



Legislation Text

File #: 2007-0524, **Version:** 2

Clerk 04/11/2008

AN ORDINANCE denying the petition for the vacation of a portion of 164th

Avenue SE, File V-2578; Petitioner: David M. Petrie.

STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of the 164th Avenue SE right-of-way hereinafter described.
2. The department of transportation records indicate that King County has not been maintaining the subject portion of 164th Avenue SE right-of-way. The records indicate that no public funds have been expended for its acquisition. 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. The compensation for the 9,847 square feet of vacation area was calculated to be \$4,652.81. King County is not in receipt of compensation from the petitioner.
3. The subject right-of-way contains portions of a soft-surface school walkway used for access between residential areas and the Liberty High School playfields.
4. The subject right-of-way is located with the city of Renton's pending Liberty Area Annexation. Should this annexation be approved, it has an estimated July 2008 effective date. As of the effective date, King County would no longer have jurisdiction over the subject right-of-way.
5. The department of transportation notified the various utility companies serving the area, the

standard internal stakeholders, and the city of Renton for comments. The department of transportation has been advised that King County Water District Number 90 will require an easement over the existing water main located in the vacation area.

6. The department of natural resources and parks is in negotiations with the city of Renton to transfer ownership of adjacent Maplewood Heights Park to the city. The department of natural resources and parks requested that King County not divest public interest in the subject right-of-way, as it could affect future access to the park and interfere with the city's willingness to accept transfer of this property.

7. Through the stakeholder review process, the city of Renton has requested that King County not divest public interest in the subject right-of-way.

8. For the reasons stated above, the department of transportation cannot consider the subject portion of the right-of-way useless as part of the county road system and believes the public would not benefit by the return of this unused area to the public tax rolls.

Due notice was given in the manner provided by law and a hearing was held by the office of the hearing examiner on November 28, 2007, and continued administratively with the record closed on January 2, 2008.

In consideration of the statement of facts regarding the subject vacation 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 hereby adopts and incorporates herein as its findings and conclusions the findings and conclusions contained in the report and recommendation of the hearing examiner dated February 15, 2008, and denies the petition to vacate and abandon that portion of 164th Avenue SE as conveyed to King County by the recording of the Plat of Cedar Park Five Acre Tracts recorded in Volume 15 of Plats, Page 91, records of King County, Washington as described below:

The west 15.00 feet of the east 30.00 feet of that portion of the east half of the east half of the southeast quarter of Section 14, Township 23 North, Range 5 East, Willamette Meridian, in King County, Washington, lying south of the easterly prolongation of the north line of Tract 5, of Block 4, in the Plat of Cedar Park Five Acre Tracts, recorded in Volume 15 of Plats, Page 91, records of King County, Washington, and lying north of

the easterly prolongation of the south line of Tract 6, of Block 4, of said plat.