

Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

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On agenda: **Final action:** 11/28/2016

Enactment date: 12/7/2016 **Enactment #:** 18421

Title: AN ORDINANCE authorizing the vacation of a portion of the S 356th Street right-of-way, also known as 16th Street, and the 55th Place S right-of-way, also known as Texas Avenue, file V-2695.

Sponsors: Joe McDermott

Indexes: Vacation

Code sections:

Attachments: 1. 18421.pdf, 2. A. Proposed Right of Way Vacation, 3. B. Hearing Examiner Report Dated October 28, 2016, 4. A. Proposed Right of Way Vacation, 5. B. Hearing Examiner Report Dated October 28, 2016, 6. 2016-0461 DOT-RSD Report to the HE.docx, 7. 2016-0461 legislative review form.pdf, 8. A. Proposed Right-of-Way Vacation map, 9. 2016-0461 DOT-RSD Report to the HE.docx, 10. 2016-0461 Fiscal Note.xls, 11. 2016-0461 Transmittal Letter.doc, 12. 2016-0461 V2695 legislation-advertisement.docx, 13. 2016-0461 vacation - Hearing notice - publish Seattle Times 10/12 & 19/2016, 14. 2016-0461 Affidavit of Publishing Seattle Times publish 10-12 and 10-19-16.pdf, 15. 2016-0461 DOT-RSD Report to the HE.docx

Date	Ver.	Action By	Action	Result
11/28/2016	2	Metropolitan King County Council	Passed	Pass
10/10/2016	1	Metropolitan King County Council	Introduced and Referred	

Clerk 11/22/2016

AN ORDINANCE authorizing the vacation of a portion of the S 356th Street right-of-way, also known as 16th Street, and the 55th Place S right-of-way, also known as Texas Avenue, file V-2695.

STATEMENT OF FACTS:

1. Highland Pacific Housing Group LLC petitioned to vacate a portion of the S 356th Street right-of-way, also known as 16th Street, and the 55th Place S right-of-way, also known as Texas Avenue, hereinafter described.
2. The petition seeks to vacate those portions of unopened rights-of-way to allow construction of a proposed public storm-water drainage pond under approved department of permitting and

environmental review permits L06CG4110 and L06RW031. This area will then be converted to a drainage tract in the Pepper Hill Estates preliminary plat.

3. The needs of the agencies and utility companies serving the area were reviewed by the department of permitting and environmental review under Special Use Permit SUPS15-0143, and the Pepper Hill Estates preliminary plat, pending approval. The department of permitting and environmental review determined that no easements are needed at this time.

4. The department of transportation records indicate that King County has not expended public funds for the acquisition or maintenance of the subject portions of the S 356th Street and 55th Place S rights-of-way.

5. The department of transportation considers the subject portions of rights-of-way useless as part of the county road system and believes the public would benefit by the storm-water drainage pond to be constructed in this area.

6. The right-of-way is classified as "C-Class" and, in accordance with K.C.C. 14.40.020, the compensation due to King County is based on fifty percent of the assessed value of the subject rights-of-way, which was determined from records of the department of assessments. King County has received \$11,447.59 from the petitioner.

7. Due notice was given in the manner provided by law and the office of the hearing examiner held a hearing on October 24, 2016. The examiner concluded that the road segment subject to this petition is not useful as part of the King County road system and that the public will benefit from its vacation.

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 those portions of the S 356th Street right-of-way, also known as 16th Street, and the 55th Place S right-of-way, also

known as Texas Avenue, as conveyed to King County by the Plat of Jovita Heights, recorded in Volume 20 of Plats, Page 12, records of King County, Washington, and as described below:

Those portions of S 356th Street and 55th Place S in King County Washington, described as follows:

Beginning at the northwest corner of Block 81, in the Plat of Jovita Heights, recorded in Volume 20 of Plats, Page 12, records of King County, Washington, Thence S $88^{\circ}42'50''$ E, along the north line of said Block 81, a distance of 126.70 feet to a point of curvature to the right, having a radius of 25.00 feet; Thence easterly, along said curve, through a central angle of $9^{\circ}58'20''$, an arc distance of 4.35 feet to a point of cusp of a curve concave to the northeast, having a radius of 25.00 feet, and through which point a radial line bears S $11^{\circ}15'30''$ W; Thence northwesterly along said curve to the right, through a central angle of $69^{\circ}02'35''$, an arc distance of 30.13 feet; Thence N $09^{\circ}41'55''$ W 71.59 feet to a point on the westerly line of Block 57 of said Plat of Jovita Heights, being the point of cusp of a curve concave to the northwest, having a radius of 25.00 feet, and through which point a radial line bears N $80^{\circ}18'05''$ W; Thence along said curve, through a central angle of $100^{\circ}59'05''$, an arc distance of 44.06 feet; Thence N $88^{\circ}42'50''$ W, along the south line of said Block 57, a distance of 254.39 feet; Thence S $01^{\circ}17'10''$ W 60.00 feet to the north line of Block 80 of said Plat; Thence S $88^{\circ}42'50''$ E, along said north line, a distance of 141.76 feet to the northeast corner of said Block 80;

Thence S 01°17'34" W, along the east line of said Block 80, a distance of 215.98 feet;

Thence S 88°42'26" E 40.00 feet to the west line of said Block 81;

Thence N 01°17'34" E, along said west line, a distance of 215.98 feet to the point of beginning.

Being a portion of the SE 1/4 of the NW 1/4 of Section 26, Township 21 North,
Range 4 East, Willamette Meridian,
King County, Washington.

Containing 23,662 square feet, more or less.