



Legislation Details (With Text)

File #: 2023-0299 **Version:** 2

Type: Ordinance **Status:** Passed

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On agenda: **Final action:** 1/9/2024

Enactment date: 1/18/2024 **Enactment #:** 19723

Title: AN ORDINANCE authorizing the vacation of a portion of 152nd Ave SE, Renton, file no. V-2745; Petitioners: Micah and Florine Palmer.

Sponsors: Dave Upthegrove

Indexes: Vacation

Code sections:

Attachments: 1. Ordinance 19723, 2. 2023-0299--V-2745 Declaration_of_posting, 3. A. Hearing Examiner Report dated November 16, 2023, 4. 2023-0299 DLS-RDS Staff Report, 5. 2023-0299 transmittal letter, 6. 2023-0299 Department of Local Services Road Services Division County Road Engineer Report on Vacation Petition V-2745, 7. 2023-0299 Fiscal Note, 8. 2023-0299 Legislative Review Form

Date	Ver.	Action By	Action	Result
1/9/2024	2	Metropolitan King County Council	Passed	Pass
9/5/2023	1	Metropolitan King County Council	Introduced and Referred	

Clerk 12/27/2023

AN ORDINANCE authorizing the vacation of a portion of 152nd Ave SE,
Renton, file no. V-2745; Petitioners: Micah and Florine Palmer.

STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of 152nd Ave SE in the Renton area of unincorporated King County, hereinafter described.
2. The department of local services notified utility companies serving the area and King County departments of the proposed vacation and no agency or utility requested 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's 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 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 somewhat 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, resulting in a determination of \$10,600 as compensation for the vacation of this 6,250 square foot portion of 152nd Ave SE to the property of Petitioners Micah and Florine Palmer, King County Assessor's Parcel Number 146340-0035. Compensation must be received by King County within ninety days of approval of the ordinance vacating the right of way.

6. Due notice was given in the manner provided by law. The office of the hearing examiner held the public hearing on November 15, 2023.

7. As detailed in the November 15, 2023, 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 recommended approval of the vacation petition with the requirement of payment of \$10,600 by Petitioners as a condition of 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 152nd Ave SE right of way as described below:

That portion of the 30-foot unopened right of way of 152nd Avenue Southeast, also being a portion of the Southeast Quarter of the Southwest Quarter of Section 14, Township 23 North, Range 5 East, W.M. More particularly described as follows:

Beginning at the Northwest corner of Lot A, King County Boundary Line Adjustment No. L09L0017, recorded under Auditor's file number 20090624900005, also being the Southeast Quadrant of the intersection of Southeast 142nd Street and said unopened right-of-way of 152nd Avenue Southeast; thence South 00°34'28" West along the West line of said Lot A and the East margin of said corner of said Lot A and a point on the East margin of said unopened right of way; thence North 88°32'28" West 30.00 feet to a point on the West line of the Southeast Quarter of the Southwest Quarter of Section 14, Township 23 North, Range 5 East, W.M.; thence North 00°34'28" East along said line a distance of 208.35 feet to a point on the South margin of Southeast 142nd Street; thence South 88°32'28" East along said South margin a distance of 30.00 feet to the point of beginning.

Situate in the County of King, State of Washington.

Containing 6,250 SF.

SECTION 2. Recording of the approved vacation is contingent on delivery of \$10,600 to King County within ninety days of the date of enactment of this ordinance. If King County does not receive \$10,600 by that date, there is no vacation and the associated right-of-way remains King County's. If payment is timely received, the clerk shall record an ordinance against parcel 146340-0035. Recording an ordinance will signify that payment has been received, the contingency is satisfied, and the right-of-way associated with parcel 146340-0035 is vacated.