

Return Address:  
Clerk of the Council  
Metropolitan King County Council  
516 Third Avenue Room 1200  
Seattle, WA 98104

Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

<b>Document Title(s)</b> (or transactions contained therein): (all areas applicable to your document <u>must</u> be filled in)  1. Ordinance 19344 AN ORDINANCE authorizing the vacation of a portion of SE 28 <sup>th</sup> Street/Hemlock Street, Fall City, file no. V-2712; Petitioners: Stephen and Megan Botulinski; John and Cynthia Conlon; Jill and Kyle Thompson; Alfred Valvano and Traci Shallbetter; Rex E. Currier; Adam and Jessi Buttermore; and Tom and Sharon Bilbro.
<b>Reference Number(s) of Documents assigned or released:</b>  Additional reference #'s on page _____ of document
<b>Grantor(s)</b> (Last name, first name, initials) 1. King County, Washington  Additional names on page _____ of document.
<b>Grantee(s)</b> (Last name first, then first name and initials) 1. King County, Washington 2. _____  Additional names on page _____ of document.
<b>Legal description</b> (abbreviated: i.e. lot, block, plat or section, township, range) Lying within the Northwest quarter of Section 12, Township 24 North, Range 7 East, Additional legal is on page 3 & 4 of document.
<b>Assessor's Property Tax Parcel/Account Number</b> <input type="checkbox"/> Assessor Tax # not yet assigned 2480700037, 2480700038, 2480700041, 2480700070, 2480700072, 2480700080, 2480700082
The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

\_\_\_\_\_  
Signature of Requesting Party



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**Ordinance 19344**

**Proposed No. 2021-0208.2**

**Sponsors Balducci**

1 AN ORDINANCE authorizing the vacation of a portion of  
2 SE 28th Street/Hemlock Street, Fall City, file no. V-2712;  
3 Petitioners: Stephen and Megan Botulinski; John and  
4 Cynthia Conlon; Jill and Kyle Thompson; Alfred Valvano  
5 and Traci Shallbetter; Rex E. Currier; Adam and Jessi  
6 Buttermore; and Tom and Sharon Bilbro.

7 **STATEMENT OF FACTS:**

- 8 1. A petition was filed requesting vacation of a portion of SE 28th  
9 Street/Hemlock Street, Fall City, described below.
- 10 2. The department of local services notified utility companies serving the area  
11 and King County departments of the proposed vacation and has been advised that  
12 no utility requires an easement over the vacation area. The vacation shall not  
13 extinguish the rights of any utility company to any existing easements for  
14 facilities or equipment within the vacation area.
- 15 3. The department of local services' records indicate that this segment of  
16 right of way is unopened and unmaintained.
- 17 4. The department of local services considers the subject portion of right  
18 of way useless as part of the county road system and believes the public  
19 would benefit by the return of this segment of right of way to the public  
20 tax rolls and recommends approval of the vacation.

Ordinance 19344

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21           5. Due notice was given in the manner provided by law. The office of the  
22           hearing examiner held the public hearing on July 29, 2021.  
23           6. As detailed in an August 20, 2021, recommendation, the examiner  
24           found that the road segment subject to this petition not useful as part of the  
25           King County road system, concluded that the vacation of this segment of  
26           road will benefit the public through the transfer of responsibility for  
27           management and return of the property to the public tax roll, and  
28           recommended requiring, as a condition of vacation, \$2,758 in  
29           compensation from Petitioners Stephen and Megan Botulinski, \$799 in  
30           compensation from Petitioners Alfred Valvano and Traci Shallbetter,  
31           \$1,779 in compensation from Petitioners Adam and Jessi Buttermore,  
32           \$1,779 in compensation from Petitioners Tom and Sharon Bilbro, and no  
33           compensation from Petitioners John and Cynthia Conlon, Jill and Kyle  
34           Thompson, and Rex E. Carrier.  
35           8. For the reasons stated in the examiner's August 20, 2021, report and  
36           recommendation, the council determines that it is in the best interest of the  
37           citizens of King County to grant said petition and vacate the right of way.

38           BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

39           SECTION 1. The council, on the effective date of this ordinance, hereby vacates  
40           and abandons a portion of SE 28th Street/Hemlock Street right of way as dedicated to  
41           King County by the recording of the Plat of Fall City Orchard Tracts, recorded in Volume  
42           16 of Plats, Page 55, records of King County Washington as described below:

Ordinance 19344

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43 Lying within the Northwest quarter of Section 12, Township 24 North,  
44 Range 7 East, Willamette Meridian, in King County, Washington, and  
45 being a portion of 60-foot wide Hemlock Street shown on the Plat of Fall  
46 City Orchard Tracts, recorded in Volume 16 of Plats, Page 55, King  
47 County Records, and being an unconstructed portion of said Hemlock  
48 Street, also known as SE 28th Street, lying southerly of Tracts 5 and 6 in  
49 Block 2, and northerly of Tracts 2 and 3 in Block 3 of said Fall City  
50 Orchard Tracts, and more particularly described as follows:  
51 BEGINNING at the southwest corner of said Tract 5; thence, on the  
52 northerly line of said Hemlock Street, south 89° 26' 23" east 655.76 feet to  
53 the common southerly corner of Tracts 5 and 6; thence continuing on the  
54 said northerly line south 89° 26' 23" east, 535.74 feet to an iron rod and  
55 cap set to mark a 30.00-foot offset southwesterly from the as-built  
56 centerline of asphalt pavement for SE 28th Street as it existed in the year  
57 2019, said rebar also lying 119.99 feet, more or less, westerly from the  
58 southeast corner of said Tract 6; thence, leaving said northerly line and  
59 following said 30.00 foot offset southeasterly on a curve to the left, having  
60 a radius of 630 feet, and a delta angle of 3°06' 00", for a distance of 34.09  
61 feet to a point of tangency; thence continuing along said 30.00 foot offset  
62 on a tangent bearing south 74° 46' 10" east, for a distance of 90.21 feet to  
63 an iron rod and cap set to mark said offset and a line connecting the  
64 southeast corner of Tract 6 and the northeast corner of said Tract 2, said  
65 rebar also lying southerly, 32.35 feet from the southeast corner of Tract 6;

Ordinance 19344

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66           thence south 0 ° 33' 38" west 27.64 feet to an iron rod and cap set to mark  
67           the northeast corner of Tract 2; thence, on the southerly line of said  
68           Hemlock Street, north 89° 26' 23" west 655.76 feet, more or less, to the  
69           common northerly corner of said Tracts 2 and 3; thence continuing on said  
70           southerly line north 89° 26' 23" west 655.73 feet, more or less, to the  
71           northwest corner of Tract 3; thence north 0 ° 00' 44" east, 60.00 feet to the  
72           point of beginning.

73           This description is based on measurements and computations shown on a  
74           Record of Survey dated December 2019 and recorded in Volume 417 of  
75           Surveys, Page 35, King County Records. All qualifications of title lines  
76           are based on Fall City Orchard Tracts and the existing as-built SE 28th  
77           Street noted herein. Described area adjoins King County Tax Lots  
78           2480700037, 38, and 41 on the north and Tax Lots 2480700070, 72, 80,  
79           and 82 on the south. King County Washington.  
80           Containing 76,687 square feet, more or less.

81           SECTION 2. For the subject road right-of-way abutting parcels 248070-0072  
82           (Conlon), 248070-0070 (Thompson), and 248070-0080 (Currier), there is no  
83           compensation requirement or contingencies, and vacation is operative on the effective  
84           date of this ordinance.

85           SECTION 3. For the subject road right-of-way abutting parcel 248070-0041  
86           (Botulinski), vacation is CONTINGENT on petitioner paying \$2758 to King County  
87           within ninety days of the date the council takes final action on this ordinance. If King  
88           County does not receive \$2758 by that date, there is no vacation and the associated right-

Ordinance 19344

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89 of-way remains King County's. If payment is timely received, the clerk shall record an  
90 ordinance against parcel 248070-0041. Recording an ordinance against parcel 248070-  
91 0041 will signify that payment has been received, the contingency is satisfied, and the  
92 right-of-way associated with parcel 248070-0041 is vacated.

93 SECTION 4. For the subject road right-of-way abutting parcel 248070-0082  
94 (Valvano) vacation is CONTINGENT on petitioner paying \$799 to King County within  
95 ninety days of the date the council takes final action on this ordinance. If King County  
96 does not receive \$799 by that date, there is no vacation and the associated right-of-way  
97 remains King County's. If payment is timely received, the clerk shall record an ordinance  
98 against parcel 248070-0082. Recording an ordinance against parcel 248070-0082 will  
99 signify that payment has been received, the contingency is satisfied, and the right-of-way  
100 associated with parcel 248070-0082 is vacated.

101 SECTION 5. For the subject road right-of-way abutting parcel 248070-0038  
102 (Buttermore) vacation is CONTINGENT on petitioner paying \$1779 to King County  
103 within ninety days of the date the council takes final action on this ordinance. If King  
104 County does not receive \$1779 by that date, there is no vacation and the right-of-way  
105 associated remains King County's. If payment is timely received, the clerk shall record  
106 an ordinance against parcel 248070-0038. Recording an ordinance against parcel  
107 248070-0038 will signify that payment has been received, the contingency is satisfied,  
108 and the right-of-way associated with parcel 248070-0038 is vacated.

109 SECTION 6. For the subject road right-of-way abutting parcel 248070-0037  
110 (Bilbro) vacation is CONTINGENT on petitioner paying \$1779 to King County within  
111 ninety days of the date the council takes final action on this ordinance. If King County

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Ordinance 19344

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112 does not receive \$1779 by that date, there is no vacation and the associated right-of-way  
113 remains King County's. If payment is timely received, the clerk shall record an ordinance  
114 against parcel 248070-0037. Recording an ordinance against parcel 248070-

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Ordinance 19344

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- 115 0037 will signify that payment has been received, the contingency is satisfied, and the  
116 right-of-way associated with parcel 248070-0037 is vacated.

Ordinance 19344 was introduced on 6/8/2021 and passed by the Metropolitan King County Council on 9/28/2021, by the following vote:

Yes: 9 - Ms. Balducci, Mr. Dembowski, Mr. Dunn, Ms. Kohl-Welles, Ms. Lambert, Mr. McDermott, Mr. Upthegrove, Mr. von Reichbauer and Mr. Zahilay

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

DocuSigned by:

*Claudia Balducci*

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Claudia Balducci, Chair

ATTEST:

DocuSigned by:

*Melani Pedroza*

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Melani Pedroza, Clerk of the Council

APPROVED this \_\_\_\_\_ day of 10/13/2021, \_\_\_\_\_.

DocuSigned by:

*Dow Constantine*

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Dow Constantine, County Executive

Attachments: A. Hearing Examiner Report dated August 20, 2021



The Hearing Examiner Report dated August 20, 2021 can be found at the following link:

<https://mkcclegisearch.kingcounty.gov/LegislationDetail.aspx?ID=4968051&GUID=E46CF279-926B-49D9-AB0D-3B64923AD729&Options=ID|Text|&Search=2021-0208>