



## Legislation Text

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**File #:** 2009-0357, **Version:** 2

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Clerk 08/26/2009

AN ORDINANCE authorizing the vacation of a portion of 274th Avenue NE,

also known as J.D. Mercer Road - King County Road No. 892, File V-2596;

Petitioner: Janis Hong.

### STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of 274th Avenue NE, also known as J.D. Mercer Road, King County Road No. 892, hereinafter described.
2. The department of transportation notified the various utility companies serving the area and has been advised that easements are not required within the vacation area.
3. The department of transportation records indicate that King County has not been maintaining that portion of the 274th Avenue NE right-of-way. The records indicate that no public funds have been expended for their 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 petitioner, Janis Hong, has provided a Public Road Easement across her property, and has coordinated with Puget Sound Energy for an Agreement and Easement across their property for an alternate connection to NE Big Rock Road. The Public Road Easement is recorded under recording number 20090715000874, records of King County, Washington, and the Agreement and Easement with Puget Sound Energy is recorded under recording number 20090720000204,

records of King County, Washington.

6. The new road alignment provides improved intersection alignment along NE Big Rock Road and better avoids existing environmentally sensitive wetlands located along the previous right-of-way alignment. The new alignment provides a more feasible alignment for possible future public road construction.

7. The right-of-way is classified as "C Class" and, in accordance with K.C.C. 14.40.020, the compensation due to King County is based on fifty percent of the assessed value of the subject rights-of-way, which was determined from records of the department of assessments. King County is in receipt of \$9,068.38 from the petitioner. The petitioner shall receive a partial refund from compensation currently being held, to offset the cost of the new right-of-way created by the Public Road Easement and Agreement and Easement with Puget Sound Energy. The refund amount was determined using a per-square-foot basis, assuming the vacated and newly deeded right-of-way area would have the same per unit-area value. The refund amount was determined to be \$8,658.56 for the 41,231.22 square feet of new easement area.

Due notice was given in the manner provided by law and a hearing was held by the office of the hearing examiner on the 15th day of July, 2008.

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 council, on the effective date of this ordinance, hereby vacates and abandons that portion of the 274th Avenue NE right-of-way, also known as J.D. Mercer Road and King County Road No. 892, as conveyed to King County by the deeds recorded in Volume 672 of Deeds, on Pages 160 and 161, records of King County, Washington, as described below:

That portion of the 274th Avenue NE right-of-way, also known as J.D. Mercer Road and King

County Road No. 892, as conveyed to King County by the deeds recorded in Volume 672 of Deeds, on Pages 160 and 161, records of King County, Washington, located in the north half of the northeast quarter of the southeast quarter of Section 24, Township 26 North, Range 6 East, Willamette Meridian, King County, Washington; EXCEPT the southerly 48.00 feet thereof.

SECTION 2. The petitioner shall be refunded \$8,658.56 of the compensation paid, which amount is hereby waived in accordance with K.C.C. 14.40.020.C.