

## Legislation Text

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**File #:** 2021-0180, **Version:** 1

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Clerk 04/16/2021

AN ORDINANCE denying the vacation of a portion of Richardson Road right of way, File V-2713; Petitioners: Richard Barron Steffen and Seana Loew Steffen.

### STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of Richardson Road right-of-way, hereinafter described as:

The northeasterly 15 feet of Richardson Road as shown in the Plat of Burton Acres, as per plat recorded in volume 21 of plats, on page 55, Records of King County, Washington.

2. The department of local services' records indicate that Richardson Road right of way is an unopened and unmaintained platted right of way located on Vashon Island abutting on the Puget Sound.

3. The department of local services' notified utility companies serving the area and King County departments of the proposed vacation and has been advised that Puget Sound Energy requires an easement over the vacation area and King County department of local services requires an access and drainage easement within 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.

4. RCW 36.87.130 limits the rights of property owners to petition a county legislative body to vacate road rights-of-way that abut bodies of salt or freshwater.

5. Petitioners proposed an exchange of real property pursuant to RCW 36.34.330, conveying to

King County a replacement right of way of equal size over the northeasterly 15 feet of the southwesterly 95 feet of Lot 4 of Block 16, Burton Acres as per plat recorded in Volume 21 of plats, on page 55, Records of King County, Together with second class tidelands.

6. The department of local services considers the subject portion of right-of-way useless as part of the county road system but recommends denial of the petition as vacation is prohibited under RCW 36.87.130 and an exchange of property under RCW 36.34.330 is not an exception to RCW 36.87.130.

7. Due notice was given in the manner provided by law. The office of the hearing examiner held the public hearing on \_\_\_\_\_, \_\_\_\_\_, 2021. As detailed in the hearing examiner's \_\_\_\_\_, \_\_\_\_\_ 20\_\_ recommendation, the hearing examiner concluded that the road segment subject to this petition is not useful as part of the King County road system, however vacation is prohibited under RCW 36.87.130 as this segment of road right of way abuts on a body of saltwater and none of the statutory exceptions apply. Therefore, the hearing examiner recommends that the council deny the vacation petition and reject the petitioners request to accept the conveyance of real property as exchange right-of-way.

8. In consideration of the recommendations of the county road engineer and hearing examiner, the council has determined that it is in the best interest of the citizens of King County to deny said petition.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The council, on the effective date of this ordinance, hereby denies road vacation petition Steffen for the partial vacation of Richardson Road as filed by Petitioner Richard Barron under vacation file V-2713.