



Legislation Details (With Text)

**File #:** 2020-0294      **Version:** 2

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

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

**On agenda:**      **Final action:** 2/2/2021

**Enactment date:** 2/19/2021      **Enactment #:** 19231

**Title:** AN ORDINANCE authorizing the vacation of a portion of S.A. Nelson Road, File V-2726; Petitioners: Gary Habenicht and Richard and Wendy Melewski.

**Sponsors:** Claudia Balducci

**Indexes:** Roads, Vacation

**Code sections:**

**Attachments:** 1. Ordinance 19231, 2. A. Hearing Examiner Report dated 12-29-20, 3. 2020-0294 transmittal letter, 4. 2020-0294 County Road Engineer Report complete, 5. 2020-0294 fiscal note, 6. 2020-0294 Legislative Review Form, 7. 2020-0294 Affidavit of Publication 12-3-20 and 12-10-20 Seattle Times, 8. 2020-0294 DLS Road Services Division Staff Report, 9. Recorded Document 3-29-2021, 10. 2020-0294 SeaTimes Invoice & Affidavit.pdf

Date	Ver.	Action By	Action	Result
2/2/2021	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 01/26/2021

AN ORDINANCE authorizing the vacation of a portion of S.A. Nelson Road,  
File V-2726; Petitioners: Gary Habenicht and Richard and Wendy Melewski.

STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of S.A. Nelson Road, hereinafter described.
2. The department of local services notified utility companies serving the area and King County departments of the proposed vacation and has been advised that no easements are required over the vacation area. The vacation does 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' 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 and recommends vacation without requiring compensation.

5. Due notice was given in the manner provided by law. The office of the hearing examiner held the public hearing on December 17, 2020.

6. As detailed in the December 29, 2020, recommendation, the hearing examiner found that the road segment subject to this petition is not useful as part of the King County road system. The examiner concluded that vacation of this segment will benefit the public both through avoided management and maintenance costs, jettisoned liability risk, and added property taxes, and also through clearing up cloudy county interests. And the examiner recommended that the council approve the vacation with no additional monetary compensation from petitioners.

7. 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, without requiring compensation.

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 S.A. Nelson Road right of way as described below:

That portion of S.A. Nelson Road, Survey No. 1885, King County, Washington, within the North 15 feet of the Northeast Quarter of Section 25, T. 22 N., R. 6 E., Willamette Meridian as conveyed to King County by Treasurer's Deed 6064, Recording No. 1184144 on January 10, 1918, lying easterly of the east line of the West 15 feet of the Northwest Quarter of the Northeast Quarter of the Northeast Quarter of said Section 25 and westerly of the east line of the West 90

feet of the East Half of the Northeast Quarter of the Northeast Quarter of said Section 25;  
Together with that portion of S.A. Nelson Road, Survey No. 1885, King County, Washington,  
within the South 15 feet of the Southeast Quarter of Section 24, T. 22 N., R. 6 E. lying westerly  
of the east line of the West 90 Feet of the East Half of the Southeast Quarter of the Southeast  
Quarter of said Section 24 and easterly of SE 256th St., being also the South 15 feet of Lot L, as  
shown on King County Boundary Line Adjustment No. L98L0144, Recording Number  
20000419900001.

EXCEPT any portion of a 30-foot wide strip of land for SE 256th St as currently constructed and  
maintained by King County within the Southeast Quarter of Section 24, T. 22 N., R. 6 E. as  
shown on said King County LLA L98L0144 filed under Recording Number 20000419900001.  
King County, Washington.

Containing 32,717 square feet, more or less.