



Legislation Details (With Text)

**File #:** 2020-0293      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 9/15/2020      **In control:** Hearing Examiner

**On agenda:**      **Final action:** 4/20/2021

**Enactment date:**      **Enactment #:** 19268

**Title:** AN ORDINANCE denying the vacation of a portion of unnamed road right of way in the Plat of Rosehilla Beach, file no. V-2728; Petitioner: John Franzel.

**Sponsors:** Claudia Balducci

**Indexes:** Roads, Vacation

**Code sections:**

**Attachments:** 1. Ordinance 19268, 2. A. Hearing Examiner Report dated February 12, 2021, 3. 2020-0293 transmittal letter, 4. 2020-0293 Cover Letter and County Road Engineer Report Packet 031320, 5. 2020-0293 fiscal note, 6. 2020-0293 Legislative Review Form, 7. 2020-0293 Invoice and Affidavit of Posting \$167.25.pdf, 8. 2020-0293 DLS Road Services Franzel V-2728\_2020-0293\_StaffReport\_Exhibits

Date	Ver.	Action By	Action	Result
4/20/2021	2	Metropolitan King County Council	Passed	Pass
1/12/2021	1	Metropolitan King County Council	Reintroduced	
9/15/2020	1	Metropolitan King County Council	Introduced and Referred	

Clerk 04/14/2021

AN ORDINANCE denying the vacation of a portion of unnamed road right of way in the Plat of Rosehilla Beach, file no. V-2728; Petitioner: John Franzel.

STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of unnamed road right of way in the Plat of Rosehilla described as:

A portion of platted right-of-way as shown on the Plat of Rosehilla, as per plat recorded in Volume 20 of Plats on page 9, Records of King County, Washington described as follows: Beginning at the southeast corner of Lot 2, Block 2 of said plat, thence S 55 25'55" W along the southeasterly line of said Lot 2, 137.22 feet to the west line of said platted right-of-way; thence N 00 28'25" W along said

west line 244.79 feet to a point on a projection of the southwesterly line of Piner Road as shown on said Plat; thence S 34 34'05" E along said southwesterly line 202.72 feet to the true point of beginning, EXCEPT Lots 1 and 2, Block 2 of said plat of Rosehilla, King County, Washington. Containing 9,512 square feet, more or less.

2. The department of local services' records indicate that the unnamed road right of way in the Plat of Rosehilla Beach is an unopened and unmaintained platted right of way located on Maury Island abutting on the Puget Sound.

3. The department of local services considers the subject portion of right of way useless as part of the county road system, but it recommends denial of the petition because the subject road right of way abuts on a body of saltwater and vacation is prohibited under RCW 36.87.130.

4. Due notice was given in the manner provided by law. The office of the hearing examiner held the public hearing on February 11, 2021. As detailed in his February 12, 2021 recommendation, the hearing examiner concluded that the road segment subject to this petition is not useful as part of the King County road system, but that RCW 36.87.130's bar to local governments vacating segments of road right of way that abut saltwater bodies precludes vacation here. Therefore, the hearing examiner recommends that the council deny the vacation petition.

5. In consideration of the recommendations of the county road engineer and hearing examiner, the council has determined that it is in the best interest of the citizens of King County to deny said petition.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The council, on the effective date of this ordinance, hereby denies

the petition to vacate a portion of unnamed road right of way in the Plat of Rosehilla as filed by Petitioner John

Franzel under vacation file V-2728.