



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

August 26, 2003

Ordinance 14748

Proposed No. 2003-0278.2

Sponsors Sullivan

1 AN ORDINANCE authorizing the vacation of a portion of
2 NE 132nd Street File V-2451. Petitioners: Anthony and
3 Lillian Bay and Jan Norvold.
4
5

6 **STATEMENT OF FACTS:**

- 7 1. A petition has been filed requesting vacation of that portion of NE
8 132nd Street hereinafter described.
9 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.
12 3. The department of transportation records indicates that King County
13 has not been maintaining NE 132nd Street. The records indicate that no
14 public funds have been expended for its acquisition.
15 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

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

19 5. In a separate private agreement Jan Norvold has agreed to quit claim
20 deed his interest in the NE 132nd Street right-of-way adjacent to his
21 property to Anthony and Lillian Bay.

22 6. The right-of-way is classified as "C-Class" and, in accordance with
23 K.C.C. 14.40.020, the compensation due King County is based on fifty
24 percent of the assessed value of the subject right-of-way which was
25 determined from records of the department of assessments. King County
26 is in receipt of \$18,900.37 for that portion of NE 132nd Street adjacent to
27 the Bays' property and \$8896.75 for that portion of NE 132nd Street
28 adjacent to the Norvold property, both payments are from the Bays.

29 Due notice was given in the manner provided by law and a hearing was
30 held by the office of the hearing examiner on the 18th day of July, 2003.

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

34 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

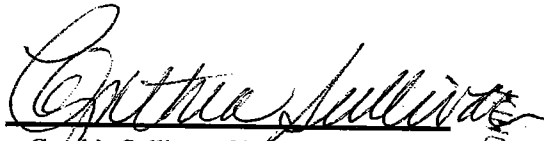
35 SECTION 1. The council, on the 25th day of August, 2003, hereby vacates and
36 abandons that portion of NE 132nd Street as conveyed to King County by quit-claim deed
37 recorded in Volume 8 of Deeds, Page 195, records of King County, Washington described
38 as follows:

39 The south 30 feet of the west 325.23 feet of the east 650.35
 40 feet of the southeast quarter of Section 23, Township 26 N,
 41 Range 5 E, Willamette Meridian, in King County,
 42 Washington; TOGETHER with the north 30 feet of the
 43 west 620.31 feet of the east 650.31 feet of the northeast
 44 quarter of Section 26, Township 26 N, Range 5 E,
 45 Willamette Meridian, in King County, Washington.
 46


Ordinance 14748 was introduced on 6/23/2003 and passed by the Metropolitan King County Council on 8/25/2003, by the following vote:

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

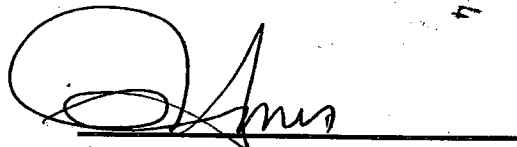
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


 Cythia Sullivan, Chair

ATTEST:


 Anne Noris, Clerk of the Council

APPROVED this 5 day of September, 2003.


 Ron Sims, County Executive

RECEIVED
 2003 SEP -5 AM 11:44
 KING COUNTY CLERK
 KING COUNTY COUNCIL

Attachments A. Hearing Examiner Report Dated July 30, 2003

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**
850 Union Bank of California Building
900 Fourth Avenue
Seattle, Washington 98164
Telephone (206) 296-4660
Facsimile (206) 296-1654

REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL

SUBJECT: Department of Development and Environmental Services File No. **V-2451**
Proposed Ordinance No. **2003-0278**

ANTHONY & LILLIAN BAY/JAN NORVOLD
Road Vacation Petition

Location: Portion of Northeast 132nd Street west of 164th Avenue Northeast

Petitioners: **Anthony & Lillian Bay**
16224 Northeast 130th Street
Redmond, WA 98072

Jan Norvold
13211 – 164th Avenue Northeast
Enumclaw, WA 98022

King County: Department of Transportation
represented by Jodi Simmons
201 South Jackson Street
Seattle, WA 98104-3856
Telephone: (206) 296-3731
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-2451 was received by the Examiner on July 1, 2003.

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-2451 was opened by the Examiner at 9:35 a.m., July 18, 2003, in the Fifth Floor Conference Room of the Union Bank of California Building, 900 – 4th Avenue, Seattle, Washington, and continued for administrative purposes at 9:45 a.m. On July 30, 2003, the examiner received exhibit no. 19 and declared the hearing record closed. 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: A Portion of Northeast 132nd Street, west of 164th Avenue Northeast

Right of way classification: "C"

Area: 27,965 square feet

Compensation: \$27,797.12

2. 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 18, 2003 public hearing and the statement of facts contained in Proposed Ordinance No. 2003-0278. The said report and proposed ordinance will be attached to the copies of this report and recommendation submitted to the Metropolitan King County Council.
3. Maps showing the vicinity of the proposed vacation and the specific area to be vacated are Attachments 1 and 2 to this Report and Recommendation.

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 Metropolitan 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. 2003-0278 to vacate the subject right-of-way.

RECOMMENDED this 30th day of July, 2003.

James N. O'Connor, Pro Tem
King County Hearing Examiner

TRANSMITTED this 30th day of July, 2003, to the following parties and interested persons:

Anthony & Lillian Bay
16224 NE 130th St.
Redmond WA 98072

Terry Davis
Comcast, Inc.
410 Valley Ave. NW
Puyallup WA 98371

Scott Haeger
Verizon Communications
2312 W. Casino Rd. #C
Everett WA 98204

Mary Lamping
Puget Sound Energy
411 - 108th Ave. NE
Bellevue WA 98009-9734

Jan Norvold
13211 - 164th Ave. NE
Redmond WA 98052

Jodi Simmons
Engineer II
DOT/Road Services
MS KSC-TR-0231 WA

Woodinville Water District
Attn: Dee Jamison
P.O. Box 1390
Woodinville WA 98072

Greg Borba
DDES/LUSD
MS OAK-DE-0100

Clerk of the Council
MS KCC-CC-1025

Curt Crawford
KC DNR
Water & Land Res. Div.
MS KSC-NR-0600

Neil DeGoojer
KC Office of Open Space
MS KSC-NR-600

Pam Elardo
KC DNR&P
Wastewater Treatment Div.
MS KSC-NR-0503

Nancy Gordon
King County DOT
Transit/D&C
MS KSC-TR-0431

Dennis Gorley
Dept of Transportation
Road Services Division
MS KSC-TR-0231

David Gualtieri
KCDOT
CIP & Planning Sec.
MS KSC-TR-0317

Fatin Kara
KC DOT/Rd. Svcs. Div.
MS KSC-TR-0222

King County Dept. of Executive Services
Attn: Denise Hauck, Appraiser
Property Services Division
MS ADM-ES-0500

Roderick E. Matsuno
KC DOT
Road Maint. Section
MS RSD-TR-0100

Paulette Norman
KCDOT
Roads Division
MS KSC-TR-0231

Robert Nunnenkamp
KC Parks and Recreation
MS LBP-PR-0100

Lydia Reynolds-Jones
KC DOT
Project Support Serv.
MS KSC-TR-0231

Charlie Sundberg
Office of Cultural Res.
Landmarks & Heritage Prog.
MS STR-CR-0200

NOTICE OF RIGHT TO APPEAL

In order to appeal the decision 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 13, 2003*. If a notice of appeal is filed, the original and six (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 20, 2003*.

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 fourteen (14) calendar days of the date of this report, or if a written appeal statement and argument are not filed within twenty-one (21) calendar days of the date of this report, the decision of the hearing examiner contained herein shall be the final decision of King County without the need for further action by the Council.

MINUTES OF THE JULY 18, 2003 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT
AND ENVIRONMENTAL SERVICES FILE NO. V-2451

James N. O'Connor was the Hearing Examiner in this matter. Participating in the hearing was Jodi Simmons, representing the King County Department of Transportation; and Anthony Bay, one of the Petitioners.

The following exhibits were offered and entered into the record:

- Exhibit No. 1 DOT Report to the Hearing Examiner dated June 30, 2003 with 15 attachments
- Exhibit No. 2 April 16, 2002 petition transmittal letter to the Department of Transportation from the Clerk of Council
- Exhibit No. 3 April 8, 2002 letter of explanation and petition for vacation of a County road
Including legal descriptions of Petitioner's properties
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- Exhibit No. 14 Letter of intent of the Bays to purchase Norvold portion of the vacated right-of-way and a copy of the compensation checks from Anthony and Lillian Bay
- Exhibit No. 15 Ordinance transmittal letter dated June 9, 2003 from King County Executive to Councilmember Cynthia Sullivan
- Exhibit No. 16 Proposed Ordinance 2003-0180
- Exhibit No. 17 Notice of hearing from the Council Clerk
- Exhibit No. 18 Affidavit of posting for hearing
- Exhibit No. 19 Affidavit of Publication for date of hearing

JOC:gao/cp
Attachments
V-2451 RPT

Return Address:
Clerk of the Council
Metropolitan King County Council
Mail stop KCC-CC 1025



20030916000058

KING COUNTY CO CORD 0.00
PAGE 001 OF 009
09/16/2003 09:01
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 <u>must</u> be filled in)	
1. ORDINANCE 14748 AN ORDINANCE authorizing the vacation of a portion of NE 132nd Street File V-2451. Petitioners: Anthony and Lillian Bay and Jan Norvold.	
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 south 30 feet of the west 325.23 feet of the east 650.35 feet of the southeast quarter of Section 23,	
Additional legal is on page _____ of document.	
Assessor's Property Tax Parcel/Account Number	<input type="checkbox"/> 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.	

RECEIVED
2003 OCT 29 PM 12:16
CLERK
KING COUNTY COUNCIL

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 26, 2003

Ordinance 14748

Proposed No. 2003-0278.2

Sponsors Sullivan

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30 held by the office of the hearing examiner on the 18th day of July, 2003.

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33 King County to grant said petition.

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 Excused: 1 - Mr. Hammond

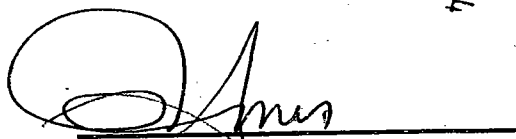
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


 Cynthia Sullivan, Chair

ATTEST:


 Anne Noris, Clerk of the Council

APPROVED this 5 day of September 2003.


 Ron Sims, County Executive

RECEIVED
 2003 SEP -5 AM 11:44
 KING COUNTY COUNCIL
 CLERK

Attachments A. Hearing Examiner Report Dated July 30, 2003

July 30, 2003

**OFFICE OF THE HEARING EXAMINER
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REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL

SUBJECT: Department of Development and Environmental Services File No. **V-2451**
Proposed Ordinance No. **2003-0278**

ANTHONY & LILLIAN BAY/JAN NORVOLD
Road Vacation Petition

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Petitioners: **Anthony & Lillian Bay**
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Jan Norvold
13211 – 164th Avenue Northeast
Enumclaw, WA 98022

King County: Department of Transportation
represented by Jodi Simmons
201 South Jackson Street
Seattle, WA 98104-3856
Telephone: (206) 296-3731
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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Right of way classification: "C"

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2. 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 18, 2003 public hearing and the statement of facts contained in Proposed Ordinance No. 2003-0278. The said report and proposed ordinance will be attached to the copies of this report and recommendation submitted to the Metropolitan King County Council.
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repair and maintenance of public utilities and services have been provided in form satisfactory to the affected public utilities.

RECOMMENDATION:

APPROVE proposed Ordinance No. 2003-0278 to vacate the subject right-of-way.

RECOMMENDED this 30th day of July, 2003.

James N. O'Connor, Pro Tem
King County Hearing Examiner

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Engineer II
DOT/Road Services
MS KSC-TR-0231 WA

Woodinville Water District
Attn: Dee Jamison
P.O. Box 1390
Woodinville WA 98072

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Dept of Transportation
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David Gualtieri
KCDOT
CIP & Planning Sec.
MS KSC-TR-0317

Fatin Kara
KC DOT/Rd. Svcs. Div.
MS KSC-TR-0222

King County Dept. of Executive Services
Attn: Denise Hauck, Appraiser
Property Services Division
MS ADM-ES-0500

Roderick E. Matsuno
KC DOT
Road Maint. Section
MS RSD-TR-0100

Paulette Norman
KCDOT
Roads Division
MS KSC-TR-0231

Robert Nunnenkamp
KC Parks and Recreation
MS LBP-PR-0100

Lydia Reynolds-Jones
KC DOT
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MS KSC-TR-0231

Charlie Sundberg
Office of Cultural Res.
Landmarks & Heritage Prog.
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JOC:gao/cp
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V-2451 RPT