



King County

Department of Local Services
Road Services Division

September 30, 2025

Denis and Diana Nemeth
8437 S 113th Street
Seattle, WA 98178

nemethpriority@gmail.com

RE: Petition for Vacation of a portion of 85th Ave S // 3rd St
V-2767

Dear Denis and Diana Nemeth,

In compliance with the Clerk of the King County Council's letter dated December 12, 2023, the Department of Local Services' Road Services Division (Roads) has investigated your petition to vacate a portion of 85th Ave S // 3rd St. The King County Code requires the County Road Engineer to issue a report and recommendation.

The County Road Engineer's Report and recommendation is enclosed for your review. The County Road Engineer recommends that the petition to vacate the subject portion of 85th Ave S // 3rd St be denied as the subject portion of right-of-way is considered useful to the future county road system and there would be no benefit to the public by the vacation.

The King County Code provides that, if a road vacation petition is approved, compensation may be due to the County for the area to be vacated, KCC 14.40.120. To this code section, we have applied a compensation calculation model utilizing the change in value to the property that will result from the vacation as determined by the County Assessor's Office along with other offsetting costs. The calculation resulted in no additional charge to be assessed for vacation of this portion of 85th Ave S // 3rd St. A copy of the calculation model as applied to your road vacation petition is attached to the County Road Engineer's Report.

The County Road Engineer's recommendation shall be presented to the King County Council along with a proposed ordinance for denial of the vacation of a portion of 85th Ave S // 3rd St. The ordinance introduced to the Council will authorize the Hearing Examiner to conduct a public hearing on the petition. You will be notified of the time and location of the public hearing.

The Hearing Examiner will provide an independent recommendation to the King County Council based on testimony received at the hearing, the County Road Engineer's recommendation and the report of Roads staff. The Hearing Examiner may make

Denis and Diana Nemeth

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recommendations different from that of the County Road Engineer on both whether to vacate and what, if any, compensation to require for the vacation.

The Hearing Examiner's report and recommendation is presented to the King County Council. The Council makes the final determination of whether to approve vacation of the right-of-way and what compensation is required. The Council is not bound by the recommendations of the County Road Engineer or the Hearing Examiner.

Please note that King County has identified current infrastructure and/or a plan for future infrastructure within the subject right of way. If this petition for vacation is approved, easements will have to be granted where this infrastructure is located.

Additionally, as a condition of final approval if this petition were to be approved, the easement granting access to the property to the immediate west (8435 S 113th Street // Parcel 118000-0590) would need to be amended to include the vacated area.

If you have any questions, please contact John Bryan, Road Property Program Manager, at 206-477-2594 or via e-mail at jobryan@kingcounty.gov.

Sincerely,

DocuSigned by:

0EB2763B582D47B...
JoAnn Kosai-Eng, P.E.
County Road Engineer

DocuSigned by:

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Tricia Davis, Director
Road Services Division

Enclosures

DEPARTMENT OF LOCAL SERVICES
ROAD SERVICES DIVISION
COUNTY ROAD ENGINEER REPORT ON VACATION PETITION V-2767

September 30, 2025

Petition to Vacate: Portion of 85th Ave S // 3rd St

Vacation file: V-2767

Petitioners: Denis and Diana Nemeth

Recommendation: The County Road engineer has determined that the subject portion of right-of-way has value to the County transportation system and this petition should be denied.

Petitioner Denis and Diana Nemeth submitted a petition on October 31, 2023 for the vacation of a portion of 85th Ave S adjacent to their property at 8437 S 113th Street. The subject right-of-way is located in the Bryn Mawr/Skyway area of unincorporated King County and is an opened road. See site map attached as Exhibit A. King County Road Services has a road through this area and the petitioner or one of their predecessors in title added a compacted gravel strip adjacent to the road and within the right-of-way.

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. Petitioners own all of the lineal footage of the frontage of the portion of right-of-way petitioned for vacation.

B.1 - The portion of right-of-way proposed to be vacated has been examined and it is recommended that it be retained as part of the road system.

B.2 – The subject portion of 85th Ave S // 3rd St is a 10 foot wide strip of 85th Ave S / 3rd St that has been paved with gravel, presumably by the petitioner or their predecessor in title and is being used as a parking strip. No records have been located indicating use, improvement or maintenance of the area by King County. The subject right-of-way was dedicated by the Bryn Mawr Plat recorded on April 14, 1890 at 1890041652044.

B.3 –85th Ave S // 3rd St has been opened and is maintained by King County but not to the full width of the dedicated right of way. King County maintains the road, but abutting property owners have improved and maintained landscaping within the right-of-way.

B.4 – The subject portion of 85th Ave S // 3rd St may be needed as part of the county transportation system of the future. The street rights of way through the Bryn Mawr plat are a uniform 60 foot in width and no vacations of these rights of way were found in a review of County mapping resources. It is advisable to preserve the subject portion of the right-of-way for future transportation use.

B.5 - The public will not benefit from the vacation of the right-of-way. The vacation area may be necessary for future street or pedestrian improvements. Any small benefit from incorporation of the right-of-way into the Petitioners' property and returning it to the public tax rolls will be outweighed by the expenditure of public funds to re-purchase the area if needed for future street or pedestrian improvements.

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 vacation would increase the size of Parcel 118000-0595 by 1,000 square feet +/- . The Assessor’s Office determined that adding this area would increase the assessed value by \$12,000.

The valuation using the compensation model prepared by the County Office of Performance Strategy and Budget (PSB), with offsets for management and maintenance costs and future expected property tax, is attached. Based on this model, no compensation would be due from the petitioner.

B.7 - The subject portion of right-of-way does not serve as primary access to any properties. However, the driveway serving the property to the west of Petitioner (8435 S 113th Street // Parcel 118000-0590) crosses the southerly 15 feet of the petitioner’s property on an easement. This easement would need to be amended to include the vacated area.

B.8 – Puget Sound Energy is the only utility purveyor that responded to the request for responses from interested parties and they indicated that they had no facilities in this area. There are aerial utility lines that cross near the area proposed for vacation but these appear to be over the petitioner’s property and not over the area proposed for vacation. King County Roads has drainage infrastructure located beneath the area proposed for vacation and easements would need to be granted as a condition were this petition to be approved.

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 –The portion of right-of-way proposed to be vacated only abuts the petitioners’ property.

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 remains useful to the county road system and petition V-2767 seeking to vacate this portion of 85th Ave S // 3rd St should be denied.

DocuSigned by:

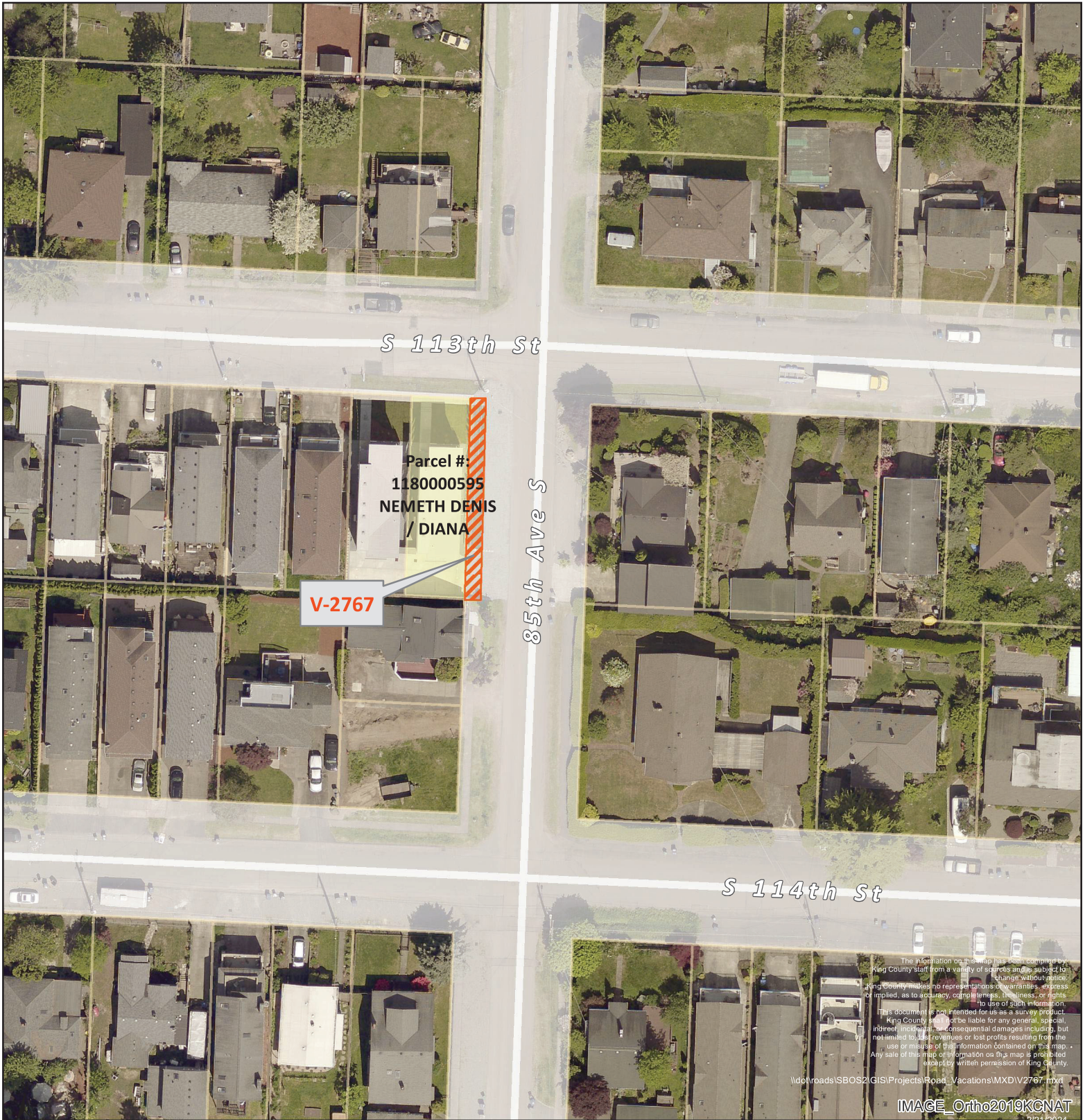
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JoAnn Kosai-Eng, P.E.
County Road Engineer.

DocuSigned by:

771E66D2EB854EF...
Tricia Davis, Director
Road Services Division

Attachments:
Exhibit A – Site Map
Compensation Calculation Spreadsheet

PROPOSED RIGHT-OF-WAY VACATION V-2767

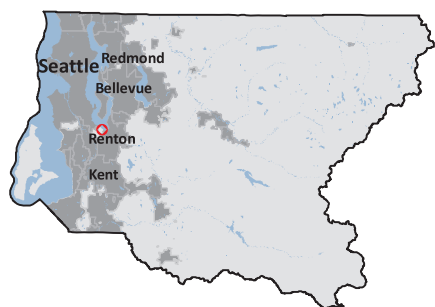







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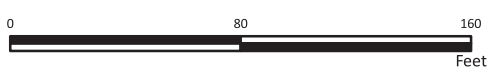
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IMAGE_Ortho2019KCNAT
2/21/2024

Vacation File: V-2767
85th Ave S
NW 07-23-05
ROW Area (Approximate):
1,000 FT2 or 0.023 Acres



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



VALUATION OF ROADS RIGHT-OF-WAY

V-2767

**Parcel # 118000-0595
Denis & Diana Nemeth
85th Ave S Frontage**

Based on PSB Response to Proviso

Factor	Opened Roads	Frequently Traversed Public Areas	Undeveloped Unopened ROW
Appraised Value	\$ 12,000	\$ 12,000	\$ 12,000
Subtract: Transfer of Liability or Risk	\$ 157	\$ 16	\$ -
Subtract: Expected Property Taxes	\$ 194	\$ 194	\$ 194
Subtract: Management and Maintenance Costs	\$ 15,807	\$ -	\$ 6,880
DLS Processing Costs	\$ -	\$ -	\$ -
TOTAL	\$ (4,158)	\$ 11,790	\$ 4,925

ANNUAL UPDATES:

- 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).
- 5) Update multipliers for the current OEFA discount rate.
<https://kingcounty.gov/en/independents/governance-and-leadership/economic-financial-analysis/discount-rate>

Factor:	Provider:	Number	Varies per parcel
Value of vacation area	DOA	\$ 12,000	Varies per parcel
"Mileage" of parcel		0.02	Varies per parcel
Average of 5 years of risk costs	ORM	\$ 1,239,907	Updated annually
Property tax rate - general fund	PSB / DOA	\$ 0.49695	Updated annually
Property tax rate roads	PSB / DOA	\$ 1.30780	Updated annually
Road miles in system	Roads	1500	Updated annually
Roads annual operating budget	Roads	\$ 125,191,849	Updated annually
Roads costs for clean-up	Roads	\$ 344,011	Updated annually
DLS Processing costs	N/A	-	Updated annually

Square footage and lineal measurement of vacation area:

Parcel Size in square feet	Roads	1,000	Square footage of vacation area
Parcel size in lineal feet		100	
Parcel size in "road mileage"		0.02	

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

Parcel 118000-0595 value pre-vacation	\$349,000
Parcel 118000-0595 value post-vacation	\$361,000
Value of vacation area	\$12,000

Liability and Risk / Management and Maintenance Multiplier		
Escalation Rate		3.50%
Discount Rate		3.50%
Year	FV	Discount Factor
1	1.000	1.000
2	1.035	0.966
3	1.071	0.934
4	1.109	0.902
5	1.148	0.871
6	1.188	0.842
7	1.229	0.814
8	1.272	0.786
9	1.317	0.759
10	1.363	0.734
NPV	10.00	10.00

Expected Property Taxes Multiplier		
Escalation Rate		1.00%
Discount Rate		3.50%
Year	FV	Discount Factor
1	1.000	1.000
2	1.010	0.966
3	1.020	0.934
4	1.030	0.902
5	1.041	0.871
6	1.051	0.842
7	1.062	0.814
8	1.072	0.786
9	1.083	0.759
10	1.094	0.734
NPV	8.98	8.98