



## Legislation Details (With Text)

**File #:** 2016-0525      **Version:** 2

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

**File created:** 12/5/2016      **In control:** Hearing Examiner

**On agenda:** 1/17/2017      **Final action:** 5/1/2017

**Enactment date:**      **Enactment #:** 18505

**Title:** AN ORDINANCE authorizing the vacation of a portion of the County Road to Portage right-of-way, as shown in the Plat of Portage 1st Addition, File V-2672, Petitioners: Malone Homestead, LLC, Mary Donahoe Seifred, Kathleen S. Donahoe, Thomas Charles Donahoe and Ann Elizabeth Donahoe.

**Sponsors:** Joe McDermott

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 18505.pdf, 2. A. Hearing Examiner Report Dated March 20, 2017, 3. B. Map of Proposed Right-of-Way Vacation, 4. 2016-0525 DOT RSD Report to the Examiner.pdf, 5. 2016-0525 legislative review form.pdf, 6. A. Proposed Right-of-Way Vacation - County Road to Portage Site Map, 7. 5 V2672 Legislation Advertisement - Portage 1st Addition.docx, 8. 2016-0525 2 V2672 Transmittal Letter - Portage 1st Addition.doc, 9. 2016-0525 fiscal note revised Portage FN.xlsx, 10. 2016-0525 Hearing Notice.doc, 11. Affidavit of Pub Vacation - Seattle Times 2-24 & 3-1-17.pdf, 12. 20170519000110.pdf

Date	Ver.	Action By	Action	Result
5/1/2017	2	Metropolitan King County Council	Passed	Pass
1/17/2017	1	Metropolitan King County Council	Reintroduced	
12/5/2016	1	Metropolitan King County Council	Introduced and Referred	

Clerk 04/26/2017

AN ORDINANCE authorizing the vacation of a portion of the County Road to Portage right-of-way, as shown in the Plat of Portage 1st Addition, File V-2672, Petitioners: Malone Homestead, LLC, Mary Donahoe Seifred, Kathleen S. Donahoe, Thomas Charles Donahoe and Ann Elizabeth Donahoe.

### STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of the County Road to Portage right-of-way, as shown in the Plat of Portage 1st Addition, hereinafter described.
2. The department of transportation notified the various utility companies serving the area and has been advised that CenturyLink has requested an easement on over, in, under, across above

and along the west ten feet of George Edwards Road - County Road No. 274, also known as Dockton Road SW. The easement will be recorded under a King County recording number. No other easements were required within the vacation area at this time. The vacation shall not reduce the utility company's rights to any existing utility easements within the vacation area.

3. The department of transportation records indicate that King County has not expended public funds for the acquisition or maintenance of the subject portion of the County Road to Portage right-of-way.

4. The department of transportation considers the subject portion of 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 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 right-of-way, which was determined by a county staff review appraiser. King County is in receipt of \$73,333.00 from the petitioners.

6. Due notice was given in the manner provided by law and a hearing was held by the office of the hearing examiner on March 6, 2017. By report of March 20, 2017, the examiner recommended vacation.

7. 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 County Road to Portage, as conveyed to King County by the recording of the Plat of Portage 1st Addition, recorded in Volume 14 of Plats, on Page 97, records of King County, Washington as described below:

That portion of the County Road to Portage right-of-way situated in the Southwest Quarter of

Section 9, Township 22 North, Range 3 East, Willamette Meridian, King County, Washington, as shown in the Plat of Portage 1st Addition, recorded in Volume 14 of Plats on Page 97, records of King County, Washington, abutting and adjacent to the east line of Block 3 of said Plat and the northerly extension of said east line to the centerline of the Prospect Street right-of-way vacated by Order of Vacation on September 14, 1936, and lying westerly of the west right-of-way margin of the George Edwards Road - County Road No. 274, also known as Dockton Road SW.