



## Legislation Text

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**File #:** 2006-0401, **Version:** 2

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Clerk 11/8/2006

AN ORDINANCE authorizing the vacation of a portion of 44th Avenue South,  
File V-2532, Petitioners: James and Tammy Walz.

### STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of 44th Avenue South 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 44th Avenue South. 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 King 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 \$4,996.76 from the petitioners.

Due notice was given in the manner provided by law and a hearing was held by the office of the hearing examiner on the 17th day of October, 2006.

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 44th Avenue South (formerly Washington Avenue) as conveyed to King County by the recording of the Plat of Jovita Heights, recorded in Volume 20 of Plats, Page 12, records of King County, Washington as described below:

That portion of the east twenty feet of 44th Avenue South (formerly Washington Avenue) abutting and adjacent to the west line of Lots 5, 6,

7, and 8, of Block 96, of the Plat of Jovita Heights, recorded in Volume 20 of Plats, Page 12, records of King County, Washington.