



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

Ordinance 19594

Proposed No. 2022-0448.2

Sponsors Balducci and Upthegrove

1 AN ORDINANCE authorizing the vacation of a portion of
2 310th Avenue NE/Alder Road, file no. V-2738; Petitioners:
3 Richard E. Elander and Vernon S. Timmons.

4 **STATEMENT OF FACTS:**

- 5 1. A petition has been filed requesting vacation of a portion of 310th
- 6 Avenue NE/Alder Road, hereinafter described.
- 7 2. The department of local services notified utility companies serving the
- 8 area and King County departments of the proposed vacation and has been
- 9 advised that King County Water District No. 119 is the only utility that
- 10 requires an easement over the vacation area. The vacation shall not
- 11 extinguish the rights of any utility company to any existing easements for
- 12 facilities or equipment within the vacation area.
- 13 3. The department of local services's records indicate that this segment of
- 14 right of way is unopened and unmaintained.
- 15 4. The department of local services considers the subject portion of right
- 16 of way useless as part of the county road system and believes the public
- 17 would benefit by the return of this segment of right of way to the public
- 18 tax rolls and recommends approval of the vacation.
- 19 5. Pursuant to K.C.C. 14.40.020 and RCW 36.87.120, the value of the
- 20 vacation area is offset by the costs to King County to manage and

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21 maintain this segment of unopened right of way and the present value of
22 future property tax resulting in a determination of \$809 as compensation
23 for the vacation of this portion of 310th Avenue NE/Alder Road to the
24 property of Petitioners Richard E. Elander and Vernon S. Timmons, King
25 County Assessor's Parcel Number 1551000-0015.

26 6. Due notice was given in the manner provided by law. The office of the
27 hearing examiner held the public hearing on March 1, 2023.

28 7. As detailed in the March 15, 2023, recommendation, the hearing
29 examiner found that the road segment subject to this petition is not useful
30 as part of the King County road system, concluded that the vacation of this
31 segment of road will benefit the public through the transfer of
32 responsibility for management and return of the property to the public tax
33 roll, and recommended approval of the vacation petition with the
34 requirement of payment of \$809 in compensation from Petitioners as a
35 condition of the vacation.

36 8. For the reasons stated in the examiner's March 15, 2023, report and
37 recommendation, the council determines that it is in the best interest of the
38 citizens of King County to grant said petition and vacate the right of way.

39 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

40 SECTION 1. The council hereby vacates and abandons a portion of 310th
41 Avenue NE/Alder Road, right of way as dedicated to King County by the recording of the
42 plat of Cherry Gardens Division No. 3, recorded in Volume 22 of Plats, Page 26, records
43 of King County Washington as described below:

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44 THE WEST HALF OF 310TH AVE NE (ALDER ROAD) ABUTTING
45 LOT 126 OF CHERRY GARDENS, DIVISION NO. 3, ACCORDING
46 TO THE PLAT THEREOF FILED IN VOL. 22 OF PLATS AT PAGE 26,
47 RECORDS OF KING COUNTY, WASHINGTON.

48 SITUATE IN THE SOUTHWEST QUARTER OF THE SOUTHWEST
49 QUARTER OF SECTION 4, TOWNSHIP 26 NORTH, RANGE 7 EAST,
50 W.M.

51 Containing 35,139 square feet, more or less,
52 CONTINGENT on petitioner paying \$809 to King County within 90 days of the
53 date council takes final action on this ordinance. If King County does not receive
54 \$809 by that date, there is no vacation and the associated right-of-way remains
55 King County's. If payment is timely received, the clerk shall record an ordinance
56 against parcel 1551000-0015. Recording an ordinance will signify that


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- 57 payment has been received, the contingency is satisfied, and the right-of-way
58 associated with parcel 1551000-0015 is vacated.

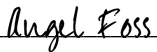
Ordinance 19594 was introduced on 12/6/2022 and passed by the Metropolitan King County Council on 4/18/2023, by the following vote:

Yes: 9 - Balducci, Dembowski, Dunn, Kohl-Welles, Perry, McDermott, Upthegrove, von Reichbauer and Zahilay

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

DocuSigned by:

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Dave Upthegrove, Chair

ATTEST:

DocuSigned by:

C267B914088E4A0...
Melani Pedroza, Clerk of the Council

Attachments: A. Hearing Examiner Report dated March 15, 2023