



Legislation Details (With Text)

File #: 2023-0204 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 6/6/2023 **In control:** Hearing Examiner

On agenda: **Final action:** 11/7/2023

Enactment date: 11/14/2023 **Enactment #:** 19688

Title: AN ORDINANCE authorizing the vacation of a portion of S. 372nd Street/8th Street, V-2741; Petitioners: Rufus M. Sprague, Jr., and Ann S. Sprague, Vicki M. Sherer and Duane E. Groscost.

Sponsors: Dave Upthegrove

Indexes: Federal Way, City of, Vacation

Code sections:

Attachments: 1. Ordinance 19688, 2. A. Hearing Examiner Report dated October 2, 2023, 3. 2023-0204 DLSR Staff Report, 4. 2023-0204 transmittal letter, 5. 2023-0204 DLS - RSD Report, 6. 2023-0204 fiscal note, 7. 2023-0204 Legislative Review Form

Date	Ver.	Action By	Action	Result
11/7/2023	2	Metropolitan King County Council	Passed	Pass
6/6/2023	1	Metropolitan King County Council	Introduced and Referred	

Clerk 10/31/2023

AN ORDINANCE authorizing the vacation of a portion of S. 372nd Street/8th Street, V-2741; Petitioners: Rufus M. Sprague, Jr., and Ann S. Sprague, Vicki M. Sherer and Duane E. Groscost.

STATEMENT OF FACTS:

1. A petition was filed requesting vacation of a portion of S. 372nd Street/8th Street, hereinafter described.
2. The department of local services notified utility companies serving the area and King County departments of the proposed vacation and was advised that Puget Sound Energy 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'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 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: \$3,746 as compensation for the vacation of 7,200 square feet of S. 372nd Street/8th Street right of way to the property of Petitioner Duane E. Groscost, King County Assessor's Parcel Number 375060-2185; no compensation required for the vacation of 3,600 square feet of S. 372nd Street/8th Street right of way to the property of Petitioners Rufus M. Sprague, Jr., and Ann S. Sprague, King County Assessor's Parcel Number 375060-2673; and a determination of no compensation required for the vacation of 3,600 square feet of S. 372nd Street/8th Street right of way to the property of Petitioner Vicki M. Sherer, King County Assessor's Parcel Number 375060-2694.

6. Due notice was given in the manner provided by law. The office of the hearing examiner held the public hearing on September 20, 2023.

7. As detailed in the October 2, 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 requiring \$3,746 in compensation from Petitioner Duane E. Groscost as a condition of vacation and no further compensation from Petitioners Rufus M. Sprague, Jr., and Ann S. Sprague and Vicki M. Sherer.

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 S. 372nd Street/8th Street, right of way as dedicated to King County by the recording of the plat of Jovita, recorded in Volume 19 of Plats, Page 14, records of King County Washington as described below:

ALL OF SOUTH 372ND STREET (8TH STREET) LYING BETWEEN BLOCK 45 AND BLOCK 53 OF THE PLAT OF JOVITA ACCORDING TO THE PLAT THEREOF FILED IN VOLUME 19 AT PAGE 14 OF PLATS, RECORDS OF THE KING COUNTY RECORDER. SITUATE IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 21 NORTH, RANGE 4 EAST, WILLAMETTE MERIDIAN, COUNTY OF KING, STATE OF WASHINGTON.

Containing 14,400 square feet, more or less.

SECTION 2. For the right of way abutting parcels 375060-2673 (Sprague) and 375060-2694 (Sherer), there is no compensation requirement or contingencies, and vacation is operative on the effective date of this ordinance.

SECTION 3. For the right-of-way abutting parcel 375060-2185 (Groscoast), vacation is CONTINGENT on petitioner paying \$3746 to King County within ninety days of the date the council takes final action on this ordinance. If King County does not receive \$3746 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 375060-2185. Recording an ordinance will signify that payment has been received, the

contingency is satisfied, and the right-of-way associated with parcel 375060-2185 is vacated.