



Legislation Details (With Text)

File #: 2018-0011 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 1/8/2018 **In control:** Hearing Examiner

On agenda: **Final action:** 4/30/2018

Enactment date: 5/8/2018 **Enactment #:** 18723

Title: AN ORDINANCE authorizing the vacation of a portion of 103rd Avenue SW, also known as H. Steen Road-County Road 1604, Vashon Island, file no. V-2694; Petitioner/s: Erinn McIntyre.

Sponsors: Joe McDermott

Indexes: Roads, Vacation

Code sections:

Attachments: 1. Ordinance 18723.pdf, 2. 2018-0011 legislative review form.pdf, 3. A. Hearing Examiner Report dated 3-23-18, 4. 2018-0011 transmittal letter, 5. 2018-0011 county road engineer report - July 13, 2017, 6. 2018-0011 fiscal note, 7. 2018-0011 notice of public hearing, 8. 2018-0011 Hearing Notice - Erinn McIntyre - V-2694.doc, 9. 2018-0011 Affidavit of Posting from Roads.pdf, 10. 2018-0011 Affidavit of Pub vacation - V-2694 - Erinn McIntyre 2/28/18 & 3/7/18.pdf, 11. 2018-0011 DNRP Staff Report, 12. 2018-0011 Map - County Road Number 1604, 13. Recorded document.pdf

Date	Ver.	Action By	Action	Result
4/30/2018	2	Metropolitan King County Council	Passed	Pass
1/8/2018	1	Metropolitan King County Council	Introduced and Referred	

Clerk 04/25/2018

AN ORDINANCE authorizing the vacation of a portion of 103rd Avenue SW,
also known as H. Steen Road-County Road 1604, Vashon Island, file no. V-2694;
Petitioner/s: Erinn McIntyre.

STATEMENT OF FACTS:

1. A petition was filed requesting vacation of a portion of 103rd Avenue SW, also known as H. Steen Road-County Road 1604, Vashon Island, hereinafter described.
2. The department of transportation notified utility companies serving the area and King County departments of the proposed vacation and has been advised that no easements are required within the vacation area. The vacation shall not extinguish the rights of any utility company to any exiting easements for facilities or equipment within the vacation area.

3. Department of transportation records indicates that King County has did not expend public funds acquiring or maintaining the subject portions of 103rd Avenue SW, also known as H. Steen Road-County Road 1604 right-of-way.
4. The department of transportation considers the subject portion of right-of-way useless as part of the county road system. The department of transportation asserted that the council should accept the value of the transfer of liability or risk, the increased value to the public in property taxes, and the avoided costs for management or maintenance as full compensation for this road vacation, but did not quantify these values.
5. Due notice was given in the manner provided by law. The office of the hearing examiner held the public hearing on March 15, 2018.
6. The examiner agreed that the road segment subject to this petition is not useful as part of the King County road system. The examiner disagreed that the department of transportation had presented sufficient evidence of the quantum of value from transferring liability risk, increasing property taxes, and avoiding costs for management or maintenance to justify a financially principled waiver from par of all of the assessed value. The examiner then explained that averaging the dollars-per-square-foot assessed value of the two McIntyre parcels straddling the right-of-way created an artificially high value. Using only the more constrained western parcel's value, the new assessed value for the right-of-way amounted to \$2,266.30, which Ms. McIntyre paid.
7. In consideration of this \$2,266.30, the council has determined that it is in the best interest of the citizens of King County to grant said petition.

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 103rd Avenue SW, also known as H. Steen Road-County Road 1604, Vashon Island right-of-way as

described below:

All those portions of the 60 foot wide right-of-way for 103rd Avenue SW, also known as H. Steen Road-County Road No. 1604 located in the North Quarter of the Northwest Quarter of the Southeast Quarter of Section 19, Township 23 North, Range 3 East, Willamette Meridian and within Lot 4, King County Short Plat 1081035, as recorded under King County Recording No. 8308050872, all in King County, Washington.