



Legislation Details (With Text)

File #: 2023-0441 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 1/9/2024 **In control:** Hearing Examiner

On agenda: **Final action:** 3/12/2024

Enactment date: 3/14/2024 **Enactment #:** 19746

Title: AN ORDINANCE authorizing the vacation of a portion of S. 370th Street (9th Street as platted), file no. V-2731; Petitioners: Marcus E. Curtis and John S. and Suzanne Schreier.

Sponsors: Dave Upthegrove

Indexes: Vacation

Code sections:

Attachments: 1. Ordinance 19746, 2. A. Hearing Examiner Report dated 2-7-2024, 3. 2023-0441 Transmittal Letter, 4. 2023-0441 Department of Local Services Road Services Division County Road Engineer Report on Vacation Petition V2731, 5. 2023-0441 fiscal note, 6. 2023-0441 Legislative Review Form, 7. V-2731 Declaration_of_Posting, 8. 2023-0441 Local Services Road Services Division Staff Report, 9. Affidavit of publication

Date	Ver.	Action By	Action	Result
3/12/2024	2	Metropolitan King County Council	Passed	Pass
1/9/2024	1	Metropolitan King County Council	Introduced and Referred	

Clerk 03/04/2024

AN ORDINANCE authorizing the vacation of a portion of S. 370th Street (9th Street as platted), file no. V-2731; Petitioners: Marcus E. Curtis and John S. and Suzanne Schreier.

STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of South. 370th Street/9th Street, hereinafter described.
2. The department of local services notified utility companies serving the area and King County departments of the proposed vacation and has been advised that Lakehaven Water and Sewer District requires an easement over the vacation area. The vacation shall not extinguish the rights of any utility company to any existing easements for facilities or equipment within the vacation area.

3. The department of local services' records indicate that this segment of right of way is unopened and unmaintained.
4. The department of local services considers the subject portion of right of way useless as part of the county road and transportation system and believes the public would benefit by the return of this segment of right of way to the public tax rolls and recommends approval of the vacation.
5. Pursuant to K.C.C. 14.40.020 and RCW 36.87.120, the value of the vacation area is offset by the costs to King County to manage and maintain this segment of unopened right of way and the present value of future property tax. This results in a determination of no compensation required for the vacation of both the 1,700 square feet of South 370th Street/9th Street right of way to the property of Petitioner Marcus E. Curtis, King County Assessor's Parcel Number 375160-6320, and the 1,673 square feet of South. 370th Street/9th Street right of way to the property of Petitioners John S. and Suzanne Schreier, King County Assessor's Parcel Number 375160-6296.
6. Due notice was given in the manner provided by law. The office of the hearing examiner held the public hearing on February 7, 2024.
7. As detailed in the February 7, 2024, recommendation, the hearing examiner found that the road segment subject to this petition is not useful as part of the King County road system, concluded that the vacation of this segment of road will benefit the public through the transfer of responsibility for management and return of the property to the public tax roll, and determined that no further compensation is required from Petitioners to complete the vacation.
8. For the reasons stated in the examiner's report and recommendation, the council determines that it is in the best interest of the citizens of King County to grant said petition and vacate the right of way.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The council, on the effective date of this ordinance, hereby vacates and abandons a

portion of South. 370th Street/9th Street right of way as dedicated to King County by the recording of the Jovita Heights plat, recorded in Volume 20 of Plats, Page 12, records of King County Washington as described below:

THAT PORTION OF SOUTH 370TH STREET LYING WEST OF 55TH AVENUE SOUTH
AND EAST OF 54TH AVENUE SOUTH, ABUTTING LOT 13, BLK 138 TO THE NORTH
AND LOT 1, BLOCK 139 TO THE SOUTH; ALL WITHIN THE PLAT OF JOVITA
HEIGHTS, ACCORDING TO THE PLAT RECORDED IN VOLUME 20 OF PLATS AT PAGE
12, RECORDS OF THE KING COUNTY
RECORDER.

Containing 3,373 square feet, more or less.