park addition
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- Exhibit No.13 Compensation worksheet
- Exhibit No.14 Fiscal Note

- Exhibit No.15 Ordinance transmittal letter dated May 19, 2005 from the King County Executive to Councilmember Larry Phillips
- Exhibit No.16 Proposed Ordinance 2005-0240
- Exhibit No. 17 Notice of hearing
- Exhibit No. 18 Affidavit of posting for hearing
- Exhibit No. 19 Transmittal letter dated April 14, 2004 to the Council providing recommendation of KCDOT and the County Road Engineer
- Exhibit No.20 *(To be marked upon submission)*

SLS:gao
V-2481 RPT

RECEIVED

Return Address: 2005 OCT 20 AM 9:
Clerk of the Council
Metropolitan King County Council
Mail stop KCC-CC 1039



20050902000389
KING COUNTY ORD 0.00
PAGE 001 OF 009
09/02/2005 10:29
KING COUNTY, WA

Please print or type information WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document must be filled in)

1. ORDINANCE 15256 ORDINANCE authorizing the vacation of a portion of 74th Avenue South File V-2467. Petitioner: Rodrick Williams.

Reference Number(s) of Documents assigned or released:

Additional reference #'s on page _____ of document

Grantor(s) (Last name, first name, initials)

1. King County, Washington

Additional names on page _____ of document.

Grantee(s) (Last name first, then first name and initials)

1. _____
2. _____

Additional names on page _____ of document.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)

The northerly 30 feet of the southwesterly 90 feet of 74th Avenue South adjacent to Lot 4, Block 12, ...

Additional legal is on page _____ of document.

Assessor's Property Tax Parcel/Account Number

Assessor Tax # not yet assigned

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

Signature of Requesting Party



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

August 16, 2005

Ordinance 15256

Proposed No. 2005-0240.2

Sponsors Phillips

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25 held by the office of the hearing examiner on the 20th day of July, 2005.
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35 adjacent to Lot 4, Block 12, Skyway Park Addition according to the plat


Ordinance 15256

36 thereof, recorded in Volume 40 of Plats, Page 6, in King County,
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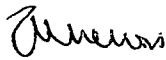
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No: 0
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KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

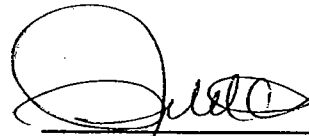

Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

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Ron Sims, County Executive

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2005 AUG 25 AM 9:36
CLERK
KING COUNTY COUNCIL

15256
July 21, 2005

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**
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Seattle, Washington 98104
Telephone (206) 296-4660
Facsimile (206) 296-1654

REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL

SUBJECT: Department of Transportation File No. V-2467
Proposed Ordinance no. 2005-0240

RODRICK L. WILLIAMS
Road Vacation Petition

Location: 74th Avenue South

Petitioner: **Rodrick L. Williams**
11919 Renton Avenue South
Seattle, Washington 98178
Telephone: (206) 772-1971

King County: Department of Transportation, Road Services Division, *represented by*
Nicole Keller
201 S. Jackson Street
Seattle, Washington 98104-3856
Telephone: (206) 296-6522
Facsimile: (206) 296-0567

SUMMARY OF RECOMMENDATIONS:

Department's Preliminary:	Approve road vacation
Department's Final:	Approve road vacation
Examiner:	Approve road vacation

DEPARTMENT'S REPORT:

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RECOMMENDATION:

APPROVE proposed Ordinance No. 2005-0240 to vacate the subject road.

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MINUTES OF THE JULY 20, 2005, PUBLIC HEARING ON DEPARTMENT OF
TRANSPORTATION, ROAD SERVICES DIVISION FILE NO. V-2467.

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing were Nicole Keller and Kelly Whiting, representing the Department.

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SLS:gao
V-2481 RPT