



## Legislation Details (With Text)

**File #:** 2008-0149      **Version:** 2

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

**File created:** 3/17/2008      **In control:** Hearing Examiner

**On agenda:**      **Final action:** 7/7/2008

**Enactment date:** 7/18/2008      **Enactment #:** 16201

**Title:** AN ORDINANCE authorizing the vacation of a portion of 228th Way NE, File V-2540, Petitioner: Lake Washington School District No. 414.

**Sponsors:** Dow Constantine

**Indexes:** Roads, Vacation

**Code sections:**

**Attachments:** 1. 2008-0149 Attachment to Transmittal Letter--Map--Right-Of-Way Vacation--228th NE.jpg, 2. 2008-0149 Fiscal Note.pdf, 3. 2008-0149 Transmittal Letter.doc

Date	Ver.	Action By	Action	Result
7/7/2008	2	Metropolitan King County Council	Passed	Pass
3/17/2008	1	Metropolitan King County Council	Introduced and Referred	

Clerk 07/02/2008

AN ORDINANCE authorizing the vacation of a portion of 228th Way NE, File V-2540, Petitioner: Lake Washington School District No. 414.

### STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of the 228th Way NE right-of-way 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 indicates that King County has not been maintaining that portion of the 228th Way NE right-of-way, as dedicated with the recording of the plat of Redmond Ridge Division 7. The subject right-of-way is currently under Developer's Maintenance/Defect Bond, L993008 - Redmond Ridge, with King County and has not been accepted for maintenance at this time. 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 petitioner, Lake Washington School District No. 414, has deeded additional right-of-way to King County, for the newly constructed public turnaround. This deed is recorded under recording number 20080507000889 records of King County, Washington.
6. The right-of-way is classified as "C-Class" and, in accordance with K.C.C. 14.40.020; the compensation due King County for a road vacation may be waived for governmental agencies at the discretion of the King County Council. Two factors support waiving of the compensation:
  - 1) The school district has deeded the additional right-of-way for the newly constructed public turnaround, and 2) the adjoining lands are for public school purposes and are therefore assessed as tax exempt. Therefore, the road services division recommends that the full amount of compensation due to King County for this petition be waived.

Due notice was given in the manner provided by law and a hearing was held by the office of the hearing examiner on the 23rd day of April, 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 228th Way NE right-of-way as conveyed to King County by the recording of the Plat Redmond Ridge Division 7, recorded in Volume 204 of Plats, Page 80, records of King County, Washington as described below:

That portion of the 228th Way NE right-of-way, dedicated in the Plat of Redmond Ridge Division 7, recorded in Volume 204 of Plats, Page 80, records of King County, Washington as defined by the survey recorded under recording number 20071105000158, records of King County, Washington and located in the Northwest quarter of Section 3, Township 25 North, Range 6 East, Willamette Meridian, records of King County, Washington, and described as

follows:

Commencing at the monument at the intersection of 228th Way NE and NE 94th Way; Thence N 11°31'34" E, along the centerline of said 228th Way NE, a distance of 82.99 feet; Thence S 78°28'26" E, a distance of 23.50 feet to the easterly margin of said 228th Way NE and the POINT OF BEGINNING; Thence N 11°31'34" E, parallel with said centerline of 228th Way NE, a distance of 82.07 feet; Thence N 78°28'26" W, a distance of 8.61 feet to the beginning of a 24.50 foot radius non-tangent curve to the right, which radius bears S 68°15'44" E; Thence northerly along said curve, through a central angle of 12°33'24", an arc distance of 5.37 feet to the beginning of a 52.50 foot radius reverse curve to the left; Thence northerly along said curve through a central angle of 18°04'33", an arc distance of 16.56 feet to the northerly margin of said 228th Way NE which is the beginning of a 46.50 foot radius non-tangent curve to the right, which radius bears S 27°35'30" W; Thence southeasterly along said curved margin, through a central angle of 128°54'06", an arc distance of 104.61 feet to the beginning of a 25.00 foot radius reverse curve to the left; Thence southwesterly along said curve, through a central angle of 54°58'02", an arc distance of 23.98 feet to the POINT OF BEGINNING.

SECTION 2. The vacation approved by this ordinance is subject to the following condition:

In accordance with the provisions of the master plat recorded under King County recording number 19911005000688, King County assumes no maintenance responsibility for the future landscaping and irrigation systems in the center island, or the maintenance of the sidewalks abutting

the newly constructed public turnaround deeded to King County under recording number  
20080507000889.