



Legislation Text

File #: 2004-0259, **Version:** 2

Clerk 09/23/2004

AN ORDINANCE authorizing the vacation of a portion of 114th Avenue SE and SE 172nd Street File V-2472. Petitioner: Glacier LLC.

1. A petition has been filed requesting vacation of that portion of 114th Avenue SE and SE 172nd Street hereinafter described.
2. The department of transportation notified the various utility companies serving the area and has been advised that easements were not required within the vacation area.
3. The department of transportation records indicate that King County has not been maintaining 114th Avenue SE and SE 172nd Street. The records indicate that no public funds have been expended for its acquisition.
4. The department of transportation considers the subject portion of the right-of-way useless as part of the county road system and believes the public would benefit by the return of this unused area to the public tax rolls.
5. The right-of-way is classified as "C-Class" and, in accordance with K.C.C. 14.40.020, the compensation due King County is based on fifty percent of the assessed value of the subject right-of-way, which was determined from records of the department of assessments. King County is in receipt of \$1,419.00 from the petitioner.

Due notice was given in the manner provided by law and a hearing was held by the office of the hearing examiner on the 4th day of August, 2004.

In consideration of the benefits to be derived from the subject vacation, 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 vacation approved by this ordinance is subject to the following conditions:

A. Vacation of the right-of-way authorized by this ordinance shall not become effective until one of the following events has occurred:

1. A cashiers check for \$15,046.64 from the petitioner payable to the King County Treasury has been received as additional compensation for the vacated right-of-way; or
2. The Glacier View Binding Site Plan (DDES file nos. B02L1919 and B02DB003) has been filed for record containing a right-of-way dedication of 43,000 square feet, more or less.

B. Upon recording of the Glacier View Binding Site Plan referenced above, the petitioner shall be refunded any sums previously paid as compensation for the vacated right-of-way. This amount shall include the \$1,419.00 documented in exhibit no. 14 as receipt no. 59365 dated March 17, 2004.

C. If neither of the pre-effective contingencies stated in condition no. 1 have been satisfied by December 31, 2004, the approval conferred hereunder shall expire and the subject vacation shall become null and void.

SECTION 2. Subject to compliance with section 1 of this ordinance, the council, on the date of adoption hereby vacates and abandons that portion of 114th Avenue SE and of SE 172nd Street, also known as Tract "X" of King County Short Plat No. 1183039, situate in the NE quarter of the SE quarter of Section 29, Township 23 N, Range 5 E Willamette Meridian in King County, Washington more particularly described as follows:

Commencing at the intersection of the south line of the NE quarter of the SE quarter of said Section 29 with the west line of said short plat No. 1183039, and the true point of beginning for this description; Thence northerly along the west line of said short plat a distance of 30.01 feet to the northerly margin of SE 172nd Street; Thence easterly along said northerly margin of SE 172nd Street a distance of 66.88 feet to the beginning of a curve concave northwesterly and

having a radius of 25.00 feet; Thence in a counterclockwise direction along the arc of said curve through a central angle of 88 degrees 42 minutes 13 seconds a distance of 38.70 feet; Thence northerly along the westerly margin of 114th Avenue SE a distance of 450.25 feet to the northeast corner of Lot 2 of said short plat no. 1183039; Thence along the easterly prolongation of the north line of said Lot 2 a distance of 5 feet; Thence southerly along a line which lies parallel with and 5 feet easterly of the westerly margin of 114th Avenue SE a distance of 338.55 feet to the beginning of a curve concave northeasterly and having a radius of 67.5 feet; Thence in a counterclockwise direction along the arc of said curve through a central angle of 51 degrees 40 minutes 37 seconds a distance of 60.88 feet to the east line of 114th Avenue SE right-of-way, being also the east line of the west half of the NE quarter of the SE quarter of said Section 29; Thence southerly along the east line of 114th Avenue SE right-of-way a distance of 112.72 feet to the south line of the NE quarter of the SE quarter of said

Section 29; Thence west along said south line a distance of 121.99 feet to the true point of beginning.