

DEPARTMENT OF LOCAL SERVICES  
ROAD SERVICES DIVISION  
COUNTY ROAD ENGINEER REPORT ON VACATION PETITION V-2749

May 23, 2024

Petition to Vacate: 40<sup>th</sup> Ave S (Nevada Ave.)

Vacation file: V-2749

Petitioners: Todd and Janet Gillies

Recommendation: The County Road engineer has determined that the subject portion of right-of-way is useless to the county road system and should be vacated.

Petitioners Todd and Janet Gillies submitted a petition for the vacation of a portion of 40<sup>th</sup> Ave S on September 9, 2021. The subject right-of-way is an unopened and unmaintained portion of right-of-way located in the Auburn area of unincorporated King County. See site map attached as Exhibit A.

Pursuant to King County Code section 14.40.0104 B, the following report is submitted.

KCC 14.40.0104 B. - The petition has been reviewed and determined to be valid. The Petitioners own the majority of the lineal footage of the frontage of the portion of right-of-way proposed for vacation.

B.1 - The portion of right-of-way proposed to be vacated has been examined and it is recommended that it should be vacated and abandoned.

B.2 – The subject portion of 40<sup>th</sup> Ave S is not in use as a road nor is it in use by the traveling public. No records have been located indicating use, improvement, or maintenance of the area by King County. The subject right-of-way was dedicated to the County in the Plat of Jovita Addition in 1910 as Nevada Avenue.

B.3 – The subject portion of 40<sup>th</sup> Ave S is an unopen and unmaintained county road right-of-way.

B.4 – The subject portion of 40<sup>th</sup> Ave S is not needed as part of the county transportation system of the future, and it is not advisable to preserve the subject portion of the right-of-way for future transportation use.

B.5 - The public will benefit from the vacation of the right-of-way. The subject vacation area is not necessary or useful to the county road system and the public will benefit from the incorporation of the right-of-way into the Petitioners' property returning this area to the public tax rolls.

B.6 – Roads obtained from the King County Assessor's Office a determination of the value for the vacation area associated with the Petitioners' property.

The Assessor's Office determined that adding approximately 5,642 square feet to the Petitioners' Parcel 375060-1038 would result in an \$8,000 increase in value. The valuation as applied to the compensation model prepared by the County Office of Performance Strategy and Budget (PSB), see attached, with offsets for management and maintenance costs and future expected property tax, results in no additional charge of compensation from Petitioners should the approximately 5,642 square foot area of unopened undeveloped right-of-way be vacated.

The Assessor's Office determined that adding approximately 7,534 square feet to the Petitioners' Parcel 375060-1050 would result in an \$11,000 increase in value. The valuation as applied to the compensation model prepared by the County Office of Performance Strategy and Budget (PSB), see attached, with offsets for management and maintenance costs and future expected property tax, results in a charge of \$1,780 to Petitioners should the approximately 7,534 square foot area of unopened undeveloped right-of-way be vacated.

It is the recommendation of the County Road Engineer and the Director of Road Services that, consistent with the application of the PSB compensation model to this road vacation petition, the subject portion of right-of-way be vacated with the condition of payment from the Petitioners in the amount of \$1,780.

B.7 - The subject portion of right-of-way does not serve as access to properties not a party to this road vacation petition.

B.8 – Lumen may have facilities within the subject area. No other utility identified facilities within the subject vacation area or a plan to install facilities in the future. Therefore, if Lumen facilities are within the vacation area, then an easement in favor of Lumen should be executed by Petitioners as a condition of approval of this road vacation petition.

B.9 - No fees have been charged nor costs incurred for this vacation beyond the \$200 filing fee.


B.10 – The right-of-way to be vacated does not abut a body of salt or fresh water.

B.11 – No property owners abut the portion of right-of-way proposed to be vacated who are not petitioners to this vacation.

B.12 – Under KCC 14.40.0106, discretion was exercised, and petitioner is not charged any fees or costs in association with this Petition beyond the filing fee. As no additional fees were assessed under 14.40.0106 B, there are no costs to be waived under 14.40.0106C and no costs incurred to list.

In conclusion, the subject portion of right-of-way is useless to the county road system and petition V-2749 seeking to vacate this portion of 40<sup>th</sup> Ave S should be approved with the conditions of granting the above-described easements and payment of compensation in accordance with the PSB model.

DocuSigned by:



JoAnn Kosai-Eng, P.E.  
County Road Engineer.

DocuSigned by:



Tricia Davis, Director  
Road Services Division

Attachments:

Exhibit A – Site Map

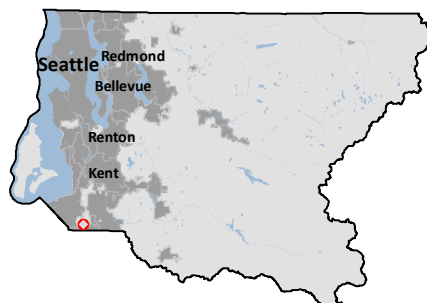
Compensation Calculation Spreadsheet



**PROPOSED RIGHT-OF-WAY VACATION V-2749****Vacation File: V-2749**

40th Ave S

NW 34 21 04

**ROW Area (Approximate):**13,844 FT<sup>2</sup> or 0.3 Acres

- Pending Road Vacation
- Petitioner Parcel
- Roadlog - Unincorporated, Maintained Streets
- King County Right of Way

0 75 150  
Feet

FOR INFORMATIONAL USE ONLY



VALUATION OF ROADS RIGHT-OF-WAY

Based on PSB Response to Proviso

V-2749

Parcel # 375060-1038

Todd and Janet Gillies

40th Ave S

Factor	Opened Roads	Frequently Traversed Public Areas	Undeveloped Unopened ROW
Appraised Value	\$ 8,000	\$ 8,000	\$ 8,000
Subtract: Transfer of Liability or Risk	\$ 315	\$ 31	0
Subtract: Expected Property Taxes	\$ 134	\$ 134	\$ 134
Subtract: Management and Maintenance Costs	\$ 31,801	0	\$ 9,036
DLS Processing Costs	0	0	0
TOTAL	\$ (24,249)	\$ 7,835	\$ (1,170)

ANNUAL UPDATES:

- The factors identified in the table need to be updated annually. These include:
- 1) Claims, judgments, settlements, and reserved expenses per mile. Claims with a loss date since 01/01/2019 as of 01/01/2024
  - 2) General Fund and Roads Fund property tax rates. <https://kingcounty.gov/depts/assessor/Reports/levy-rate-info.aspx>
  - 3) Total road mileage in the system.
  - 4) Roads operating budget (use half of the biennial budget).

Factor:	Provider:	Number		
Value of vacation area	DOA	\$ 8,000	See below *	Varies per parcel
"Mileage" of parcel		0.04	Parcel size in linear mileage	Varies per parcel
Average of 5 years of risk costs	ORM	\$ 1,239,907	5 year average, annual cost	Updated annually
Property tax rate - general fund	PSB / DOA	\$ 0.51	per 1,000 AV; 2023 number	Updated annually
Property tax rate roads	PSB / DOA	\$ 1.43	per 1,000 AV; 2023 number	Updated annually
Road miles in system	Roads	1500		Updated annually
Roads annual operating budget	Roads	\$ 125,191,849	Half of biennial operating budget	Updated annually
Roads costs for clean-up	Roads	\$ 451,792	Total annual costs; future average	Updated annually
DLS Processing costs	N/A	\$ -	N/A	

Square footage and lineal measurement of vacation area:

Parcel Size in square feet	Roads	5642	Square footage of vacation area
Parcel size in lineal feet		210	
Parcel size in "road mileage"		0.039772727	

\* Value of vacation area from Assessor's Office:

Parcel 375060-1038 value pre-vacation	\$93,000
Parcel 375060-1038 value post-vacation	\$101,000
Value of vacation area	\$8,000

**VALUATION OF ROADS RIGHT-OF-WAY**  
**Based on PSB Response to Proviso**

**V-2749**

**Parcel # 375060-1050**  
**Todd and Janet Gillies**

**40th Ave S**

Factor	Opened Roads	Frequently Traversed Public Areas	Undeveloped Unopened ROW
Appraised Value	\$ 11,000	\$ 11,000	\$ 11,000
<b>Subtract:</b> Transfer of Liability or Risk	\$ 375	\$ 37	0
<b>Subtract:</b> Expected Property Taxes	\$ 184	\$ 184	\$ 184
<b>Subtract:</b> Management and Maintenance Costs	\$ 37,858	0	\$ 9,036
DLS Processing Costs	0	0	0
<b>TOTAL</b>	<b>\$ (27,417)</b>	<b>\$ 10,778</b>	<b>\$ 1,780</b>

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Roads costs for clean-up	Roads	\$ 451,792	Total annual costs; future average	Updated annually
DLS Processing costs	N/A	\$ -	N/A	

**Square footage and lineal measurement of vacation area:**

Parcel Size in square feet	Roads	7534	Square footage of vacation area
Parcel size in lineal feet		250	
Parcel size in "road mileage"		0.047348485	

**\* Value of vacation area from Assessor's Office:**

Parcel 375060-1050 value pre-vacation	\$127,000
Parcel 375060-1050 value post-vacation	\$138,000
Value of vacation area	\$11,000