

**DEPARTMENT OF LOCAL SERVICES
ROAD SERVICES DIVISION
REPORT TO THE HEARING EXAMINER**

PUBLIC HEARING: September 18, 2025 at 9:30 am

**Remote public hearing by the King County Hearing Examiner's Office
Seattle, WA 98104**

August 29, 2025

PETITION TO VACATE: A portion of 52nd Ave S / Indiana Ave

Road Services File: V-2740

Proposed Ordinance: 2025-0224

A. GENERAL INFORMATION

Petitioner(s): Gregory and Rhonda English
Courtney Gray

Location of Road: 52nd Ave S / Indiana Ave.
Thomas Brothers Page 775
Quarter Section – NW 26-21-4

Adjacent Parcels: 3751602073
3751602125

B. HISTORY AND OVERVIEW

R.C.W. 36.87 establishes the right of property owners to petition a county legislative body for the vacation of road rights-of-way. K.C.C. 14.40 establishes King County policies and procedures for accomplishing same.

The petition was filed with the Clerk of the King County Council on October 8, 2020, by Gregory English, Courtney L. Gray, Robert Murphy, Sandra Lui, Seth Landon, and Daniel and Barbara Franks seeking the vacation of a portion of 52nd Ave S / Indiana Ave in the Auburn area of unincorporated King County.

The subject right-of-way was dedicated to King County in the Plat of Jovita Heights, Volume 20, Page 12 of Plats, Records of King County.

The subject portion of right-of-way qualifies as unopen and unmaintained county road right-of-way.

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C. REVISED PETITION REDUCING THE VACATION AREA

The original petition sought to vacate all of 52nd Ave S between S 352nd St and S 354th St. The original section of right-of-way serves as access to the properties of the six Petitioners and abuts three non-petitioning properties. The County Road Engineer issued a report and recommendation on the original petition with the recommendation that the vacation be approved conditioned upon access easements in favor of all properties abutting the vacation area be required as a condition of approval of this road vacation petition.

Thereafter, all but two parties withdrew from the Petition. Exhibit 16. The result is a reduced vacation area abutting only two parcels, those of Gregor J. English and Rhonda J. English and Courtney Gray. See Exhibit 17. Given the extent of the revision to the vacation area and the petitioning parties, a Revised County Road Engineer's Report and Recommendation was issued on June 4, 2024. Exhibit 19.

D. NOTICE

Notice of this hearing was posted at the approximate ends of the proposed vacation area on August 26, 2025, see Exhibit 24, and published in accordance with requirements of RCW 36.87.060.

E. REVIEWING AGENCIES AND COMMENTS

The King County Department of Local Services, Road Services Division ("Roads") solicited comments from agencies within King County and utilities serving the area regarding the impacts of vacating the original vacation area. Puget Sound Energy and Lakehaven Water and Sewer District identified a need for an easement over a portion of the vacation area to preserve existing or future infrastructure.

Puget Sound Energy has obtained the easement it needs to preserve its infrastructure should the vacation be approved. Lakehaven Water and Sewer District is working with Petitioners to obtain the easements it needs. See Exhibits 20 and 21.

Roads did not receive responses from Comcast or the following King County agencies: Executive Services, Division of Real Estate Services; Department of Natural Resources and Parks, Open Space; and the Department of Local Services Road Services Division Archeologist. A copy of the Notice is included as Exhibit 9.

As the vacation area was reduced by the revised petition, a new agency review process was not initiated. The responses received to the agency review of the initial petition are listed below.

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ATTACHMENTS	AGENCY	COMMENT
1.	Puget Sound Energy	Response dated 12/23/2020. There are electric and gas equipment on the east side of 52 nd Ave S. Easement would need to be secured prior to the granting of this Vacation. Response dated 08/25/2025. PSE has obtained the necessary easement for this vacation.
2.	Wave Broadband	Response dated 03/17/2021. Wave has no facilities in the vicinity of this road vacation.
3.	Lakehaven Water and Sewer District	Response dated 06/01/2021. Lakehaven will need an easement in much of this segment of proposed ROW vacation. Response dated 7/24/25025. We don't have any easements. I'll get our letters out today.
4.	South King Fire and Rescue	Response dated 12/23/2020. South King Fire is OK with this road vacation. We want it noted that the road access and maintenance shall be maintained or improved. The access cannot be reduced from what it is currently.
5.	DLS Permitting	Response dated 04/15/2021. Permitting Division has no objection to the road vacation, provided that appropriate and necessary easements are in place for ingress/egress and utilities.
6.	DNRP – Parks	Response dated 12/22/2020. Parks has no objections to this request. Okay to vacate.
7.	DNRP – Water and Land Resources Division	Response dated 03/25/2021. Ok to vacate as a private road. No easements needed.
8.	DNRP – Wastewater Division	Response dated 01/05/2021. Proceed with vacation. No easements needed.
9.	DLS Roads- CIP & Planning Section	Response dated 01/06/2021. Roads has no long range transportation planning concerns with this road vacation.

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10.	DLS Roads- Traffic Engineering	Response dated 12/23/2020. Per King County Roads Viewer, 52nd Avenue South is not maintained by King County; it appears to be a gravel private road within King County right-of-way. Per iMap, there appear to be four residences that use 52nd Avenue South for access. If this right-of-way is vacated, there will need to be some type of access easement between the homeowners that allows access to and from South 352nd Street. Per Google Map Street View, there are no utility poles along the section of 52nd Avenue South that is proposed to be vacated; however, there may be some underground utilities that would require easements to allow access for the appropriate utility company(s). As long as access and possible underground utility easements are worked out, KCDLS, Road Services Division, Road and Traffic Engineering Development Review staff would have no objection to this proposed road vacation.
11.	Metro	Response dated 03/17/2021. No concerns, interests, or comments.
12.	DLS Roads – Survey	Response dated 01/05/2021. Recommendation - Approve, with appropriate easements requested. Doesn't appear that this North-South connection is necessary for adequate access to properties to the south which have access from the west off of Military Road. It appears to be more of a nuisance to the lots fronting on the street and especially APN 375160-2073, which appears from the aerials to be restricting access from the south with a barricade as the majority of the roadway is on this lot-not constructed within platted street r/w.
13.	DLS Roads - Environmental Unit	Response dated 03/04/2021. The RSD Environmental Unit has no objections to this proposed road vacation. No critical areas or other environmental issues present.
14.	DLS Roads - Drainage Unit	Response dated 02/05/2021. Ok to Vacate. No easements required.
15.	Executive Services – Historical Preservation	Response dated 01/21/2021. Approve vacation.

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Utilizing the model prepared by King County Office of Performance, Strategy and Budget (PSB), Roads solicited from the Assessor's Office a determination of value for the vacation area that will attach to the property owned by Petitioners. See Exhibit 10.

If the petition is approved, the property of Petitioners Gregor J. English and Rhonda J. English, parcel 375160-2073 will receive approximately 4,800 square feet. The Assessor's Office determined that adding 4,800 square feet to the property would result in a \$5,000 increase in value. This value applied to the PSB compensation model with offsets for management and maintenance costs and future expected property tax, results in a charge of \$809 to the Petitioners should the approximately 4,800 square foot area of unopened undeveloped right-of-way be vacated. See Exhibit 11.

If the petition is approved, the property of Petitioner Courtney Gray, parcel 375160-2125 will receive approximately 3,200 square feet. The Assessor's Office determined that adding 3,200 square feet to this parcel would result in a \$3,000 increase in value. This value applied to the PSB compensation model with offsets for management and maintenance costs and future expected property tax, results in no charge of compensation to Petitioner should the approximately 3,200 square foot area of unopened undeveloped right-of-way be vacated. See Exhibit 12.

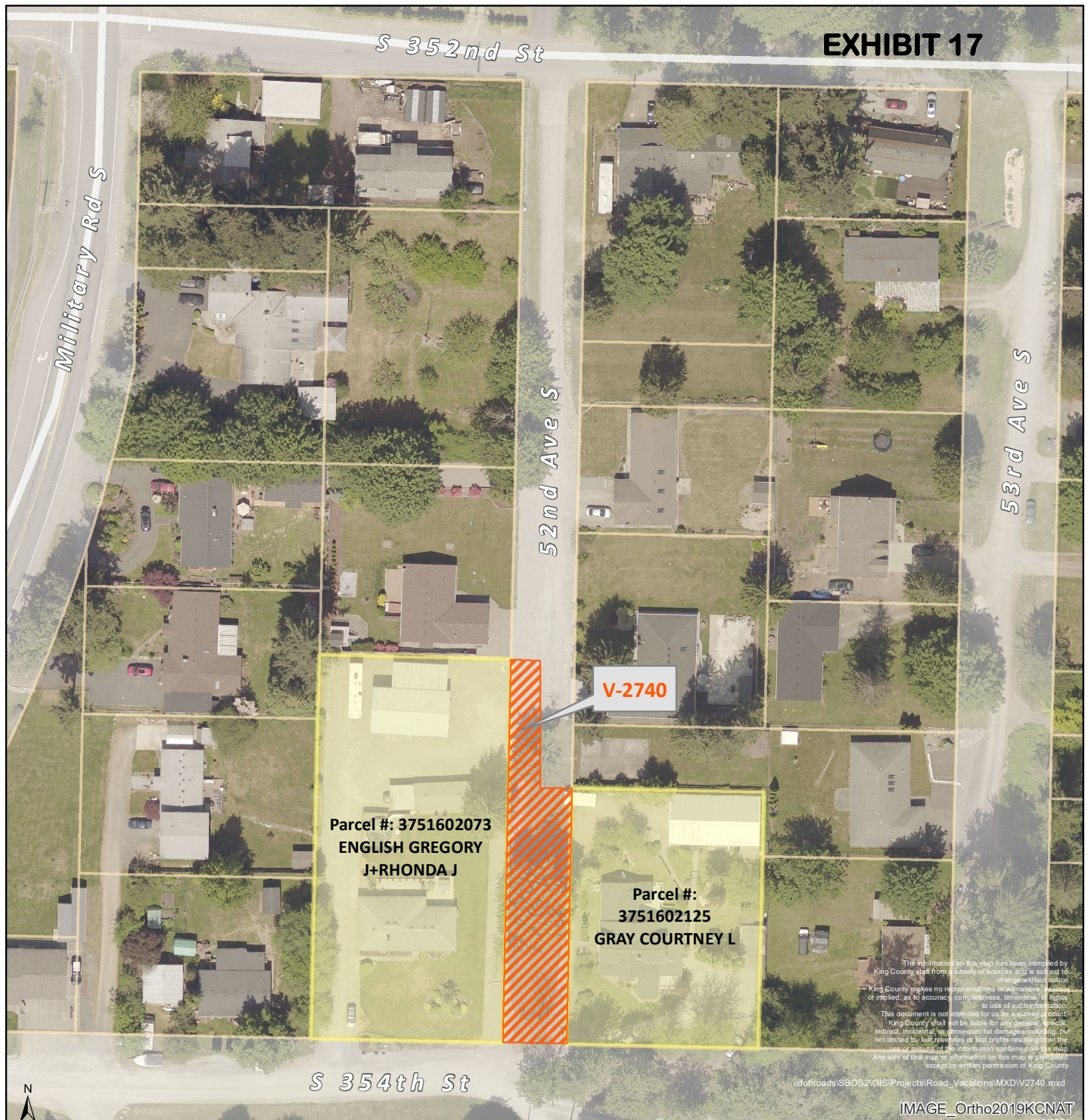
G. COUNTY ROAD ENGINEER RECOMMENDATION

The County Road Engineer has determined that the subject portion of right-of-way is useless to the county transportation system and that petition V-2740 as revised should be approved with the conditions of granting the above-described utility easements in favor of PSE and Lakehaven Water and Sewer District and payment of compensation in accordance with the PSB model.

The full Revised County Road Engineer's Report is attached as Exhibit 19.

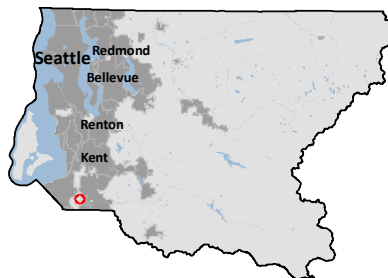
H. EXHIBITS

Exhibit #	DESCRIPTION
1.	DLS Roads Report to the Hearing Examiner August 29, 2025, with 15 Attachments and 25 Exhibits.
2.	Petition transmittal letter dated October 8, 2020, to the County Road Engineer.
3.	Petition for Vacation of a County Road received October 8, 2020
4.	Letter to Petitioners dated October 15, 2020, acknowledging receipt of Petition.
5.	King County Assessor's information for Gregory and Rhonda English's property, APN 375160-2073
6.	King County Assessor's information for Courtney Gray's parcel, APN 375160-2125

PROPOSED RIGHT-OF-WAY VACATION V-2740**Vacation File: V-2740**

52nd Ave S

NW 26-21-04

ROW Area (Approximate):Total: 7,929 FT² or 0.18 Acres

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

0 105 210
Feet

FOR INFORMATIONAL USE ONLY

VALUATION OF ROADS RIGHT-OF-WAY**V-2740****Parcel# 375160-2073****Gregory J. English****Rhonda J. English****Based on PSB Response to Proviso**

52nd Ave S//Indiana Ave

Factor	Opened Roads	Frequently Traversed Public Areas	Undeveloped Unopened ROW
Appraised Value	\$ 5,000	\$ 5,000	\$ 5,000
Subtract: Transfer of Liability or Risk	\$ 962	\$ 96	0
Subtract: Expected Property Taxes	\$ 104	\$ 104	\$ 104
Subtract: Management and Maintenance Costs	\$ 35,023	0	\$ 4,087
DLS Processing Costs	0	0	0
TOTAL	\$ (31,089)	\$ 4,800	\$ 809

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 01/01/2016-01/02/2021
- 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	\$ 5,000	See below *	Varies per parcel
"Mileage" of parcel		0.05	Parcel size in linear mileage	Varies per parcel
Average of 5 years of risk costs	ORM	\$ 3,314,212	5 year average, annual cost	Updated annually
Property tax rate - general fund	PSB / DOA	\$ 0.59	per 1,000 AV; 2020 number	Updated annually
Property tax rate roads	PSB / DOA	\$ 1.83	per 1,000 AV; 2020 number	Updated annually
Road miles in system	Roads	1500		Updated annually
Roads annual operating budget	Roads	\$ 120,641,814	Half of biennial operating budget	Updated annually
Roads costs for clean-up	Roads	\$ 204,352	Total annual costs; future average	Updated annually
DLS Processing costs	N/A	\$ -	N/A	

Square footage and lineal measurement of vacation area:

Vacation area in square feet	Roads	4800	Square footage of vacation area
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Vacation size in lineal feet	240
Vacation size in "road mileage"	0.045454545

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

Parcel 375160-2073 value pre-vacation	\$398,000
Parcel 375160-2073 value post-vacation	\$403,000
Value of vacation area	\$5,000

VALUATION OF ROADS RIGHT-OF-WAY**V-2740****Parcel# 375160-2125****Based on PSB Response to Proviso****Courtney L. Gray**

52nd Ave S//Indiana Ave

Factor	Opened Roads	Frequently Traversed Public Areas	Undeveloped Unopened ROW
Appraised Value	\$ 3,000	\$ 3,000	\$ 3,000
Subtract: Transfer of Liability or Risk	\$ 641	\$ 64	0
Subtract: Expected Property Taxes	\$ 63	\$ 63	\$ 63
Subtract: Management and Maintenance Costs	\$ 23,348	0	\$ 4,087
DLS Processing Costs	0	0	0
TOTAL	\$ (21,052)	\$ 2,873	\$ (1,150)

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 01/01/2016-01/02/2021
- 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	\$ 3,000	See below *	Varies per parcel
"Mileage" of parcel		0.03	Parcel size in linear mileage	Varies per parcel
Average of 5 years of risk costs	ORM	\$ 3,314,212	5 year average, annual cost	Updated annually
Property tax rate - general fund	PSB / DOA	\$ 0.59	per 1,000 AV; 2020 number	Updated annually
Property tax rate roads	PSB / DOA	\$ 1.83	per 1,000 AV; 2020 number	Updated annually
Road miles in system	Roads	1500		Updated annually
Roads annual operating budget	Roads	\$ 120,641,814	Half of biennial operating budget	Updated annually
Roads costs for clean-up	Roads	\$ 204,352	Total annual costs; future average	Updated annually
DLS Processing costs	N/A	\$ -	N/A	

Square footage and lineal measurement of vacation area:

Vacation area in square feet	Roads	3200	Square footage of vacation area
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Vacation size in lineal feet 160

Vacation size in "road mileage" 0.03030303

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

Parcel 375160-2125 value pre-vacation	\$446,000
Parcel 375160-2125 value post-vacation	\$449,000
Value of vacation area	\$3,000