

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

PUBLIC HEARING: June 8, 2021 at 1:00 9m or shortly thereafter

**Video/Telephonic hearing by the King County Hearing Examiner's Office
Seattle, WA 98104**

May 24, 2021

PETITION TO VACATE: A portion of Richardson Road

Transportation File: V-2713

Proposed Ordinance: 2021-0180

A. GENERAL INFORMATION

Petitioner(s): Richard Barron Steffen and Glen and Erin Lemmons

Location of Road: Richardson Road, Plat of Burton Acres
Vashon Island
Thomas Brothers Page 713
Quarter Section – NE 20-22-3

Adjacent Parcels: 1269200385 and 1269200386

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 on May 2, 2017, with the Clerk of the King County Council, seeking the vacation of a portion of Richardson Road right-of-way in the Plat of Burton Acres on Vashon Island, unincorporated King County. The petition proposing an exchange of property in lieu compensation and to meet the provisions of RCW 36.34.330 and fulfill the intent of RCW 36.87.130 to preserve public access to the Puget Sound.

Exhibit no.	1
Case name	Richard Barron Steffen and Glen and Erin Lemons
Case number	V-2713
Date received	6/8/2021
KING COUNTY HEARING EXAMINER	

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King County acquired the subject right-of-way by dedication in the 1914 plat of Burton Acres recorded in the Volume 21 of Plats, Page 55, under recording number 19140228917861. The right-of-way as platted is 60 feet wide.

Specifically, the petition seeks the vacation of a 15-foot-wide portion of Richardson Road lying between SW Bayview Drive and the waters of the Puget Sound and formally described as:

The northeasterly 15 feet of Richardson Road as shown in the Plat of BURTON ACRES, as per plat recorded in Volume 21 of plats, on page 55, Records of King County, Washington. Together with that portion of Richardson Road lying adjacent to Lot 4, Block 16 of said Plat of BURTON ACRES and westerly of a curve having a radius of 10 feet that is tangent to the northeasterly margin of Richardson Road and the southeasterly margin of SW Bayview Drive.

The petitioner proposes to exchange with the County of a 15-foot-wide strip of land on the northerly side of their property running from SW Bayview Drive to the Puget Sound and formally described as:

The northeasterly 15 feet of the southwesterly 95 feet of Lot 4 of Block 16, BURTON ACRES as per plat recorded in Volume 21 of plats, on page 55, TOGETHER WITH second class tidelands.

The proposed vacation area is to the south of Petitioner Richard Barron Steffen's property, parcels 1269200385 and 1269200386. The proposed exchange property is the northern side of Petitioner Steffen's property. See Exhibit Map, Exhibit 7.

Petitioner Steffen's 1934 one-story 480 square foot home is located within the proposed vacation area. See Exhibits 9, 10 and 13. However, the vacation of this right-of-way is prohibited under RCW 36.87.130.

RCW 36.87.130 provides in full:

No county shall vacate a county road or part thereof which abuts on a body of salt or freshwater unless:

- (1) The purpose of the vacation is to enable any public authority to acquire the vacated property for port purposes, boat moorage or launching sites, or for park, viewpoint, recreational, educational, or other public purposes;
- (2) The property is zoned for industrial uses; or
- (3) In a county west of the crest of the Cascade mountains and bordered by the Columbia river with a population over four hundred fifty thousand, the county determines that:
 - (a) The road has been used as an access point to trespass onto private property;
 - (b) Such trespass has caused loss of human life, and that public use of the county road creates an ongoing risk to public safety; and

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(c) Public access to the same body of water abutting the county road is available at not less than three public access sites within two miles in any direction of the terminus of the road subject to vacation.

(Effective until December 31, 2023)

The subject platted right-of-way abuts on the Puget Sound. A county road abuts on a body of salt or fresh water if it touches or encroaches upon the line of ordinary high tide or high water. AGO 1970 No. 26. The Richardson Road right-of-way as platted extends beyond the “shore line” and to the water of Puget Sound. See The Plat of Burton Acres, Exhibit 12. The legal description of the property platted as the Plat of Burton Acres also describes the property to an intersection with the Meander line of Quartermaster Harbor.

The vacation area and Petitioner’s property do not meet any of the exceptions listed in RCW 36.87.130.

Petitioner Steffen has requested the County accept the exchange of property under RCW 36.34.330 to meet the intent of RCW 36.87.130 to preserve public access to bodies of water and allow the vacation to be approved.

RCW 36.34.330 provides:

The board of county commissioners of any county shall have authority to exchange county real property for privately owned real property of equal value whenever it is determined by a decree of the superior court in the county in which the real property is located, after publication of notice of hearing is given as fixed and directed by such court, that:

- (1) The county real property proposed to be exchanged is not necessary to the future foreseeable needs of such county; and
- (2) The real property to be acquired by such exchange is necessary for the future foreseeable needs of such county; and
- (3) The value of the county real property to be exchanged is not more than the value of the real property to be acquired by such exchange

As identified by the Hearing Examiner in the Notice of Hearing for this matter, there is a 1972 Attorney General Opinion, AGLO 1972 No. 2 that indicates that RCW 36.34.330 may not be used to allow a road vacation of right-of-way that abuts a body of water and there is a 1996 unpublished Washington Division II Court of Appeals decision that indicates the opposite. Roads is aware of one instance of application by King County of RCW 36.34.330 to a road vacation in conflict with RCW 36.87.130.

In November, 2000, County Ordinance 13986, amended by Ordinance 14566, was passed by the King County Council approving road vacation petition V-2398 vacating a portion of SW 152nd Street that abutted the Puget Sound on Vashon Island and accepting the exchange of property. In reaching the conclusion to approve V-2398, the County Council determined that,

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“An exchange of property would be in accordance with RCW 36.34.330, ‘Exchange of privately owned real property of equal value’. The exchange is possible because three principal conditions were met. They are 1)The County real property proposed to be exchange is not necessary to the future foreseeable needs of the County; 2) The real property to be acquired by such exchange is necessary for the future foreseeable needs of the County, and 3) The value of the County real property to be exchanged is not more than the value of the real property to be acquired by the County.”

Ordinance 13986. Exhibit 29.

At present, there appears to be conflict in the authorities on whether RCW 36.34.330 may be used to allow a road vacation that would otherwise violate RCW 36.87.130. Therefore, the County Road Engineer and Director of Road Services cannot recommend approval of the vacation nor the proposed land swap. See County Road Engineer’s Report, Exhibit 22.

C. NOTICE

Notice of this hearing was posted at both ends of the proposed vacation area on May 14, 2021, see Exhibit #26, and published in accordance with requirements of RCW 36.87.060. Additionally, as required under KCC 14.40.015.C, copies of the County Road Engineer’s Report and a notice of hearing were sent to David M. Schubert, the property owner to the North of the proposed exchange property. Exhibit 27.

D. REVIEWING AGENCIES AND COMMENTS

Roads circulated the request for vacation soliciting comments from agencies within King County and utilities serving the area. The responses received are listed below.

Roads did not receive responses from Vashon Island Fire and Rescue or the following King County agencies: Department of Natural Resources and Parks, Open Space and Water and Land Divisions; or Department of Local Services Road Services Division Environmental Engineering Section, or Traffic Engineering Section. A copy of the Final Notice is included as Exhibit #14.

If the vacation is approved, King County Road Services Division will need to preserve an easement for existing drainage infrastructure within the subject right-of-way and Puget Sound Energy will require an easement for its infrastructure. No other county division or utility requested easements or raised an objection to the vacation beyond the statutory restrictions of RCW 36.87.130.

ATTACHMENTS	AGENCY	COMMENT
1.	Puget Sound Energy	Response dated 5/25/2017. Puget Sound Energy does need an easement for overhead electric facilities in Richardson Rd on Vashon.

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2.	Frontier	Response dated 6/13/2017. Frontier does not have any facilities on Vashon
3.	Comcast	Response dated 6/14/2017. Comcast has not system in the area.
4.	Wave Broadband	Response dated 5/10/2017. No Wave plant in this area.
5.	DLS Permitting	Response dated 5/30/2017. No objections, however, the existing right-of-way does provide access to the water.
6.	DES Real Estate Services	Response dated 5/15/2017. RES recommends against the vacation of a portion of the right of way due to the numerous complications and disadvantages. Proposed swap area may have structures or encroachments. Fracturing the 60' wide right of way into a number of narrow strips reduces the usability of the r/w and is not desirable.
7.	DNRP- Parks Div.	Response dated 5/10/2017. Parks has no objections to this request.
8.	DNRP - Wastewater	Response dated 6/13/2017. There does not appear to be any WTD facilities in this area. Proceed with vacation.
9.	DLS ROADS- CIP & Planning Section	Response dated 6/7/2017. We have no long range transportation planning concerns with this road vacation.
10.	DLS ROADS- Roads Maintenance	Response dated 5/11/2017. The subject portion of Richardson Road is part of an unopened, unmaintained ROW, and there are no plans for the Road Maintenance Section to open or improve the entire RWO. Therefore, RDS has no concerns with the proposed vacation request.
11.	Metro Transit	Response dated 5/23/17. Metro has no comment or objection to this vacation.
12.	DLS ROADS Survey Unit	Response dated 6/14/2017. ROW not necessary for road system – utilities may require easements. Approve with revision to legal description and subject to provision of utility easements if any are required.
13.	DLS ROADS Drainage	Responses dated 5/19/2017. Stormwater from SW Bayview Dr is discharged to the Sound through this unopened right of way. If it falls within the area to be traded, an easement is necessary to ensure maintenance of the channel is preformed when needed. RCW may prevent vacation since it abuts waters of the state. I would recommend not vacating this ROW.

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14.	EXEC Historical Preservation	Response dated 5/22/2017. No indications of historical resources that would be affected by this road vacation. Residences on the parcels 1269200386 and 1269200392 meet the age threshold to be considered historic, however, neither have evaluated for eligibility at this time. NO concerns and no conditions to the vacation request.
15.	Vashon Sewer District	Response dated 5/23/2017. No sewer utilities here and no plans for utilities here. No opposition to the requested vacation.

E. COMPENSATION

Petitioners have proposed an exchange of property to complete the road vacation. An exchange of property is acceptable compensation under KCC 14.40.020 B. The vacation area and proposed exchange property are equally 15 feet in width and extend from SW Bayview Dr to the Puget Sound. Approaching the vacation area from SW Bayview Dr, the 15-foot-wide area is covered in vegetation and does not appear accessible. The water access in the vacation area is currently blocked by Petitioner Steffen’s home. The proposed exchange area is also an unopen wooded area as approached from SW Bayview Dr.

If the vacation is approved with the exchange of property as proposed by the Petitioner, there would be no change in value to the properties as a result of the road vacation. Therefore, no additional monetary compensation would be required. See Exhibit 18.

If the vacation is approved without an exchange of property, then the following compensation analysis applies. Adding the vacation area of approximately 2,130 square feet to parcel 126920-0385, per the Assessor’s Office, would result in no change in value to the property. The parcel is deemed unbuildable and the additional square footage would not change that status. The addition of approximately 2,220 square feet, mostly waterfront, to parcel 126920-0386 would increase the value of the Petitioner Steffen’s property by \$22,000. The valuation as applied to the County Code and compensation model prepared by the County Office of Performance Strategy and Budget (PSB) for this section of unopened and unmaintained section of County right-of-way results in a charge of \$17,445. See Exhibits #19 and 20.

F. 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 as a road, however it does lead to and abut a body of salt water potentially providing pedestrian access to the Puget Sound. Pursuant to RCW 36.87.130, the subject portion of right-of-way cannot be vacated. Therefore, it is recommended that petition V-2713 to vacate a portion of Richardson Road be denied.

Further, should the vacation be approved, it is the recommendation of the County Road Engineer and the Director of Road Services that the exchange of property be accepted as compensation for the right-of-way vacation and to meet the terms of RCW 36.34.330 and intention of RCW

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36.87.130 to provide a means for access to the water. If the road vacation should be approved, the following should be conditions of approval: an easement in favor of Puget Sound Energy for its facilities within the subject portion of right-of-way; an easement in favor of King County for access and maintenance of the drainage serving SW Bayview Drive; and delivery of an executed Statutory Warranty Deed from Petitioner Steffen for the exchange area. The full County Road Engineer's Report is attached as Exhibit 22.

G. EXHIBITS

Exhibit #	DESCRIPTION
1.	DLS Roads Report to the Hearing Examiner May 24, 2021 with 15 Attachments and 29 Exhibits.
2.	Petition transmittal letter dated May 2, 2017 to the County Road Engineer from the Clerk of Council.
3.	Petition for Vacation of a County Road. Received May 2, 2017
4.	Letter dated May 8, 2017 from Clerk of the Council transmitting Petitioner's May 1, 2017 letter.
5.	Letter from Petitioner dated May 1, 2017 and received May 8, 2017
6.	Letter to Petitioners dated May 24, 2017 acknowledging receipt of Petition.
7.	Exhibit map depicting vacation area and exchange area.
8.	Vicinity map
9.	Illustrative map showing approximate vacation area and exchange area
10.	King County Assessor's information for Petitioner Steffen's property, APN 1269200386
11.	King County Assessor's information for Petitioner Steffen's property, APN 1269200385
12.	Plat of Burton Acres
13.	Survey from Petitioner dated April 28, 2017 showing the vacation area and proposed exchange property
14.	Copy of final notice sent to stakeholders on June 13, 2017 with vicinity map and site map showing vacation area
15.	Letter of July 6, 2018 to Petitioner regarding recommendation of denial of the petition and proposing a Right-of-Way use Permit Extended
16.	Email exchange with Petitioner Steffen regarding placing the file on hold
17.	Letter of July 17, 2018 placing petition on hold.
18.	Email exchange with Assessor's Office regarding valuation of vacation area.
19.	Compensation calculation model spreadsheet for Petitioner's property, APN 126920-0386
20.	Compensation calculation model spreadsheet for Petitioner's property, APN 126920-0385
21.	Letter to Petitioners dated September 1, 2020, with a copy of the County Road Engineer's report.

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22.	County Road Engineer's Report
23.	Ordinance transmittal letter dated April 14, 2021 from King County Executive to Councilmember Claudia Balducci
24.	Proposed Ordinance
25.	Fiscal Note.
26.	Declaration of Posting
27.	Letter to abutting property owner David M. Schubert sent with a copy of the Notice of Hearing and County Road Engineer's Report
28.	Affidavit of Publication for date of hearing – to be supplied by Clerk of the Council.
29.	King County Ordinance 13986 and amending Ordinance 14566

H. ISSUES:

Exhibit #28, Affidavit of Publication, is typically received either on the day of the hearing or shortly thereafter. The Clerk of Council will forward a copy of the affidavit to both the Examiner's Office and Road Services Division when they receive it.

Mailing List Road Vacation File V-2713

Petitioner

Richard Baron Steffen
(303) 956-9197
rbsteffen@hotmail.com

Site

Subject right-of-way- Richardson Road, Plat of
Burton Acres
9075 SE Bayview Drive
Vashon Island, WA 98070
APN: 1269200386 and 1269200385

Co-Petitioner

Glen and Erin Lemons
P.O. Box 347
Leavenworth WA 98826
(509) 387-1867
erinlemons@gmail.com

Stakeholders

Puget Sound Energy
P.O. Box 97034
MS : EST-06W (AEM)
Bellevue, WA 98009
Rightofway@pse.com
(425) 462-3436

King County DLS - Road Services Division
MS – KSC-LS-0313
Attn: JoAnn Kosai-Eng, P. E., County Road
Engineer
(206) 477-2609
Joann.Kosai-Eng@kingcounty.gov

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Clerk of the Council
MS - KCC-CC-1200

King County DNRP - Parks and Recreation
Division
MS - KSC-NR-0700
Attn: Robert Nunnenkamp, Property Agent III
Capital Planning and Land Management
Phone: (206) 477-4581
Robert.Nunnenkamp@kingcounty.gov

King County DLS - Road Services Division
MS – KSC-LS-0313
Attn: Leslie Drake, Road Property Program
Manager
(206) 477-7764
Leslie.Drake@kingcounty.gov

King County DES – Facilities Management
Division
MS - ADM-ES-0830
Attn: Michael Kulish, Supervisor
Real Estate Services Section
(206) 477-9375
Michael.Kulish@kingcounty.gov

King County DLS - Road Services Division
MS – KSC-LS-0313
Attn: Cindy Torkelson, Program Manager II
Strategic Business Operations Section
(206) 477-3638
Cindy.Torkelson@kingcounty.gov

King County DNRP - Wastewater Treatment
Division
MS - KSC-NR-0512
Attn: Trevor Carr, Real Property Agency III
Environmental and Community Services
Regulatory Compliance & Land Acquisition
Services
(206) 477-5452
Trevor.Carr@kingcounty.gov

King County DNRP - Water & Land
Resources Division
MS - KSC-NR-0600
Attn: Andrew McDonald, Engineer III
Storm Water Services
Asset Management Unit
(206) 477-4768
Andrew.Mcdonald@kingcounty.gov

King County DNRP - Water & Land Resources
Division
MS - KSC-NR-0600
Attn: Robert Jackson, Title & Escrow Officer
Rural and Regional Services Section
Open Space Acquisitions
(206) 477-4604
Robert.Jackson@kingcounty.gov

King County DLS - Road Services Division
MS - KSC-LS-0313
Attn.: Jose Carrasquero, Environmental
Scientist
Environmental Unit
(206) 477-4538
jcarrasquero@kingcounty.gov

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King County DLS - Road Services Division
MS – RSD-LS-0100
Attn.: Tony Ledbetter
Operations Manager
(206) 477-2411
Tony.Ledbetter@kingcounty.gov

King County Metro Transit
MS - KSC-TR-0431
Attn: Dawn Miles, Real Property Agent II
Real Estate/Land Use/ Environmental Planning
Phone: (206) 477-5925
dmiles@kingcounty.gov

King County DLS-Permitting
MS – SNO-DP-0210
Attn: Kim Claussen, Program Manager III
Current Planning Section
(206) 477-0329
Kim.Claussen@kingcounty.gov

King County DLS - Road Services Division
MS – KSC-LS-0313
Attn: Jon Cassidy
Maintenance Engineering Manager
(206) 477-2588
Jon.Cassidy@kingcounty.gov

King County DLS - Road Services Division
MS - KSC-LS-0313
Attn.: Jim Ishimaru, Transportation Planner
III
Strategic Business Operations Section
Policy, Planning & Grant Administration
(206) 477-3623
Jim.Ishimaru@kingcounty.gov

King County DLS - Road Services Division
MS – KSC-LS-0313
Attn: Robert Eichelsdoerfer, Engineer III
Engineering Services Section
Road Design & Traffic Engineering
(206) 477-3652
Robert.Eichelsdoerfer@kingcounty.gov

King County DNRP
MS – KSC-NR-0700
Attn: Scott Todd, Preservation Planner
Historic Preservation Program
(206) 477-4545
Todd.scott@kingcounty.gov

King County DLS - Road Services Division
MS – KSC-LS-0313
Attn: Tom Minichillo, PPM IV
Engineering Services Section
(206) 477-3550
Tom.Minichillo@kingcounty.gov

END OF MAILING LIST

End of Report to the Hearing Examiner

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ATTACHMENTS

1 THROUGH 15

AND

EXHIBITS

2 THROUGH 29

From: Corpuz, Connie <Connie.Corpuz@pse.com>
Sent: Thursday, May 25, 2017 3:49 PM
To: Drake, Leslie
Subject: V-2713 Richardson Rd - Steffen
Attachments: V-2713 Steffen - PSE OH Electric Ez Rq'd.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Leslie,

PSE DOES need an easement for overhead electric facilities in Richardson Rd on Vashon Island. Attached is page 2 of your form, filled out, and copies of PSE facility map, both aerial and map views. Electric service to the subject property is provided from a pole in SE Bayview Dr. to another pole within Richardson Rd and on to a pole that appears to be in the tidelands of the subject property, 9075 SE Bayview Dr. PSE will contact the property owners, Richard and Seana Steffen, and ask them to sign an Easement.

This contact may not occur until the second week in June, after the fellow team member whose geographic area I have been covering on top of my own returns from vacation in Switzerland. Frankly, I have found it a real challenge to do the work of 2 during construction season, and am having trouble meeting deadlines. She plans to be back on June 5th, so by the 7th my load should be manageable.

Thank you for the opportunity to review the petition to vacate a portion of Richardson Road on Vashon Island.

Regards,

Connie Corpuz
Sr. Real Estate Representative
Puget Sound Energy
3130 South 38th Street
Tacoma, WA 98409
(253) 476-6110

V- 2713

May 10, 2017

Petition for Vacation of a portion Richardson Road in the Burton Acres area of Vashon, King County

Date of this Notice: May 10, 2017

Petitioners: Richard Barron Steffen and Seana Lowe Steffen
Mailing address: 9075 SE Bayview Drive
Vashon, WA 98070
Phone: 303-641-8324

REVIEWING AGENCY – Please answer the questions related to your agency and respond within 30 days of receipt of this notice.

Agency: Puget Sound Energy Date: 5/25/17

Name: Cornio Corpuz Phone: 253-476-6110

- 1. Nature of public utilities, if any, in right-of-way? Overhead Electric wire & pole
- 2. Is right-of-way improved for travel? No
- 3. Is right-of-way necessary for present or future road system, either for travel or public utilities?
- 4. Are easements desired? YES!

If YES, please provide an estimated date of contact with petitioner(s) 6/7/17

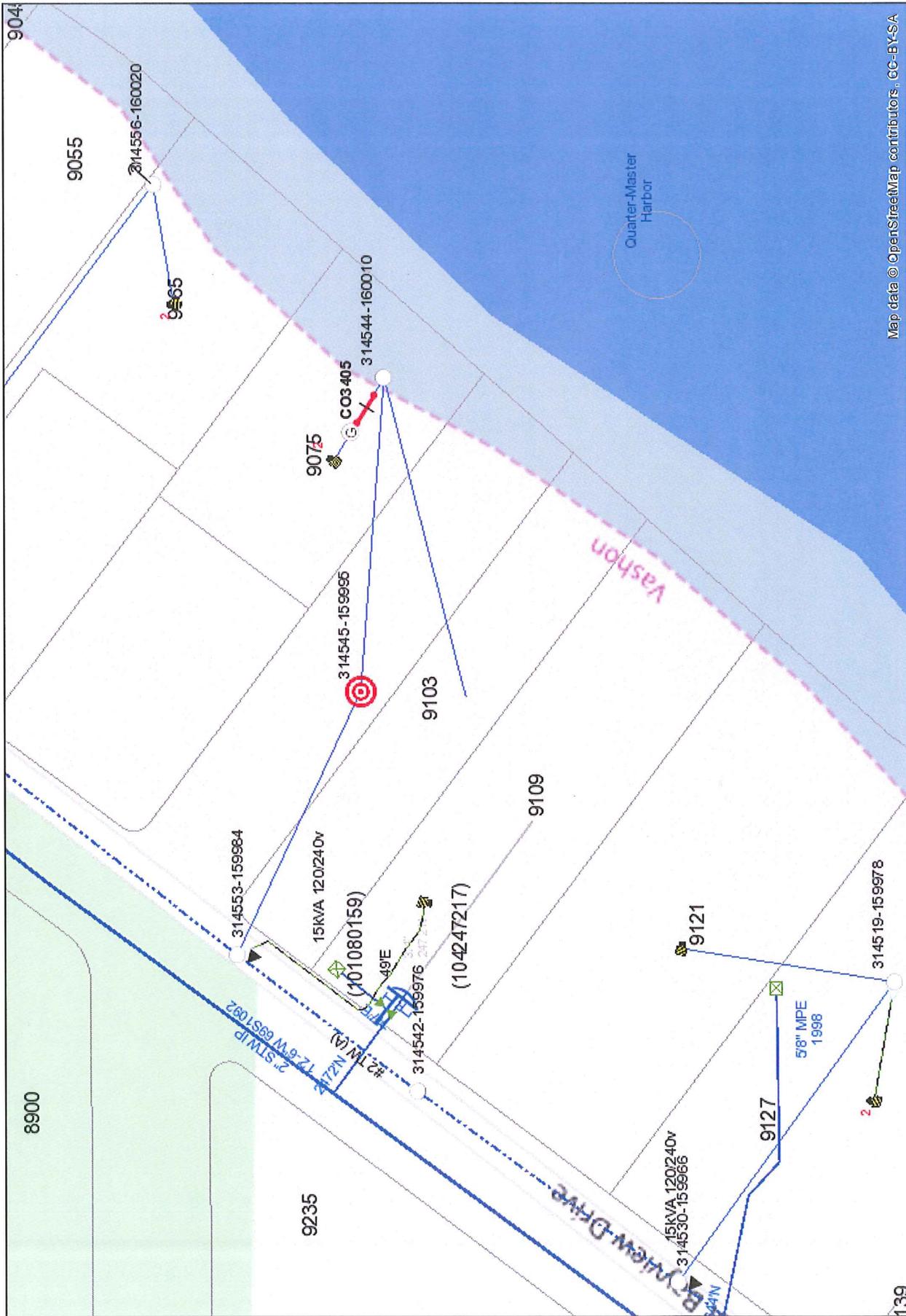
(Please Note: All utilities are required to obtain their own easements prior to King County holding a hearing on the proposed road vacation.)

- 5. Is right-of-way maintained? No
- 6. Has it been maintained or county funds expended? No
- 7. Have any Special Use Permits, Right of Way Use Permits or franchise agreements been issued for or regarding this right-of-way?

Do you have any additional comments?

Properties of both Petitioners are served by pole & electric wire in vacation area.

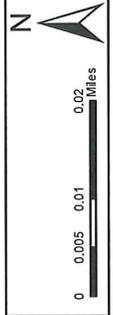
What is your recommendation? Proceed with vacation - PSE will obtain easements.



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 Maps, Records and Technology
 385 110th AVE NE, BELLEVUE, WA, 98004
 NAD_1983_StatePlane_Washington_North_FIPS_4601_F1
 Date: 5/25/2017 Reference Scale: 1:0



PSE Web Map

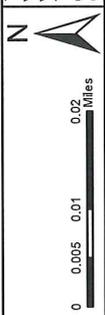




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 Date: 5/25/2017 Reference Scale: 1:0

Property of Puget Sound Energy
 Maps, Records and Technology
 355 110th AVE NE, BELLEVUE, WA, 98004
 NAD_1983_StatePlane_Washington_North_FIPS_4601_R



PSE Web Map



From: Fontes, Justin <Justin.Fontes@ftr.com>
Sent: Tuesday, June 13, 2017 8:40 AM
To: Drake, Leslie
Subject: RE: Second Notice of Proposed Road Vacation V-2713

Leslie,

Frontier does not have any facilities on Vashon.

Justin Fontes
Manager - Engineering
Frontier Communications
425.263.4018 (O)
justin.fontes@ftr.com

From: Drake, Leslie [mailto:Leslie.Drake@kingcounty.gov]
Sent: Tuesday, June 13, 2017 8:34 AM
To: jill_Look@cable.comcast.com; Walker, Bill W; Jeffrey_Burris@cable.comcast.com; Fontes, Justin; Jackson, Robert; McDonald, Andrew; Carr, Trevor; Ballweber, Jim; Lauritzen, John M; Fritz, Rob; administration@vifr.org; wendyb@vashonparkdistrict.org
Subject: Second Notice of Proposed Road Vacation V-2713

Hello,

This is the final notice for Road Vacation File V-2713, the proposed vacation of a portion of Richardson Road in the Burton Acres area of Vashon, King County.

Please contact me if you need further information or would like additional time to complete your response. And as always, your timely response is greatly appreciated.

So please

R.S.V.P by July 14, 2017

Thank you

Leslie Drake, Road Property Program Manager | Road Services Division, King County Department of Transportation | 206-477-7764 | 24/7 Help Line 206-477-8100

This communication is confidential. Frontier only sends and receives email on the basis of the terms set out at http://www.frontier.com/email_disclaimer.

Exhibit 1 -017

From: LeCompte, Jim <Jim_Lecompte@comcast.com>
Sent: Wednesday, June 14, 2017 7:08 AM
To: Drake, Leslie
Subject: V-2713 Second and Final Notice of Proposed Right-of-Way Vacation
Attachments: 1185_001.pdf

ATTACHMENT 3

Comcast has no system in the area .
Thank you

Jim LeCompte
Construction Specialist
Comcast
1225 Sylvan Way
Bremerton WA 98310
O - 253-896-5688
C - 360 340-1288

From: Jim Biggs <JBiggs@wavebroadband.com>
Sent: Wednesday, May 10, 2017 4:44 PM
To: Drake, Leslie
Subject: RE: Notice of Proposed Road Vacation V-2713

No Wave plant in this area.

Let me know if you need anything else. Thanks.

Jim Biggs
Project Manager

wave
10427 Martin Luther King Jr Way
Tukwila, WA 98178
wavebroadband.com

206.926.2906 (w)
206.786.8720 (m)
jbiggs@wavebroadband.com

From: Drake, Leslie [mailto:Leslie.Drake@kingcounty.gov]
Sent: Wednesday, May 10, 2017 3:54 PM
To: Rightofway@pse.com; Walker, Bill W; jill_Look@cable.comcast.com;
Jeffrey_Burris@cable.comcast.com; justin.fontes@ftr.com; Jim Biggs; Claussen, Kimberly; Kulish,
Michael; Jackson, Robert; Nunnenkamp, Robert; McDonald, Andrew; Carr, Trevor; Ishimaru, Jim;
Ballweber, Jim; Eichelsdoerfer, Robert; LeSmith, Rose; Lee, Jennifer; Lauritzen, John M; Cassidy, Jon;
Freitag, Ivy; Fritz, Rob; Craig.chambers@bhconsultants.com; wendyb@vashonparkdistrict.org;
kcinfo@vmicc.org; administration@vifr.org
Subject: Notice of Proposed Road Vacation V-2713

Hello,

This is the first notice for Road Vacation File V-2713, the proposed vacation of a portion of Richardson Road in the Burton Acres area of Vashon, King County.

Please contact me if you need further information or would like additional time to complete your response. And as always, your timely response is greatly appreciated.

So please

R.S.V.P by June 8, 2017

Thank you

Leslie Drake, Road Property Program Manager | Road Services Division, King County Department of Transportation | 206-477-7764 | 24/7 Help Line 206-477-8100

From: Claussen, Kimberly
Sent: Tuesday, May 30, 2017 9:35 AM
To: Drake, Leslie
Subject: RE: Notice of Proposed Road Vacation V-2713

Hi – no objections, however, the existing right-of-way does provide access to the water. Thanks

From: Drake, Leslie
Sent: Wednesday, May 10, 2017 3:54 PM
To: Rightofway@pse.com; Walker, Bill W <Bill_Walker@comcast.com>; jill_Look@cable.comcast.com; Jeffrey_Burris@cable.comcast.com; justin.fontes@ftr.com; Jim Biggs <JBiggs@wavebroadband.com>; Claussen, Kimberly <Kimberly.Claussen@kingcounty.gov>; Kulish, Michael <Michael.Kulish@kingcounty.gov>; Jackson, Robert <Robert.Jackson@kingcounty.gov>; Nunnenkamp, Robert <Robert.Nunnenkamp@kingcounty.gov>; McDonald, Andrew <Andrew.McDonald@kingcounty.gov>; Carr, Trevor <Trevor.Carr@kingcounty.gov>; Ishimaru, Jim <Jim.Ishimaru@kingcounty.gov>; Ballweber, Jim <Jim.Ballweber@kingcounty.gov>; Eichelsdoerfer, Robert <Robert.Eichelsdoerfer@kingcounty.gov>; LeSmith, Rose <Rose.LeSmith@kingcounty.gov>; Lee, Jennifer <Jennifer.Lee@kingcounty.gov>; Lauritzen, John M <John.Lauritzen@kingcounty.gov>; Cassidy, Jon <Jon.Cassidy@kingcounty.gov>; Freitag, Ivy <Ivy.Freitag@kingcounty.gov>; Fritz, Rob <Rob.Fritz@kingcounty.gov>; Craig.chambers@bhccconsultants.com; wendyb@vashonparkdistrict.org; kcinfo@vmicc.org; administration@vifr.org
Subject: Notice of Proposed Road Vacation V-2713

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R.S.V.P by June 8, 2017

Thank you

Leslie Drake, Road Property Program Manager | Road Services Division, King County Department of Transportation | 206-477-7764 | 24/7 Help Line 206-477-8100



King County

Department of Transportation
Road Services Division

May 10, 2017

RE: **V-2713 Notice of Proposed Right-of-Way Vacation** - a portion of Richardson Road within the Burton Acres Plat, Vashon Island

Dear Recipient,

Richard Barron Steffen and Seana Lowe Steffen have petitioned King County to vacate a portion of Richardson Road in the Burton Acres area of Vashon, King County. The King County Department of Transportation, Road Services Division's County Road Engineer (CRE) has been directed by the Clerk of the King County Council to examine the road and issue a report and recommendation as to whether the right-of-way should be vacated. However, before a report can be made, the CRE needs your comments or recommendations regarding any interest you may have in the subject right-of-way.

Currently, it takes approximately one year to 18 months to complete the road vacation process. King County Road Services Division is working hard to reduce the length of time it takes to process the petition to vacate a County road. In order to expedite the road vacation petition inquiries, we request that you complete the attached Notice of Petition to Vacate a County Road and return it by:

(June 8, 2017)

Your timely response will allow Road Services Division staff the time necessary to review your comments/recommendations and prepare a report to the Clerk of the King County Council in a timely manner. The report will contain our recommendation regarding the status of the roadway.

If you have any questions, please contact Leslie Drake, Road Property Program Manager, at 206-477-7764 or via e-mail at Leslie.Drake@kingcounty.gov.

This is the first notice. Another notice will automatically be sent at the end of 30 days from the date on this notice. As a matter of procedure, you will also receive a notice from the King County Hearing Examiner informing you of the time and place of the public hearing for this petition to vacate the road. Road Services Division would like to thank you in advance for your cooperation in this matter.

Sincerely,

Leslie Drake
Road Property Program Manager

Page 2

V- 2713

May 10, 2017

Petition for Vacation of a portion Richardson Road in the Burton Acres area of Vashon, King County

Date of this Notice: May 10, 2017

Petitioners: Richard Barron Steffen and Seana Lowe Steffen
Mailing address: 9075 SE Bayview Drive
Vashon, WA 98070
Phone: 303-641-8324

REVIEWING AGENCY – Please answer the questions related to your agency and respond within 30 days of receipt of this notice.

Agency: DES-FMD – Real Estate Services Date: 5/15/2017

Name: Ingrid Willms-Dixon, RPA IV Phone: 477-9608

1. Nature of public utilities, if any, in right-of-way?

We have no record of permits being issued for utilities within the R/W

2. Is right-of-way improved for travel? ***N/A***

3. Is right-of-way necessary for present or future road system, either for travel or public utilities? - ***Possible use for Public Access Launch Ramp, Public viewing, or Educational, PER RCW 36.87.130. The right of way reaches the waters of Puget Sound and the County may also own tidelands fronting the right of way. Access to the water and the tidelands should be preserved.***

4. Are easements desired? ***N/A***

If YES, please provide an estimated date of contact with petitioner(s) _____

(Please Note: All utilities are required to obtain their own easements prior to King County holding a hearing on the proposed road vacation.)

5. Is right-of-way maintained? ***N/A***

6. Has it been maintained or county funds expended? ***N/A***

7. Have any Special Use Permits, Right of Way Use Permits or franchise agreements been issued for or regarding this right-of-way? ***We have no record of permits being issued for uses of the R/W. However, it appears that there are encroachments onto the right of way that should have been permitted. Please see additional comments.***

Do you have any additional comments?

Background:

The proposed vacation is for a 15' strip on the Northeast portion of Richardson Road, East of Bayview Road as Established in plat of Burton Acres, Vol 21 of Plat, page 55, dated 2/14/1914. The plat was acknowledged by The Peninsula Land Company, which dedicated the roads to the Public.

The subject portion of Richardson Road is 60' wide, approximately 300' long, and according to the plat of Burton Acres, extends to the government meander line.

If it is the intention of the vacation to make an equal swap of land and rights, *an investigation as to a deed from The Peninsula Land Company to King County for the adjacent Second Class tide lands, should be performed* and remains unclear. Said tide lands of the second class were conveyed to The Peninsula Land Company from the State of Washington by Deed #1417378, dated 4/22/1920, 6 years after the plat.

Private Property:

The Petitioner owns the southeasterly 95' of lot 4, blk 16, Plat of Burton Acres, together with second class tidelands, according to insured SWD recording number 20140730000362. The petitioner proposes to swap the northeasterly 15' of the southeasterly 95' of Lot 4, blk 16 of said plat of Burton Acres for a portion of Richardson Road adjacent. *According to various maps and aerial views of the Northeasterly 15' of Southeasterly 95 feet of lot 4, blk 16, (being the private property, petitioner proposes to swap) there appears to be an encroachment of the neighboring parcels building foundation and or seawall of approximately 10 feet and various other out buildings located within the swap area.*

Richardson Road, as established in the plat of Burton Acres:

The petitioner proposes to swap the northeasterly 15' of Richardson Road.

According to various maps and aerial views the existing house owned by the petitioner is encroaching onto said Richardson Road. *The house encroachment appears to be in excess of 15'.*

Further according to the septic As-built drawings filed with application dated 9/19/1973, *the private septic tank, septic line and water line encroach onto Richardson Road 15' +/- . There is no record of such use being permitted.*

It is further noted there appears to be additional structures or storage area being occupied on other portions of Richardson Road, outside the northeasterly 15 feet. The owner of the personal property is unknown, and should be further investigated.

According to RCW 36.87.130 "No county shall vacate a county road or part thereof which abuts a body of salt or freshwater unless to a public agency for recreations or educational or other public purpose". We are aware of recent instances where such vacations have been granted if equal or better access in the near vicinity could be provided in lieu. Such would appear to be the case here but there are complicating factors.

- It is unclear from the application if the applicant has clear title to the area proposed to swap.

- The issue of who owns which tidelands fronting the various strips would need to be resolved and addressed in order to avoid creating an unintended result with regard to the water frontage.
- Given the proximity to the Burton Acres Park, the access value of the 60 foot right of way may have exceptional value to the public which would be compromised by dividing it. This would need to be established prior to a decision as it goes to the value of the Public rights.
- It appears that the petitioner's improvements extend beyond the middle of the Richardson Road right of way. (a competent survey would establish this) If that is the case, vacation would not resolve the issue since there are rights of the property to the south of the road that then come into play.

What is your recommendation?

1. Real Estate Services recommends against a vacation of a portion of the right of way due to the numerous complications and disadvantages listed.
2. Given the nature of the apparent incursion into the right of way by the private improvements we recommend that the applicant seek a Special Use Permit from the County to resolve the issue. This would certainly be faster and likely, much less expensive for the applicant.
3. Prior to any decision on vacation an accurate and comprehensive survey performed by a Washington State Professional Land Surveyor should be provided by the applicant in order to show the actual locations of the various boundary lines and the physical improvements/encroachments. There is no other legal method of determining the location of the various rights involved.
4. A variance to address RCW 36.87.130 should be investigated and guidance sought from the PAO.
5. The fracturing of the 60' wide right of way into a number of narrow strips reduces the usability of the r/w and is not desirable.

Legal Description of the Proposed Vacation area –

The northeasterly 15 feet of Richardson Road as shown in the Plat of BURTON ACRES, as per plat recorded in Volume 21 of plats, on page 55, Records of King County, Washington.

Legal of area to be conveyed to King County:

Page 5

The northeasterly 15 feet of the southwesterly 95 feet of Lot 4 of Block 16, BURTON ACRES as per plat recorded in Volume 21 of plats, on page 55, TOGETHER WITH second class tidelands.

Quarter Section – NE 20-22-3

Thomas Bros Map page 713

Map identifying the proposed right-of-way vacation area - Please see the attached files.

If additional information is required, please contact Leslie Drake, Road Property Program Manager, at 206-477-7764 or via e-mail at Leslie.Drake@kingcounty.gov.

Please return this completed form via e-mail to: Leslie.Drake@kingcounty.gov

Via mail to: King County Department of Transportation
Road Services Division
201 South Jackson Street
Seattle, WA 98104-3856
MS – KSC-TR-0313
ATTN: Leslie Drake

From: Nunnenkamp, Robert
Sent: Wednesday, May 10, 2017 4:27 PM
To: Drake, Leslie
Subject: RE: Notice of Proposed Road Vacation V-2713
Attachments: V-2713 Parks Response.docx

Here you go. Parks has no objections to this and wishes to stay away from this since the transaction seems a bit unusual and it looks like there's a bunch of stuff within the ROW. Good luck with that.

From: Drake, Leslie
Sent: Wednesday, May 10, 2017 3:54 PM
To: Rightofway@pse.com; Walker, Bill W; jill_Look@cable.comcast.com;
Jeffrey_Burris@cable.comcast.com; justin.fontes@ftr.com; Jim Biggs; Claussen, Kimberly; Kulish, Michael; Jackson, Robert; Nunnenkamp, Robert; McDonald, Andrew; Carr, Trevor; Ishimaru, Jim; Ballweber, Jim; Eichelsdoerfer, Robert; LeSmith, Rose; Lee, Jennifer; Lauritzen, John M; Cassidy, Jon; Freitag, Ivy; Fritz, Rob; Craig.chambers@bhccconsultants.com; wendyb@vashonparkdistrict.org; kcinfo@vmicc.org; administration@vifr.org
Subject: Notice of Proposed Road Vacation V-2713

Hello,

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Please contact me if you need further information or would like additional time to complete your response. And as always, your timely response is greatly appreciated.

So please

R.S.V.P by June 8, 2017

Thank you

Leslie Drake, Road Property Program Manager | Road Services Division, King County Department of Transportation | 206-477-7764 | 24/7 Help Line 206-477-8100



King County

Department of Transportation
Road Services Division

May 10, 2017

RE: **V-2713 Notice of Proposed Right-of-Way Vacation** - a portion of Richardson Road within the Burton Acres Plat, Vashon Island

Dear Recipient,

Richard Barron Steffen and Seana Lowe Steffen have petitioned King County to vacate a portion of Richardson Road in the Burton Acres area of Vashon, King County. The King County Department of Transportation, Road Services Division's County Road Engineer (CRE) has been directed by the Clerk of the King County Council to examine the road and issue a report and recommendation as to whether the right-of-way should be vacated. However, before a report can be made, the CRE needs your comments or recommendations regarding any interest you may have in the subject right-of-way.

Currently, it takes approximately one year to 18 months to complete the road vacation process. King County Road Services Division is working hard to reduce the length of time it takes to process the petition to vacate a County road. In order to expedite the road vacation petition inquiries, we request that you complete the attached Notice of Petition to Vacate a County Road and return it by:

(June 8, 2017)

Your timely response will allow Road Services Division staff the time necessary to review your comments/recommendations and prepare a report to the Clerk of the King County Council in a timely manner. The report will contain our recommendation regarding the status of the roadway.

If you have any questions, please contact Leslie Drake, Road Property Program Manager, at 206-477-7764 or via e-mail at Leslie.Drake@kingcounty.gov.

This is the first notice. Another notice will automatically be sent at the end of 30 days from the date on this notice. As a matter of procedure, you will also receive a notice from the King County Hearing Examiner informing you of the time and place of the public hearing for this petition to vacate the road. Road Services Division would like to thank you in advance for your cooperation in this matter.

Sincerely,

Leslie Drake
Road Property Program Manager

Page 2

V- 2713

May 10, 2017

Petition for Vacation of a portion Richardson Road in the Burton Acres area of Vashon, King County

Date of this Notice: May 10, 2017

Petitioners: Richard Barron Steffen and Seana Lowe Steffen
Mailing address: 9075 SE Bayview Drive
Vashon, WA 98070
Phone: 303-641-8324

REVIEWING AGENCY – Please answer the questions related to your agency and respond within 30 days of receipt of this notice.

Agency: Parks and Recreation Division Date: 5-10-17

Name: Robert Nunnenkamp Phone: 206-477-4581

1. Nature of public utilities, if any, in right-of-way?
2. Is right-of-way improved for travel?
3. Is right-of-way necessary for present or future road system, either for travel or public utilities?
4. Are easements desired? No

If YES, please provide an estimated date of contact with petitioner(s) _____

(Please Note: All utilities are required to obtain their own easements prior to King County issuing a recommendation on the proposed vacation.)

5. Is right-of-way maintained?
6. Has it been maintained or county funds expended?

Do you have any additional comments?

Parks has no objections to this request.

What is your recommendation?
Okay to vacate.

Page 3

Legal Description of the Proposed Vacation area –

The northeasterly 15 feet of Richardson Road as shown in the Plat of BURTON ACRES, as per plat recorded in Volume 21 of plats, on page 55, Records of King County, Washington.

Legal of area to be conveyed to King County:

The northeasterly 15 feet of the southwesterly 95 feet of Lot 4 of Block 16, BURTON ACRES as per plat recorded in Volume 21 of plats, on page 55, TOGETHER WITH second class tidelands.

Quarter Section – NE 20-22-3

Thomas Bros Map page 713

Map identifying the proposed right-of-way vacation area - Please see the attached files.

If additional information is required, please contact Leslie Drake, Road Property Program Manager, at 206-477-7764 or via e-mail at Leslie.Drake@kingcounty.gov.

Please return this completed form via e-mail to: Leslie.Drake@kingcounty.gov

Via mail to: King County Department of Transportation
Road Services Division
201 South Jackson Street
Seattle, WA 98104-3856
MS – KSC-TR-0313
ATTN: Leslie Drake



King County

Department of Transportation
Road Services Division

June 13, 2017

RE: **V-2713 Second and Final Notice of Proposed Right-of-Way Vacation** - a portion of Richardson Road within the Burton Acres Plat, Vashon Island

Dear Recipient,

Richard Barron Steffen and Seana Lowe Steffen have petitioned King County to vacate a portion of Richardson Road in the Burton Acres area of Vashon, King County. The King County Department of Transportation, Road Services Division's County Road Engineer (CRE) has been directed by the Clerk of the King County Council to examine the road and issue a report and recommendation as to whether the right-of-way should be vacated. However, before a report can be made, the CRE needs your comments or recommendations regarding any interest you may have in the subject right-of-way.

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(July 14, 2017)

Your timely response will allow Road Services Division staff the time necessary to review your comments/recommendations and prepare a report to the Clerk of the King County Council in a timely manner. The report will contain our recommendation regarding the status of the roadway.

If you have any questions, please contact Leslie Drake, Road Property Program Manager, at 206-477-7764 or via e-mail at Leslie.Drake@kingcounty.gov.

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Sincerely,

Leslie Drake
Road Property Program Manager

Page 2

V- 2713

June 13, 2017

Petition for Vacation of a portion Richardson Road in the Burton Acres area of Vashon, King County

Date of this Notice: June 13, 2017

Petitioners: Richard Barron Steffen and Seana Lowe Steffen
Mailing address: 9075 SE Bayview Drive
Vashon, WA 98070
Phone: 303-641-8324

REVIEWING AGENCY – Please answer the questions related to your agency and respond within 30 days of receipt of this notice.

Agency: King County WTD

Date: 6/12/17

Name: Trevor J. Carr Phone: 206-477-4207

1. Nature of public utilities, if any, in right-of-way? N/A
2. Is right-of-way improved for travel? N/A
3. Is right-of-way necessary for present or future road system, either for travel or public utilities? No
4. Are easements desired? No
If YES, please provide an estimated date of contact with petitioner(s) _____
(Please Note: All utilities are required to obtain their own easements prior to King County holding a hearing on the proposed road vacation.)
5. Is right-of-way maintained? No
6. Has it been maintained or county funds expended? No
7. Have any Special Use Permits, Right of Way Use Permits or franchise agreements been issued for or regarding this right-of-way? Unknown

Do you have any additional comments?

What is your recommendation? Approve road vacation.

Page 3

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Via mail to: King County Department of Transportation
Road Services Division
201 South Jackson Street
Seattle, WA 98104-3856
MS – KSC-TR-0313
ATTN: Leslie Drake

From: Ishimaru, Jim
Sent: Wednesday, June 7, 2017 1:26 PM
To: Drake, Leslie
Cc: Knauer, Jennifer
Subject: RE: Notice of Proposed Road Vacation V-2713

Leslie, we have no long range transportation planning concerns with this road vacation. Jim

From: Drake, Leslie
Sent: Wednesday, May 10, 2017 3:54 PM
To: Rightofway@pse.com; Walker, Bill W; jill_Look@cable.comcast.com;
Jeffrey_Burris@cable.comcast.com; justin.fontes@ftr.com; Jim Biggs; Claussen, Kimberly; Kulish,
Michael; Jackson, Robert; Nunnenkamp, Robert; McDonald, Andrew; Carr, Trevor; Ishimaru, Jim;
Ballweber, Jim; Eichelsdoerfer, Robert; LeSmith, Rose; Lee, Jennifer; Lauritzen, John M; Cassidy, Jon;
Freitag, Ivy; Fritz, Rob; Craig.chambers@bhccconsultants.com; wendyb@vashonparkdistrict.org;
kcinfo@vmicc.org; administration@vifr.org
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So please

R.S.V.P by June 8, 2017

Thank you

Leslie Drake, Road Property Program Manager | Road Services Division, King County Department of Transportation | 206-477-7764 | 24/7 Help Line 206-477-8100

From: Ballweber, Jim
Sent: Thursday, May 11, 2017 9:42 AM
To: Drake, Leslie
Cc: Fritz, Rob; Lauritzen, John M
Subject: RE: Notice of Proposed Road Vacation V-2713

Hi, Leslie....

From the information provided, and researching other pertinent sources, the subject portion of Richardson Road is part of an unopened, unmaintained ROW, and there are no plans for the Road Maintenance Section to open or improve the entire ROW. Therefore, RSD has no concerns with the proposed vacation request.

If you have further questions, please contact me.

Jim Ballweber, Site Development Specialist II - King County Road Maintenance Section
Office: 206/477-2374 - Cell: 206/793-7587 – 24 hr: 206/296-8100 - Email: jim.ballweber@kingcounty.gov

From: Drake, Leslie
Sent: Wednesday, May 10, 2017 3:54 PM
To: Rightofway@pse.com; Walker, Bill W; jill_Look@cable.comcast.com;
Jeffrey_Burris@cable.comcast.com; justin.fontes@ftr.com; Jim Biggs; Claussen, Kimberly; Kulish, Michael; Jackson, Robert; Nunnenkamp, Robert; McDonald, Andrew; Carr, Trevor; Ishimaru, Jim; Ballweber, Jim; Eichelsdoerfer, Robert; LeSmith, Rose; Lee, Jennifer; Lauritzen, John M; Cassidy, Jon; Freitag, Ivy; Fritz, Rob; Craig.chambers@bhccconsultants.com; wendyb@vashonparkdistrict.org; kcinfo@vmicc.org; administration@vifr.org
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Leslie Drake, Road Property Program Manager | Road Services Division, King County Department of Transportation | 206-477-7764 | 24/7 Help Line 206-477-8100

From: Lee, Jennifer
Sent: Tuesday, May 23, 2017 2:37 PM
To: Drake, Leslie
Subject: RE: Notice of Proposed Road Vacation V-2713

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Leslie,

Comments from our Transit Group include the following:

Power & Facilities has no comment
Design & Construction has no comment
Service Development has no objection/no comment

Thank you,

Jennifer Lee Real Property
Transit Design & Construction
206-263-8272

From: Drake, Leslie
Sent: Wednesday, May 10, 2017 3:54 PM
To: Rightofway@pse.com; Walker, Bill W; jill_Look@cable.comcast.com;
Jeffrey_Burris@cable.comcast.com; justin.fontes@ftr.com; Jim Biggs; Claussen, Kimberly; Kulish,
Michael; Jackson, Robert; Nunnenkamp, Robert; McDonald, Andrew; Carr, Trevor; Ishimaru, Jim;
Ballweber, Jim; Eichelsdoerfer, Robert; LeSmith, Rose; Lee, Jennifer; Lauritzen, John M; Cassidy, Jon;
Freitag, Ivy; Fritz, Rob; Craig.chambers@bhccconsultants.com; wendyb@vashonparkdistrict.org;
kcinfo@vmicc.org; administration@vifr.org
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Thank you

Leslie Drake, Road Property Program Manager | Road Services Division, King County Department of Transportation | 206-477-7764 | 24/7 Help Line 206-477-8100



King County

Department of Transportation
Road Services Division

June 13, 2017

RE: **V-2713 Second and Final Notice of Proposed Right-of-Way Vacation** - a portion of Richardson Road within the Burton Acres Plat, Vashon Island

Dear Recipient,

Richard Barron Steffen and Seana Lowe Steffen have petitioned King County to vacate a portion of Richardson Road in the Burton Acres area of Vashon, King County. The King County Department of Transportation, Road Services Division's County Road Engineer (CRE) has been directed by the Clerk of the King County Council to examine the road and issue a report and recommendation as to whether the right-of-way should be vacated. However, before a report can be made, the CRE needs your comments or recommendations regarding any interest you may have in the subject right-of-way.

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(July 14, 2017)

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Sincerely,

Leslie Drake
Road Property Program Manager

Page 2

V- 2713

June 13, 2017

Petition for Vacation of a portion Richardson Road in the Burton Acres area of Vashon, King County

Date of this Notice: June 13, 2017

Petitioners: Richard Barron Steffen and Seana Lowe Steffen
Mailing address: 9075 SE Bayview Drive
Vashon, WA 98070
Phone: 303-641-8324

REVIEWING AGENCY – Please answer the questions related to your agency and respond within 30 days of receipt of this notice.

Agency: KC DOT-RSD-Survey Unit Date: 6-14-17

Name: John Lauritzen Phone: 206.477.1457

1. Nature of public utilities, if any, in right-of-way? **Not known**
2. Is right-of-way improved for travel? **No**
3. Is right-of-way necessary for present or future road system, either for travel or public utilities? **Not for road system-utilities may require easements if requested.**
4. Are easements desired? **Not sure.**

If YES, please provide an estimated date of contact with petitioner(s) _____

(Please Note: All utilities are required to obtain their own easements prior to King County holding a hearing on the proposed road vacation.)

5. Is right-of-way maintained? **Doesn't appear to have ever been opened or maintained**
6. Has it been maintained or county funds expended? **Not sure.**
7. Have any Special Use Permits, Right of Way Use Permits or franchise agreements been issued for or regarding this right-of-way? **Not sure**

Do you have any additional comments?

What is your recommendation? **Approve with revision to legal description/exhibit map and subject to provision of utility easements if any are required.**

Page 3

Legal Description of the Proposed Vacation area –

The northeasterly 15 feet of Richardson Road as shown in the Plat of BURTON ACRES, as per plat recorded in Volume 21 of plats, on page 55, Records of King County, Washington.

Together with that portion of Richardson Road lying adjacent to Lot 4, Block 16 of said Plat of BURTON ACRES and westerly of a curve having a radius of 10 feet that is tangent to the northeasterly margin of Richardson Road and the southeasterly margin of SW Bayview Drive.

Legal of area to be conveyed to King County:

The northeasterly 15 feet of the southwesterly 95 feet of Lot 4 of Block 16, BURTON ACRES as per plat recorded in Volume 21 of plats, on page 55, TOGETHER WITH second class tidelands.

Quarter Section – NE 20-22-3

Thomas Bros Map page 713

Map identifying the proposed right-of-way vacation area - Please see the attached files.

If additional information is required, please contact Leslie Drake, Road Property Program Manager, at 206-477-7764 or via e-mail at Leslie.Drake@kingcounty.gov.

Please return this completed form via e-mail to: Leslie.Drake@kingcounty.gov

Via mail to: King County Department of Transportation
Road Services Division
201 South Jackson Street
Seattle, WA 98104-3856
MS – KSC-TR-0313
ATTN: Leslie Drake



May 10, 2017

RE: **V-2713 Notice of Proposed Right-of-Way Vacation** - a portion of Richardson Road within the Burton Acres Plat, Vashon Island

Dear Recipient,

Richard Barron Steffen and Seana Lowe Steffen have petitioned King County to vacate a portion of Richardson Road in the Burton Acres area of Vashon, King County. The King County Department of Transportation, Road Services Division's County Road Engineer (CRE) has been directed by the Clerk of the King County Council to examine the road and issue a report and recommendation as to whether the right-of-way should be vacated. However, before a report can be made, the CRE needs your comments or recommendations regarding any interest you may have in the subject right-of-way.

Currently, it takes approximately one year to 18 months to complete the road vacation process. King County Road Services Division is working hard to reduce the length of time it takes to process the petition to vacate a County road. In order to expedite the road vacation petition inquiries, we request that you complete the attached Notice of Petition to Vacate a County Road and return it by:

(June 8, 2017)

Your timely response will allow Road Services Division staff the time necessary to review your comments/recommendations and prepare a report to the Clerk of the King County Council in a timely manner. The report will contain our recommendation regarding the status of the roadway.

If you have any questions, please contact Leslie Drake, Road Property Program Manager, at 206-477-7764 or via e-mail at Leslie.Drake@kingcounty.gov.

This is the first notice. Another notice will automatically be sent at the end of 30 days from the date on this notice. As a matter of procedure, you will also receive a notice from the King County Hearing Examiner informing you of the time and place of the public hearing for this petition to vacate the road. Road Services Division would like to thank you in advance for your cooperation in this matter.

Sincerely,

Leslie Drake
Road Property Program Manager

Page 2

V- 2713

May 10, 2017

Petition for Vacation of a portion Richardson Road in the Burton Acres area of Vashon, King County

Date of this Notice: May 10, 2017

Petitioners: Richard Barron Steffen and Seana Lowe Steffen
Mailing address: 9075 SE Bayview Drive
Vashon, WA 98070
Phone: 303-641-8324

REVIEWING AGENCY – Please answer the questions related to your agency and respond within 30 days of receipt of this notice.

Agency: DOT Date: 5/19/17

Name: Jon Cassidy Phone: 7-2588

1. Nature of public utilities, if any, in right-of-way? Storm water discharge ditch
2. Is right-of-way improved for travel? No
3. Is right-of-way necessary for present or future road system, either for travel or public utilities? RCW may prevent vacation since it abuts waters of the State
4. Are easements desired? Yes for storm drainage

If YES, please provide an estimated date of contact with petitioner(s) _____

(Please Note: All utilities are required to obtain their own easements prior to King County holding a hearing on the proposed road vacation.)

5. Is right-of-way maintained?
6. Has it been maintained or county funds expended?
7. Have any Special Use Permits, Right of Way Use Permits or franchise agreements been issued for or regarding this right-of-way?

Do you have any additional comments?

Storm water from SW Bayview Dr. is discharged to the Sound through this unopened right of way. If it falls within the area to be traded an easement is necessary to ensure maintenance of the channel is performed when needed.

What is your recommendation? I would recommend not vacating this ROW.

Page 3

Legal Description of the Proposed Vacation area –

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Legal of area to be conveyed to King County:

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Quarter Section – NE 20-22-3

Thomas Bros Map page 713

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Please return this completed form via e-mail to: Leslie.Drake@kingcounty.gov

Via mail to: King County Department of Transportation
Road Services Division
201 South Jackson Street
Seattle, WA 98104-3856
MS – KSC-TR-0313
ATTN: Leslie Drake

From: Freitag, Ivy
Sent: Monday, May 22, 2017 3:25 PM
To: Drake, Leslie
Subject: RE: Notice of Proposed Road Vacation V-2713

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Leslie,

I have reviewed our data and files for this location, and the adjacent parcels, and find no indications of historical resources that would be affected by this road vacation.

There are several resources within the vicinity of the proposed road vacation site, and both residences on parcels 1269200386 and 1269200392 meet the age threshold to be considered historic, however, neither have evaluated for eligibility at this time. The road vacation does not appear to have any impact to built resources, therefore, we have no concerns and no conditions to request. Please let me know if you need anything else.

Thanks,
-Ivy

Ivy Freitag
Preservation Planner

King County Historic Preservation Program
201 S. Jackson Ste 700 | Seattle, WA 98104
206.477.7976 | ivy.freitag@kingcounty.gov

From: Drake, Leslie
Sent: Wednesday, May 10, 2017 3:54 PM
To: Rightofway@pse.com; Walker, Bill W <Bill_Walker@comcast.com>; jill_Look@cable.comcast.com; Jeffrey_Burris@cable.comcast.com; justin.fontes@ftr.com; Jim Biggs <JBiggs@wavebroadband.com>; Claussen, Kimberly <Kimberly.Claussen@kingcounty.gov>; Kulish, Michael <Michael.Kulish@kingcounty.gov>; Jackson, Robert <Robert.Jackson@kingcounty.gov>; Nunnenkamp, Robert <Robert.Nunnenkamp@kingcounty.gov>; McDonald, Andrew <Andrew.McDonald@kingcounty.gov>; Carr, Trevor <Trevor.Carr@kingcounty.gov>; Ishimaru, Jim <Jim.Ishimaru@kingcounty.gov>; Ballweber, Jim <Jim.Ballweber@kingcounty.gov>; Eichelsdoerfer, Robert <Robert.Eichelsdoerfer@kingcounty.gov>; LeSmith, Rose <Rose.LeSmith@kingcounty.gov>; Lee, Jennifer <Jennifer.Lee@kingcounty.gov>; Lauritzen, John M <John.Lauritzen@kingcounty.gov>; Cassidy, Jon <Jon.Cassidy@kingcounty.gov>; Freitag, Ivy <Ivy.Freitag@kingcounty.gov>; Fritz, Rob <Rob.Fritz@kingcounty.gov>; Craig.chambers@bhccconsultants.com; wendyb@vashonparkdistrict.org; kcinfo@vmicc.org; administration@vifr.org
Subject: Notice of Proposed Road Vacation V-2713

Hello,

This is the first notice for Road Vacation File V-2713, the proposed vacation of a portion of Richardson Road in the Burton Acres area of Vashon, King County.

Please contact me if you need further information or would like additional time to complete your response. And as always, your timely response is greatly appreciated.

So please

R.S.V.P by June 8, 2017

Thank you

Leslie Drake, Road Property Program Manager | Road Services Division, King County Department of Transportation | 206-477-7764 | 24/7 Help Line 206-477-8100



King County

Department of Transportation
Road Services Division

May 10, 2017

RE: **V-2713 Notice of Proposed Right-of-Way Vacation** - a portion of Richardson Road within the Burton Acres Plat, Vashon Island

Dear Recipient,

Richard Barron Steffen and Seana Lowe Steffen have petitioned King County to vacate a portion of Richardson Road in the Burton Acres area of Vashon, King County. The King County Department of Transportation, Road Services Division's County Road Engineer (CRE) has been directed by the Clerk of the King County Council to examine the road and issue a report and recommendation as to whether the right-of-way should be vacated. However, before a report can be made, the CRE needs your comments or recommendations regarding any interest you may have in the subject right-of-way.

Currently, it takes approximately one year to 18 months to complete the road vacation process. King County Road Services Division is working hard to reduce the length of time it takes to process the petition to vacate a County road. In order to expedite the road vacation petition inquiries, we request that you complete the attached Notice of Petition to Vacate a County Road and return it by:

(June 8, 2017)

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Sincerely,

Leslie Drake
Road Property Program Manager

Page 2

V- 2713

May 10, 2017

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Date of this Notice: May 10, 2017

Petitioners: Richard Barron Steffen and Seana Lowe Steffen
Mailing address: 9075 SE Bayview Drive
Vashon, WA 98070
Phone: 303-641-8324

REVIEWING AGENCY – Please answer the questions related to your agency and respond within 30 days of receipt of this notice.

Agency: Vashon Sewer District Date: 5/23/17

Name: James Gross, Manager Phone: 206-357-9932

- 1. Nature of public utilities, if any, in right-of-way? No sewer located here
- 2. Is right-of-way improved for travel?
- 3. Is right-of-way necessary for present or future road system, either for travel or public utilities? No
- 4. Are easements desired? No

If YES, please provide an estimated date of contact with petitioner(s) _____

(Please Note: All utilities are required to obtain their own easements prior to King County holding a hearing on the proposed road vacation.)

- 5. Is right-of-way maintained?
- 6. Has it been maintained or county funds expended?
- 7. Have any Special Use Permits, Right of Way Use Permits or franchise agreements been issued for or regarding this right-of-way?

Do you have any additional comments?

The sewer district has no utilities here and has no plans for utilities here.

What is your recommendation? The sewer district has no opposition to the requested vacation.

Page 3

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Quarter Section – NE 20-22-3

Thomas Bros Map page 713

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