

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

**PUBLIC HEARING: February 3, 2026 at 1:00 pm**

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

**January 20, 2026**

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

**Road Services File: V-2735**

**Proposed Ordinance: 2025-0368**

**A. GENERAL INFORMATION**

Petitioner(s): Whispering Woods Estates, LLC

Location of Road: 52<sup>nd</sup> Ave S / Indiana Ave  
Thomas Brothers Page 775  
Quarter Section – NW-35-21-4

Petitioning Adjacent Parcels: 375160-6137  
375160-6139  
375160-6140  
375160-6155  
375160-6160  
375160-6165  
375160-6175  
375160-6180  
375160-6185

Non-Petitioning Adjacent Parcel: 375160-6134

**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.

## **Report to the Hearing Examiner**

**V-2735**

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The petition was filed with the Clerk of the King County Council on July 6, 2020, by Whispering Woods Estates, LLC seeking the vacation of a portion of 52<sup>nd</sup> Ave S / Indiana Ave in the Auburn area of unincorporated King County.

The subject right-of-way was dedicated to the County in the Plat of Jovita Heights on July 10<sup>th</sup>, 1911, as Indiana Ave. Petitioners own the lots on each side of the subject vacation area. There is one non-petitioning parcel that will receive vacated right of way as part of the prospective vacation. The petitioner reports that efforts to contact the owner of the non-petitioning parcel have been unsuccessful.

The subject portion of right-of-way qualifies as unopened and unmaintained county road right-of-way though it has been improved and maintained by the petitioner.

### **C. NOTICE**

Notice of this hearing was posted at the approximate ends of the proposed vacation area on January 9, 2026, see Exhibit 32, and published in accordance with requirements of RCW 36.87.060. Additionally, two properties located south of the area proposed for vacation, opposite the right of way for 370<sup>th</sup> Avenue, rely on the area proposed for vacation for access. Both parcels are under common ownership and are identified by King County Parcel Nos. 375160-6503 and 375160-6407. The owner of record and the residents of these parcels, as reported to Roads by the petitioner, were mailed notice of the hearing and a copy of the County Road Engineer's Report and Recommendation on January 14, 2026.

### **D. 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 identified facilities within the proposed vacation area and said that they would reach out to the petitioners to secure easements.

Comcast identified facilities in this area as well and stated that easements would satisfy their needs to maintain those facilities.

Lakehaven Water and Sewer district identified a water main that runs along the corridor proposed for vacation and easements will need to be granted for this infrastructure.

King County Department of Natural Resources and Parks – Water and Land Resources Division (WLRD) noted that that the petitioner built stormwater facilities in conjunction with a grading permit and, if the right of way is vacated, a covenant would need to be recorded along with easements allowing King County personnel to enter and inspect the facilities to ensure they were in good

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operating order. Due to an oversight, this requirement was not included in the County Engineer’s Report, but Roads has been working with the petitioner and representatives of WLRD to ensure that all requisite documents are available and understood by the petitioner and will be recorded in conjunction with the eventual vacation, if approved.

As noted, King County Parcel Nos. 375160-6503 and 375160-6407 (both under united ownership) and King County Parcel No. 375160-6134 (non-petitioning parcel) rely for access on the area proposed for vacation. Easements for ingress and egress will need to be executed for the benefit of these parcels prior to finalization of the vacation.

Roads did not receive responses from King County Metro Transit or the King County DLS – Roads Division Survey Unit.

A copy of the Notice is included as Exhibit 16.

The responses to the agency review are listed below.

ATTACHMENTS	AGENCY	COMMENT
1.	<b>Puget Sound Energy</b>	(Response dated 10/23/2020) Thank you for informing PSE about this proposed road vacation. Please see my attached response and also illustration below for the existing electric system on 52nd Ave S. I’ll reach out to the property owners regarding securing easements.
2.	<b>Lumen / CenturyLink</b>	(Response dated 1/13/2026) Looking at our records systems, it looks like we used to have aerial facilities out there, but not anymore. Looks like the poles in that area are owned by PSE as well.
3.	<b>Comcast</b>	(Response dated 10/22/2020) Comcast currently has aerial system going along 52nd Ave S that would need to be relocated. This relocation would have to be at the expense of the applicant. I have attached a snippet of our system maps below. please let me know if you require any additional information. Easements would satisfy.

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4.	<b>Lakehaven Water &amp; Sewer District</b>	(Response dated 5/28/2021) Lakehaven has an existing water main in this segment of 52nd Ave S ROW between S 368th St & S 370th St, therefore we will need a (minimum) 15' wide easement to cover this existing water main. If we know specifically how the adjacent parcels will be modified if this ROW vacation is approved, it'd be easier to prepare the Lakehaven easement document; in other words, will the adjacent parcels each 'absorb' ½ of vacated 52nd Ave S ROW (seemingly typical) or is some other ultimate properties/parcels configuration proposed? Also, if there's contact information available for Whispering Woods Estates LLC that'd be potentially helpful, and Lakehaven could contact the petitioner directly to finalize the Lakehaven easement document.
5.	<b>South King Fire and Rescue</b>	(Response dated 10/22/2020) South King Fire does not have an issue with the Vacation. It appears that future development is in the works and we anticipate that the roadway will be improved to proper standards at that time.
6.	<b>DLS Permitting</b>	(Response dated 11/25/2020) 14 of the lots in this vicinity were granted legal lot status (EMSC10-0020). The parcels are currently zoned R-4 (urban, 4 du/acre). It appears (KC aerial-2019) that a road may have been recently constructed. If the existing right-of-way were to be vacated, how would these parcels be provided ingress/egress and utilities ? Private easement(s)? IF the future ingress/egress and utilities can be addressed, there is no objection to the proposed vacation, otherwise, it may be premature to vacate this right-of-way. Please let me know if you have further questions
7.	<b>DNRP – Parks</b>	(Response dated 10/21/2020) Parks has no objections to this request. Okay to vacate.
8.	<b>DLS Roads- CIP &amp; Planning Section</b>	(Response dated 11/20/2020) We have no long range transportation planning concerns with this road vacation.

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<p>9.</p>	<p><b>DNRP Water and Land Resources Division</b></p>	<p>(Response dated 12/26/2024) On V-2735, as a result of the grading permit GRDE17-0058 to improve the un-opened ROW-see first attachment, they will need to provide a completed and recorded Declaration of Covenant -example attached, second PDF attachment. The covenant needs to include Exhibit A -see third attachment.</p> <p>Separately, a recorded easement for all parcels encumbered with drainage facilities used to treat runoff and provide flow control as shown by highlighted area-see snippet below found within Exhibit A-third attachment which needs to be delineated by a full legal description, post vacation. The drainage easement needs to designate maintenance responsibilities ascribed to all properties served by the improvement or, if an HOA has been established and incorporated then, maintenance responsibilities can be ascribed to the HOA defaulting to all parcels served in the event of HOA dissolution. I have attached the plan set for the approved and constructed drainages system in the first PDF attachment.</p>
<p>10.</p>	<p><b>DNRP – Wastewater</b></p>	<p>(Response dated 12/8/2020) Proceed with Vacation</p>
<p>11.</p>	<p><b>DLS Roads- Traffic Engineering</b></p>	<p>(Response dated 10/22/2020) It appears from iMap that a new asphalt road with curbing on both sides has been constructed within the existing 52nd Avenue South right-of-way to access the Whispering Woods parcels. Per King County Roads Viewer, 52nd Avenue South is not maintained by King County; so 52nd Avenue South is essentially a private road constructed within King County right-of-way.</p> <p>If this right-of-way is vacated, how will three parcels to the south of Whispering Woods (#375160-6134, -6407, -6503) gain access from South 368th Street? Without 52nd Avenue South right-of-way, the parcel owners would have to receive permission from the landowners to the north to use the private road.</p> <p>Per Google Map Street View, there are utility poles along 52nd Avenue South that appear to have power and other utilities. If the right-of-way is vacated, there will need to be ground and aerial easements with the Whispering Woods property owners for the utility poles and lines.</p>

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12.	<b>DLS Roads - Environmental Unit</b>	(Response dated 12/18/2020) No critical areas or other environmental issues present. No objection from the RSD Maintenance Section Environmental Unit.
13.	<b>DLS Roads - Drainage Unit</b>	(Response dated 10/22/2020) No easements desired. Recommends vacate.
14.	<b>DNRP – Historic Preservation</b>	(Response dated 11/18/2020) Approve vacation.

**E. COMPENSATION**

Roads obtained from the King County Assessor’s Office a determination of value for the areas proposed for vacation associated with each of the Petitioner’s properties and the area that will attach to a non-petitioning property if the petition to vacate is approved. These amounts are shown on the table following:

Parcel Number	Owner	Current Area (SF)	Added Area (SF)	Additional Assessed Value*	Compensation Due**
375160-6134	Fred Omer Walden Trust†	18,352	1,286	\$1,000	\$0
375160-6137	Whispering Wood Estates	26,400	4,400	\$6,000	\$0
375160-6139	Whispering Wood Estates	14,400	2,400	\$6,000	\$0
375160-6140	Whispering Wood Estates	19,200	3,200	\$4,000	\$0
375160-6155	Whispering Wood Estates	19,200	1,600	\$1,000	\$0
375160-6160	Whispering Wood Estates	19,200	1,600	\$1,000	\$0
375160-6165	Whispering Wood Estates	19,200	1,600	\$1,000	\$0
375160-6175	Whispering Wood Estates	33,600	3,200	\$3,000	\$0
375160-6180	Whispering Wood Estates	19,200	1,600	\$0	\$0
375160-6185	Whispering Wood Estates	25,257	2,090	\$1,000	\$0

† Non-petitioning party.

\* Based on a determination by the Assessor’s Office

\*\* Based on 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. See model attached.

The Assessor’s Office determined that adding approximately 1,686 square feet to the non-petitioners’ Parcel 375160-6134 would result in a \$1,000 increase in value. The valuation as applied to the PSB model results in no additional charge of compensation from Petitioners should the approximately 1,686 square foot area of unopened undeveloped right-of-way be vacated. See Exhibit 18.

As to Parcel 375160-6137, the Assessor’s Office determined that adding approximately 4,400 square feet to the parcel would result in a \$6,000 increase in value. The valuation as applied to the PSB model results in no additional charge of compensation from Petitioners should the

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approximately 4,400 square foot area of unopened undeveloped right-of-way be vacated. See Exhibit 19.

As to Parcel 375160-6139, the Assessor's Office determined that adding approximately 2,400 square feet to the parcel would result in a \$6,000 increase in value. The valuation as applied to the PSB model results in no additional charge of compensation from Petitioners should the approximately 2,400 square foot area of unopened undeveloped right-of-way be vacated. See Exhibit 20.

As to Parcel 375160-6140, the Assessor's Office determined that adding approximately 3,200 square feet to the parcel would result in a \$4,000 increase in value. The valuation as applied to the PSB model results in no additional charge of compensation from Petitioners should the approximately 3,200 square foot area of unopened undeveloped right-of-way be vacated. See Exhibit 21.

As to Parcel 375160-6155, the Assessor's Office determined that adding approximately 1,600 square feet to the parcel would result in a \$1,000 increase in value. The valuation as applied to the PSB model results in no additional charge of compensation from Petitioners should the approximately 1,600 square foot area of unopened undeveloped right-of-way be vacated. See Exhibit 22.

As to Parcel 375160-6160, the Assessor's Office determined that adding approximately 1,600 square feet to the parcel would result in a \$1,000 increase in value. The valuation as applied to the PSB model results in no additional charge of compensation from Petitioners should the approximately 1,600 square foot area of unopened undeveloped right-of-way be vacated. See Exhibit 23.

As to Parcel 375160-6165, the Assessor's Office determined that adding approximately 1,600 square feet to the parcel would result in a \$1,000 increase in value. The valuation as applied to the PSB model results in no additional charge of compensation from Petitioners should the approximately 1,600 square foot area of unopened undeveloped right-of-way be vacated. See Exhibit 24.

As to Parcel 375160-6175, the Assessor's Office determined that adding approximately 3,200 square feet to the parcel would result in a \$3,000 increase in value. The valuation as applied to the PSB model results in no additional charge of compensation from Petitioners should the approximately 3,200 square foot area of unopened undeveloped right-of-way be vacated. See Exhibit 25.

As to Parcel 375160-6180, the Assessor's Office determined that adding approximately 1,600 square feet to the parcel would result in no increase in value. The valuation as applied to the PSB model results in no additional charge of compensation from Petitioners should the approximately 1,600 square foot area of unopened undeveloped right-of-way be vacated. See Exhibit 26.

As to Parcel 375160-6185, the Assessor's Office determined that adding approximately 2,090 square feet to the parcel would result in a \$1,000 increase in value. The valuation as applied to the PSB model results in no additional charge of compensation from Petitioners should the approximately 2,090 square foot area of unopened undeveloped right-of-way be vacated. See Exhibit 27.

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**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 and that Petition V-2735 seeking to vacate this portion of 52<sup>nd</sup> Ave S / Indiana Ave should be approved with the condition of providing or reserving easements to Puget Sound Energy, Comcast and Lakehaven Water District as well as those parcels that rely for access on the area proposed for vacation.

The full County Road Engineer's Report is attached as Exhibit 29.

**G. EXHIBITS**

Exhibit #	DESCRIPTION
1.	DLS Roads Report to the Hearing Examiner January 20, 2026, with 14 Attachments and 33 Exhibits.
2.	Petition transmittal letter dated July 6, 2020, to the County Road Engineer.
3.	Petition for Vacation of a County Road received July 6, 2020.
4.	King County Assessor's information for Non-Petitioner Fred Omer Walden Trust property, APN 375160-6134
5.	King County Assessor's information for Petitioner Whispering Woods Estates LLC property, APN 375160-6137
6.	King County Assessor's information for Petitioner Whispering Woods Estates LLC property, APN 375160-6139
7.	King County Assessor's information for Petitioner Whispering Woods Estates LLC property, APN 375160-6140
8.	King County Assessor's information for Petitioner Whispering Woods Estates LLC property, APN 375160-6155
9.	King County Assessor's information for Petitioner Whispering Woods Estates LLC property, APN 375160-6160
10.	King County Assessor's information for Petitioner Whispering Woods Estates LLC property, APN 375160-6165
11.	King County Assessor's information for Petitioner Whispering Woods Estates LLC property, APN 375160-6175
12.	King County Assessor's information for Petitioner Whispering Woods Estates LLC property, APN 375160-6180
13.	King County Assessor's information for Petitioner Whispering Woods Estates LLC property, APN 375160-6185
14.	Plat of Jovita Heights
15.	Exhibit map depicting vacation area
16.	Copy of final notice sent of review to agencies on 12/07/2020
17.	Email exchange with Assessor's Office regarding valuation of vacation area and copy of table indicating additional assessment for vacated areas.
18.	Compensation calculation model spreadsheet for Non-Petitioner's property, APN 375160-6134

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19.	Compensation calculation model spreadsheet for Petitioner's property, APN 375160-6137
20.	Compensation calculation model spreadsheet for Petitioner's property, APN 375160-6139
21.	Compensation calculation model spreadsheet for Petitioner's property, APN 375160-6140
22.	Compensation calculation model spreadsheet for Petitioner's property, APN 375160-6155
23.	Compensation calculation model spreadsheet for Petitioner's property, APN 375160-6160
24.	Compensation calculation model spreadsheet for Petitioner's property, APN 375160-6165
25.	Compensation calculation model spreadsheet for Petitioner's property, APN 375160-6175
26.	Compensation calculation model spreadsheet for Petitioner's property, APN 375160-6180
27.	Compensation calculation model spreadsheet for Petitioner's property, APN 375160-6185
28.	Cover letter to Petitioners dated July 23, 2025, with a copy of the County Road Engineer's Report
29.	County Road Engineer's Report
30.	Ordinance transmittal letter dated November 21, 2025, from King County Executive to Councilmember Girmay Zahilay, Chair, King County Council
31.	Proposed Ordinance
32.	Declaration of Posting
33.	Request for publication by Clerk of the Council

**END OF STAFF REPORT TO THE HEARING EXAMINER**

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ATTACHMENTS

1 THROUGH 14

AND

EXHIBITS

2 THROUGH 33

**Bryan, John**

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**From:** Yang, Amber <Amber.Yang@pse.com>  
**Sent:** Friday, October 23, 2020 5:59 AM  
**To:** Drake, Leslie  
**Subject:** RE: Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area  
**Attachments:** reply toV-2735 Notice to Stakeholders 1.docx

[EXTERNAL Email Notice! ] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Hi Leslie,

Thank you for informing PSE about this proposed road vacation. Please see my attached response and also illustration below for the existing electric system on 52<sup>nd</sup> Ave S. I'll reach out to the property owners regarding securing easements.

Thank you.

Amber



<[Aileen.McManus@kingcounty.gov](mailto:Aileen.McManus@kingcounty.gov)>; Miles, Dawn <[dmiles@kingcounty.gov](mailto:dmiles@kingcounty.gov)>; Lauritzen, John M <[John.Lauritzen@kingcounty.gov](mailto:John.Lauritzen@kingcounty.gov)>; Minichillo, Tom <[Tom.Minichillo@kingcounty.gov](mailto:Tom.Minichillo@kingcounty.gov)>; Cassidy, Jon <[Jon.Cassidy@kingcounty.gov](mailto:Jon.Cassidy@kingcounty.gov)>; Scott, Todd <[Todd.Scott@kingcounty.gov](mailto:Todd.Scott@kingcounty.gov)>

**Subject:** Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

**CAUTION - EXTERNAL EMAIL**

Phishing? Click the PhishAlarm "**Report Phish**" button.

For mobile - forward to [abuse@pse.com](mailto:abuse@pse.com)

Hello,

King County has received a request to vacate a portion of 52<sup>nd</sup> Ave S./Indiana Ave of the Jovita Heights Addition Plat in the Auburn area of unincorporated King County. Your agency or division has been identified as a potential stakeholder in this right-of-way vacation. Therefore, your input or response to this petition is of great value in the vacation process.

This is the first notice for Road Vacation File V-2735

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 November 21, 2020**

Thank you

**Leslie Drake**, Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)



# King County

Department of Local Services  
**Road Services Division**

October 21, 2020

RE: **V-2735 Notice of Proposed Right-of-Way Vacation** - a portion of 52<sup>nd</sup> Ave S. /  
Indiana Ave., Jovita Heights Plat, in the Auburn area of King County

Dear Recipient,

Whispering Woods Estates, LLC and Richard L. Carson have petitioned King County to vacate a portion of an 52<sup>nd</sup> Ave S./Indiana Ave., Jovita Heights Plat, in the Auburn area of King County. The King County Department of Local Services, 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:

**November 23, 2020**

Your timely response will allow Road Services Division staff the time necessary to review your comments/recommendations and prepare a report to 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](mailto: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

V- 2735

October 21, 2020

Petition for Vacation of a portion of 52<sup>nd</sup> Ave S. / Indiana Ave., Jovita Heights Plat, in the Auburn area of King County

Petitioners: Whispering Woods Estates, LLC//Richard L. Carson

Site Parcel Numbers: 3751606141, 3751606140, 3751606139, 3751606138, 3751606137, 3751606145, 3751606185, 3751606180, 3751606175, 3751606170, 3756106165, 3751606160, 3751606155

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: 10/23/20

Name: Amber Yang Phone: 4254562774

- 1. Nature of public utilities, if any, in right-of-way? **overhead electric**
- 2. Is right-of-way improved for travel? **n/a not by PSE**
- 3. Is right-of-way necessary for present or future road system, either for travel or public utilities? **yes**
- 4. Are easements desired? **yes**

If YES, please provide an estimated date of contact with petitioner(s) 10/26/20

(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 not by PSE**
- 6. Has it been maintained or county funds expended? **n/a not by PSE**
- 7. Have any Special Use Permits, Right of Way Use Permits or franchise agreements been issued for or regarding this right-of-way? **PSE is there by franchise agreement with the County.**

Do you have any additional comments?

\_\_\_\_\_  
\_\_\_\_\_

What is your recommendation? **Please do not grant the vacation without an utility easement obtained for the electric system. It currently serves customer at 37008 52ND AVE S. thank you.**

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Legal Description of the Proposed Vacation area –

All of 52<sup>nd</sup> Ave S. (Indiana Avenue) lying between Block 135 and Block 136, Plat of Jovita Heights according to the plat filed in Vol. 12 at page 20 of Plats, records of the King County Recorder.

Situate in the Northwest Quarter of the Northwest Quarter of Section 35, Twp. 21 N., Rge. 4 E., Willamette Meridian, King County, Washington.

Containing 22,965 s.f., more or less.

Thomas Bros Map page 775

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](mailto:Leslie.Drake@kingcounty.gov).

Please return this completed form via e-mail to: [Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)

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

**Bryan, John**

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**From:** Ganung, Curtis E <Curtis.Ganung@lumen.com>  
**Sent:** Tuesday, January 13, 2026 6:18 AM  
**To:** Bryan, John; Scott Horan; Drake, Leslie  
**Cc:** Richard Carson; Lorri Carson  
**Subject:** Re: Whispering Woods Estate V-2735

[EXTERNAL Email Notice! ] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Hi John and Scott,

Looking at our records systems, it looks like we used to have aerial facilities out there, but not anymore. Looks like the poles in that area are owned by PSE as well.

If the notice was circulated in 2020, I understand why I wasn't able to find it, and I apologize that it took this long for someone to get back on this.

Please let me know what else you might need from me.

Best,



**Curtis Ganung**

Network Implementation Engineer I  
23315 66th Ave S, Kent, WA, 98032  
cell: 253-278-9598  
[curtis.ganung@lumen.com](mailto:curtis.ganung@lumen.com)

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**From:** Bryan, John <jobryan@kingcounty.gov>  
**Sent:** Monday, January 12, 2026 3:54 PM  
**To:** Scott Horan <scott@scotthoran.com>; Ganung, Curtis E <Curtis.Ganung@lumen.com>; Drake, Leslie <Leslie.Drake@kingcounty.gov>  
**Cc:** Richard Carson <rlcarson99@gmail.com>; Lorri Carson <lorricarson@gmail.com>  
**Subject:** RE: Whispering Woods Estate V-2735

Hi Scott and Curtis,

This notice of vacation was circulated in late 2020. I do not see any record that Lumen (then CenturyLink, per the email address) responded. If Lumen has facilities in this area, please work together to secure easements over the affected area. I have attached a copy of the map of the vacation area for reference.

Please let me know if you have any additional questions.

Thanks,

**John Bryan** (he/him), Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206.477.2594  
24/7 Help Line 206.477.8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

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**From:** Scott Horan <[scott@scotthoran.com](mailto:scott@scotthoran.com)>  
**Sent:** Monday, January 12, 2026 3:46 PM  
**To:** Ganung, Curtis E <[Curtis.Ganung@lumen.com](mailto:Curtis.Ganung@lumen.com)>; Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>  
**Cc:** Kludsikofsky, David <[David.Kludsikofsky@lumen.com](mailto:David.Kludsikofsky@lumen.com)>; Hearing Examiner, King County Council <[hearingexaminer@kingcounty.gov](mailto:hearingexaminer@kingcounty.gov)>; Bryan, John <[jobryan@kingcounty.gov](mailto:jobryan@kingcounty.gov)>; Richard Carson <[rlcarson99@gmail.com](mailto:rlcarson99@gmail.com)>; Lorri Carson <[lorrycarson@gmail.com](mailto:lorrycarson@gmail.com)>  
**Subject:** RE: Whispering Woods Estate V-2735

[EXTERNAL Email Notice! ] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Dear Mr. Ganung,

As the applicant's representative, I don't have an answer to your question. However, I have included **Roads Property Manager John Bryan**, our main point of contact for our application, in my response to you in case he can answer your question more effectively.

Scott H.



**John L. Scott Real Estate Lake Tapps**  
Phone: 206-229-9500  
Email: [Scott@ScottHoran.com](mailto:Scott@ScottHoran.com)

Notice: This email (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521

---

**From:** Ganung, Curtis E <[Curtis.Ganung@lumen.com](mailto:Curtis.Ganung@lumen.com)>  
**Sent:** Monday, January 12, 2026 10:46 AM  
**To:** Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>; Scott Horan <[scott@scotthoran.com](mailto:scott@scotthoran.com)>  
**Cc:** Kludsikofsky, David <[David.Kludsikofsky@lumen.com](mailto:David.Kludsikofsky@lumen.com)>; Hearing Examiner, King County Council <[hearingexaminer@kingcounty.gov](mailto:hearingexaminer@kingcounty.gov)>  
**Subject:** Re: Whispering Woods Estate V-2735

Hello,

I am reaching out on behalf of Lumen for clarification on what might be needed for the upcoming hearing for V-2735. I am used to receiving the PDF vacation requests, and wanted to know if utility facility maps are needed for submission, or if it is more just a notice to show up and listen in on what is going on.

Please let me know what is needed from us.

Best,



**Curtis Ganung**

Network Implementation Engineer I  
23315 66th Ave S, Kent, WA, 98032  
cell: 253-278-9598  
[curtis.ganung@lumen.com](mailto:curtis.ganung@lumen.com)

---

**From:** Hearing Examiner, King County Council <[hearingexaminer@kingcounty.gov](mailto:hearingexaminer@kingcounty.gov)>  
**Sent:** Monday, January 12, 2026 9:16 AM  
**To:** Ganung, Curtis E <[Curtis.Ganung@lumen.com](mailto:Curtis.Ganung@lumen.com)>  
**Cc:** Kludsikofsky, David <[David.Kludsikofsky@lumen.com](mailto:David.Kludsikofsky@lumen.com)>; Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>;  
[scott@scotthoran.com](mailto:scott@scotthoran.com) <[scott@scotthoran.com](mailto:scott@scotthoran.com)>  
**Subject:** RE: Whispering Woods Estate V-2735

Hello,

That would be a question for the parties. I have included Ms. Drake from Local Services, and the applicant, so they can assist you. Thank you.

Best,

*Jessica Oscoy* ([she/her](#))

Operations Manager | King County Council Hearing Examiner's Office  
o: 206-477-0860 | d: 206-263-1424  
[hearingexaminer@kingcounty.gov](mailto:hearingexaminer@kingcounty.gov) | [jessica.oscoy@kingcounty.gov](mailto:jessica.oscoy@kingcounty.gov)  
[www.kingcounty.gov/independent/hearing-examiner](http://www.kingcounty.gov/independent/hearing-examiner)

**This email is a public record and may be subject to public disclosure.**

---

**From:** Ganung, Curtis E <[Curtis.Ganung@lumen.com](mailto:Curtis.Ganung@lumen.com)>  
**Sent:** Monday, January 12, 2026 6:38 AM  
**To:** Hearing Examiner, King County Council <[hearingexaminer@kingcounty.gov](mailto:hearingexaminer@kingcounty.gov)>  
**Cc:** Kludsikofsky, David <[David.Kludsikofsky@lumen.com](mailto:David.Kludsikofsky@lumen.com)>  
**Subject:** Whispering Woods Estate V-2735

Hello,

I wanted to reach out and ask if there was anything that I, the representative of Lumen for this area, needs to send in for this hearing. I am used to receiving the pdf notices of road vacations, so I wanted to check if you need the utilities to send in facility locations for this hearing?

Please let me know if there is anything you need us to provide.

Best,



**Curtis Ganung**

Network Implementation Engineer I  
23315 66th Ave S, Kent, WA, 98032  
cell: 253-278-9598  
[curtis.ganung@lumen.com](mailto:curtis.ganung@lumen.com)

---

This communication is the property of Lumen Technologies and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

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This communication is the property of Lumen Technologies and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

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This communication is the property of Lumen Technologies and may contain confidential or privileged information. Unauthorized use of this communication is strictly prohibited and may be unlawful. If you have received this communication in error, please immediately notify the sender by reply e-mail and destroy all copies of the communication and any attachments.

**Bryan, John**

---

**From:** Gassin, Steven <Steven\_Gassin@comcast.com>  
**Sent:** Monday, October 26, 2020 8:10 AM  
**To:** Drake, Leslie  
**Subject:** RE: Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

[EXTERNAL Email Notice! ] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Yes it would

*Steve Gassin*

Construction Specialist  
Comcast  
410 Valley Ave Suite 12 Blding C  
Puyallup WA 98371  
O – 253-864-4353  
C – 253-225-8745

---

**From:** Drake, Leslie <Leslie.Drake@kingcounty.gov>  
**Sent:** Friday, October 23, 2020 9:53 AM  
**To:** Gassin, Steven <Steven\_Gassin@comcast.com>  
**Subject:** [EXTERNAL] RE: Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

Thank you. Would an easement from the petitioner allowing the facilities to remain address Comcast's needs?

**Leslie Drake**, Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

---

**From:** Gassin, Steven <[Steven\\_Gassin@comcast.com](mailto:Steven_Gassin@comcast.com)>  
**Sent:** Thursday, October 22, 2020 8:35 AM  
**To:** Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>  
**Subject:** FW: Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

[EXTERNAL Email Notice! ] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Comcast currently has aerial system going along 52<sup>nd</sup> ave s that would need to be relocated. This relocation would have to be at the expense of the applicant. I have attached a snippet of our system maps below. please let me know if you require any additional information.



To: Gassin, Steven <[Steven\\_Gassin@comcast.com](mailto:Steven_Gassin@comcast.com)>

Subject: FW: Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

FYI

---

From: Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>

Sent: Wednesday, October 21, 2020 4:02 PM

To: [Rightofway@pse.com](mailto:Rightofway@pse.com); Jim Biggs <[JBiggs@wavebroadband.com](mailto:JBiggs@wavebroadband.com)>; Look, Jill M <[Jill\\_Look@cable.comcast.com](mailto:Jill_Look@cable.comcast.com)>; Cantrel, Aaron R <[Aaron\\_Cantrel@cable.comcast.com](mailto:Aaron_Cantrel@cable.comcast.com)>; Harb, Alex <[Alex.Harb@CenturyLink.com](mailto:Alex.Harb@CenturyLink.com)>; Brian Asbury <[BAsbury@lakehaven.org](mailto:BAsbury@lakehaven.org)>; [prevention@southkingfire.org](mailto:prevention@southkingfire.org); [prevention.division@southkingfire.org](mailto:prevention.division@southkingfire.org); Claussen, Kimberly <[Kimberly.Claussen@kingcounty.gov](mailto:Kimberly.Claussen@kingcounty.gov)>; Kulish, Michael <[Michael.Kulish@kingcounty.gov](mailto:Michael.Kulish@kingcounty.gov)>; Jackson, Robert (DNRP) <[Robert.Jackson@kingcounty.gov](mailto:Robert.Jackson@kingcounty.gov)>; Nunnenkamp, Robert <[Robert.Nunnenkamp@kingcounty.gov](mailto:Robert.Nunnenkamp@kingcounty.gov)>; McDonald, Andrew <[Andrew.McDonald@kingcounty.gov](mailto:Andrew.McDonald@kingcounty.gov)>; Carr, Trevor <[Trevor.Carr@kingcounty.gov](mailto:Trevor.Carr@kingcounty.gov)>; Ishimaru, Jim <[Jim.Ishimaru@kingcounty.gov](mailto:Jim.Ishimaru@kingcounty.gov)>; Ledbetter, Tony <[Tony.Ledbetter@kingcounty.gov](mailto:Tony.Ledbetter@kingcounty.gov)>; Eichelsdoerfer, Robert <[Robert.Eichelsdoerfer@kingcounty.gov](mailto:Robert.Eichelsdoerfer@kingcounty.gov)>; Brown, Keith <[Keith.Brown@kingcounty.gov](mailto:Keith.Brown@kingcounty.gov)>; McManus, Aileen <[Aileen.McManus@kingcounty.gov](mailto:Aileen.McManus@kingcounty.gov)>; Miles, Dawn <[dmiles@kingcounty.gov](mailto:dmiles@kingcounty.gov)>; Lauritzen, John M <[John.Lauritzen@kingcounty.gov](mailto:John.Lauritzen@kingcounty.gov)>; Minichillo, Tom <[Tom.Minichillo@kingcounty.gov](mailto:Tom.Minichillo@kingcounty.gov)>; Cassidy, Jon <[Jon.Cassidy@kingcounty.gov](mailto:Jon.Cassidy@kingcounty.gov)>; Scott, Todd <[Todd.Scott@kingcounty.gov](mailto:Todd.Scott@kingcounty.gov)>

Subject: [EXTERNAL] Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

Hello,

King County has received a request to vacate a portion of 52<sup>nd</sup> Ave S./Indiana Ave of the Jovita Heights Addition Plat in the Auburn area of unincorporated King County. Your agency or division has been identified as a potential stakeholder in this right-of-way vacation. Therefore, your input or response to this petition is of great value in the vacation process.

This is the first notice for Road Vacation File V-2735

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 November 21, 2020**

Thank you

Leslie Drake, Road Property Program Manager | Road Services Division, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

**Bryan, John**

---

**From:** Brian Asbury <BAsbury@lakehaven.org>  
**Sent:** Friday, May 28, 2021 10:45 AM  
**To:** Drake, Leslie  
**Subject:** RE: Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area  
**Attachments:** V-2735 Map.pdf; V-2735 LWSD Comments.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

[EXTERNAL Email Notice! ] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Leslie,  
 Lakehaven has an existing water main in this segment of 52nd Ave S ROW between S 368th St & S 370th St, therefore we will need a (minimum) 15' wide easement to cover this existing water main. If we know specifically how the adjacent parcels will be modified if this ROW vacation is approved, it'd be easier to prepare the Lakehaven easement document; in other words, will the adjacent parcels each 'absorb' 1/2 of vacated 52nd Ave S ROW (seemingly typical) or is some other ultimate properties/parcels configuration proposed? Also, if there's contact information available for Whispering Woods Estates LLC that'd be potentially helpful, and Lakehaven could contact the petitioner directly to finalize the Lakehaven easement document.

Let me know if there's any question or if additional information is needed. Thanks.

**Brian Asbury**  
**Development Engineering Supervisor**



Lakehaven DE Email: [DE@Lakehaven.org](mailto:DE@Lakehaven.org)  
 Lakehaven DE Website

Due to recommendations from government and health officials to do everything reasonably possible to prevent the spread of COVID-19, LWSD'S offices are closed to public entry until further notice.

---

**From:** Drake, Leslie <Leslie.Drake@kingcounty.gov>  
**Sent:** Monday, December 7, 2020 10:04 AM  
**To:** Harb, Alex <Alex.Harb@CenturyLink.com>; Brian Asbury <BAsbury@lakehaven.org>; Kulish, Michael <Michael.Kulish@kingcounty.gov>; Jackson, Robert (DNRP) <Robert.Jackson@kingcounty.gov>; McDonald, Andrew <Andrew.McDonald@kingcounty.gov>; Carr, Trevor <Trevor.Carr@kingcounty.gov>; Ledbetter, Tony <Tony.Ledbetter@kingcounty.gov>; Miles, Dawn <dmiles@kingcounty.gov>; Carrasquero, Jose <jcarrasquero@kingcounty.gov>  
**Subject:** Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area

Hello,  
 King County has received a request to vacate a portion of 52<sup>nd</sup> Ave S./Indiana Ave of the Jovita Heights Addition Plat in the Auburn area of unincorporated King County. Your agency or division has been identified as a potential stakeholder in this right-of-way vacation. Therefore, your input or response to this petition is of great value in the vacation process.

This is the second and final notice for the stakeholder review phase for Road Vacation File V-2735.

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.

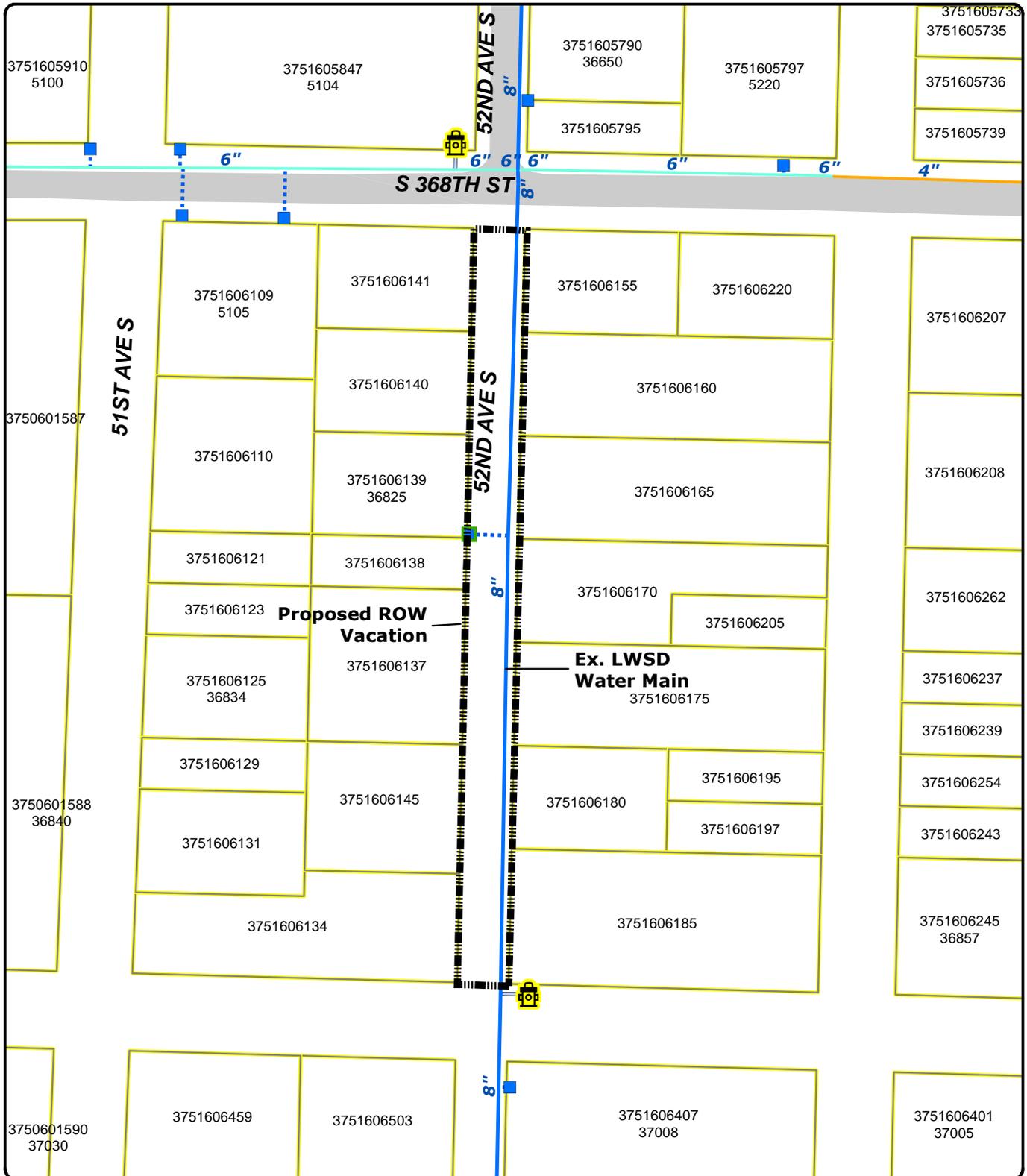
So please **R.S.V.P by January 11, 2021**

**Thank you**

**Leslie Drake**, Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

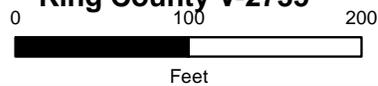
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The contents of this email may be determined to be a public record and subject to disclosure pursuant to RCW 42.56 regardless of any expectations or claims of confidentiality or privilege asserted.



**NOTE:** Lakehaven Water and Sewer District neither warrants nor guarantees the accuracy of any facility information provided. Facility locations and conditions are subject to field verification.

**Proposed ROW Vacation  
King County V-2735**



5/28/21 BIA



V- 2735

October 21, 2020

Petition for Vacation of a portion of 52<sup>nd</sup> Ave S. / Indiana Ave., Jovita Heights Plat, in the Auburn area of King County

Petitioners: Whispering Woods Estates, LLC//Richard L. Carson

Site Parcel Numbers: 3751606141, 3751606140, 3751606139, 3751606138, 3751606137, 3751606145, 3751606185, 3751606180, 3751606175, 3751606170, 3756106165, 3751606160, 3751606155

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

Agency: LAKEHAVEN WATER & SEWER DISTRICT Date: 5/28/21

Name: Brian Asbury – DE Supervisor Phone: 253-946-5407 (BAsbury@Lakehaven.org)

1. Nature of public utilities, if any, in right-of-way? *Ex. water main.*
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? *Yes, for ex. water main*

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

(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? *ROW Permit presumably for water main install in mid-1980s.*

Do you have any additional comments?

---

What is your recommendation? *Approve ROW vacation, with reservation of necessary LWSD water easement.*

**Bryan, John**

---

**From:** Parise, Tony <Tony.Parise@southkingfire.org>  
**Sent:** Thursday, October 22, 2020 8:19 AM  
**To:** Drake, Leslie  
**Subject:** RE: Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

[EXTERNAL Email Notice! ] External communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

South King Fire does not have an issue with the Vacation.

It appears that future development is in the works and we anticipate that the roadway will be improved to proper standards at that time.

Thank you,

Tony

**Tony Parise** | Assistant Fire Marshal / Captain | **South King Fire & Rescue** | Prevention

31617 1<sup>st</sup> Ave S, Federal Way, WA 98003

**Desk:** 253.946.7349 | **Mobile:** 206.251.0471

---

**From:** Drake, Leslie <Leslie.Drake@kingcounty.gov>  
**Sent:** Wednesday, October 21, 2020 4:02 PM  
**To:** Rightofway@pse.com; Jim Biggs <JBiggs@wavebroadband.com>; jill\_Look@cable.comcast.com; aaron\_Cantrell@cable.comcast.com; Harb, Alex <Alex.Harb@CenturyLink.com>; Brian Asbury <BAsbury@lakehaven.org>; prevention@southkingfire.org; Prevention <Prevention.Division@southkingfire.org>; Claussen, Kimberly <Kimberly.Claussen@kingcounty.gov>; Kulish, Michael <Michael.Kulish@kingcounty.gov>; Jackson, Robert (DNRP) <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>; Ledbetter, Tony <Tony.Ledbetter@kingcounty.gov>; Eichelsdoerfer, Robert <Robert.Eichelsdoerfer@kingcounty.gov>; Brown, Keith <Keith.Brown@kingcounty.gov>; McManus, Aileen <Aileen.McManus@kingcounty.gov>; Miles, Dawn <dmiles@kingcounty.gov>; Lauritzen, John M <John.Lauritzen@kingcounty.gov>; Minichillo, Tom <Tom.Minichillo@kingcounty.gov>; Cassidy, Jon <Jon.Cassidy@kingcounty.gov>; Scott, Todd <Todd.Scott@kingcounty.gov>  
**Subject:** Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

Hello,

King County has received a request to vacate a portion of 52<sup>nd</sup> Ave S./Indiana Ave of the Jovita Heights Addition Plat in the Auburn area of unincorporated King County. Your agency or division has been identified as a potential stakeholder in this right-of-way vacation. Therefore, your input or response to this petition is of great value in the vacation process.

This is the first notice for Road Vacation File V-2735

Exhibit D1 -029

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 November 21, 2020**

Thank you

**Leslie Drake**, Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

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This email was scanned by Bitdefender

**Bryan, John**

**From:** Claussen, Kimberly  
**Sent:** Wednesday, November 25, 2020 11:00 AM  
**To:** Drake, Leslie  
**Subject:** RE: Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi – Thank you for the opportunity to provide comments regarding the above-referenced vacation. 14 of the lots in this vicinity were granted legal lot status (EMSC10-0020). The parcels are currently zoned R-4 (urban, 4 du/acre). It appears (KC aerial-2019) that a road may have been recently constructed. If the existing right-of-way were to be vacated, how would these parcels be provided ingress/egress and utilities ? Private easement(s)? IF the future ingress/egress and utilities can be addressed, there is no objection to the proposed vacation, otherwise, it may be premature to vacate this right-of-way. Please let me know if you have further questions Thanks

---

**From:** Drake, Leslie <Leslie.Drake@kingcounty.gov>  
**Sent:** Wednesday, October 21, 2020 4:02 PM  
**To:** Rightofway@pse.com; Jim Biggs <JBiggs@wavebroadband.com>; jill\_Look@cable.comcast.com; aaron\_Cantrell@cable.comcast.com; Harb, Alex <Alex.Harb@CenturyLink.com>; Brian Asbury <BASbury@lakehaven.org>; prevention@southkingfire.org; prevention.division@southkingfire.org; Claussen, Kimberly <Kimberly.Claussen@kingcounty.gov>; Kulish, Michael <Michael.Kulish@kingcounty.gov>; Jackson, Robert (DNRP) <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>; Ledbetter, Tony <Tony.Ledbetter@kingcounty.gov>; Eichelsdoerfer, Robert <Robert.Eichelsdoerfer@kingcounty.gov>; Brown, Keith <Keith.Brown@kingcounty.gov>; McManus, Aileen <Aileen.McManus@kingcounty.gov>; Miles, Dawn <dmiles@kingcounty.gov>; Lauritzen, John M <John.Lauritzen@kingcounty.gov>; Minichillo, Tom <Tom.Minichillo@kingcounty.gov>; Cassidy, Jon <Jon.Cassidy@kingcounty.gov>; Scott, Todd <Todd.Scott@kingcounty.gov>  
**Subject:** Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

Hello,  
King County has received a request to vacate a portion of 52<sup>nd</sup> Ave S./Indiana Ave of the Jovita Heights Addition Plat in the Auburn area of unincorporated King County. Your agency or division has been identified as a potential stakeholder in this right-of-way vacation. Therefore, your input or response to this petition is of great value in the vacation process.

This is the first notice for Road Vacation File V-2735

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 November 21, 2020**

Thank you

Exhibit D1 -031

**Leslie Drake**, Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

**Bryan, John**

---

**From:** Nunnenkamp, Robert  
**Sent:** Wednesday, October 21, 2020 4:16 PM  
**To:** Drake, Leslie  
**Subject:** RE: Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area  
**Attachments:** V-2735 Parks Response.docx

Parks has no objections to this request.

---

**From:** Drake, Leslie <Leslie.Drake@kingcounty.gov>  
**Sent:** Wednesday, October 21, 2020 4:02 PM  
**To:** Rightofway@pse.com; Jim Biggs <JBiggs@wavebroadband.com>; jill\_Look@cable.comcast.com; aaron\_Cantrell@cable.comcast.com; Harb, Alex <Alex.Harb@CenturyLink.com>; Brian Asbury <BASbury@lakehaven.org>; prevention@southkingfire.org; prevention.division@southkingfire.org; Claussen, Kimberly <Kimberly.Claussen@kingcounty.gov>; Kulish, Michael <Michael.Kulish@kingcounty.gov>; Jackson, Robert (DNRP) <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>; Ledbetter, Tony <Tony.Ledbetter@kingcounty.gov>; Eichelsdoerfer, Robert <Robert.Eichelsdoerfer@kingcounty.gov>; Brown, Keith <Keith.Brown@kingcounty.gov>; McManus, Aileen <Aileen.McManus@kingcounty.gov>; Miles, Dawn <dmiles@kingcounty.gov>; Lauritzen, John M <John.Lauritzen@kingcounty.gov>; Minichillo, Tom <Tom.Minichillo@kingcounty.gov>; Cassidy, Jon <Jon.Cassidy@kingcounty.gov>; Scott, Todd <Todd.Scott@kingcounty.gov>  
**Subject:** Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

Hello,

King County has received a request to vacate a portion of 52<sup>nd</sup> Ave S./Indiana Ave of the Jovita Heights Addition Plat in the Auburn area of unincorporated King County. Your agency or division has been identified as a potential stakeholder in this right-of-way vacation. Therefore, your input or response to this petition is of great value in the vacation process.

This is the first notice for Road Vacation File V-2735

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 November 21, 2020**

Thank you

**Leslie Drake**, Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)



# King County

Department of Local Services  
**Road Services Division**

October 21, 2020

RE: **V-2735 Notice of Proposed Right-of-Way Vacation** - a portion of 52<sup>nd</sup> Ave S. / Indiana Ave., Jovita Heights Plat, in the Auburn area of King County

Dear Recipient,

Whispering Woods Estates, LLC and Richard L. Carson have petitioned King County to vacate a portion of an 52<sup>nd</sup> Ave S./Indiana Ave., Jovita Heights Plat, in the Auburn area of King County. The King County Department of Local Services, 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:

**November 23, 2020**

Your timely response will allow Road Services Division staff the time necessary to review your comments/recommendations and prepare a report to 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](mailto: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

V- 2735

October 21, 2020

Petition for Vacation of a portion of 52<sup>nd</sup> Ave S. / Indiana Ave., Jovita Heights Plat, in the Auburn area of King County

Petitioners: Whispering Woods Estates, LLC//Richard L. Carson

Site Parcel Numbers: 3751606141, 3751606140, 3751606139, 3751606138, 3751606137, 3751606145, 3751606185, 3751606180, 3751606175, 3751606170, 3751606165, 3751606160, 3751606155

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: 10-21-20

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 of 3

Legal Description of the Proposed Vacation area –

All of 52<sup>nd</sup> Ave S. (Indiana Avenue) lying between Block 135 and Block 136, Plat of Jovita Heights according to the plat filed in Vol. 12 at page 20 of Plats, records of the King County Recorder.

Situate in the Northwest Quarter of the Northwest Quarter of Section 35, Twp. 21 N., Rge. 4 E., Willamette Meridian, King County, Washington.

Containing 22,965 s.f., more or less.

Thomas Bros Map page 775

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](mailto:Leslie.Drake@kingcounty.gov).

Please return this completed form via e-mail to: [Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)

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

**Bryan, John**

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**From:** Ishimaru, Jim  
**Sent:** Thursday, November 12, 2020 10:07 AM  
**To:** Drake, Leslie  
**Subject:** RE: Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

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

**Jim Ishimaru | Road Services Division, King County Department of Local Services | 206.477.3623**

---

**From:** Drake, Leslie <Leslie.Drake@kingcounty.gov>  
**Sent:** Wednesday, October 21, 2020 4:02 PM  
**To:** Rightofway@pse.com; Jim Biggs <JBiggs@wavebroadband.com>; jill\_Look@cable.comcast.com; aaron\_Cantrell@cable.comcast.com; Harb, Alex <Alex.Harb@CenturyLink.com>; Brian Asbury <BASbury@lakehaven.org>; prevention@southkingfire.org; prevention.division@southkingfire.org; Claussen, Kimberly <Kimberly.Claussen@kingcounty.gov>; Kulish, Michael <Michael.Kulish@kingcounty.gov>; Jackson, Robert (DNRP) <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>; Ledbetter, Tony <Tony.Ledbetter@kingcounty.gov>; Eichelsdoerfer, Robert <Robert.Eichelsdoerfer@kingcounty.gov>; Brown, Keith <Keith.Brown@kingcounty.gov>; McManus, Aileen <Aileen.McManus@kingcounty.gov>; Miles, Dawn <dmiles@kingcounty.gov>; Lauritzen, John M <John.Lauritzen@kingcounty.gov>; Minichillo, Tom <Tom.Minichillo@kingcounty.gov>; Cassidy, Jon <Jon.Cassidy@kingcounty.gov>; Scott, Todd <Todd.Scott@kingcounty.gov>  
**Subject:** Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

Hello,

King County has received a request to vacate a portion of 52<sup>nd</sup> Ave S./Indiana Ave of the Jovita Heights Addition Plat in the Auburn area of unincorporated King County. Your agency or division has been identified as a potential stakeholder in this right-of-way vacation. Therefore, your input or response to this petition is of great value in the vacation process.

This is the first notice for Road Vacation File V-2735

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 November 21, 2020**

Thank you

**Leslie Drake**, Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

**Bryan, John**

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**From:** McDonald, Andrew  
**Sent:** Thursday, December 26, 2024 5:29 PM  
**To:** Drake, Leslie  
**Subject:** RE: Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area  
**Attachments:** Whisper Woods GRDE17-0058 Plans.pdf; 20201209100401619.pdf; 20201209100418064.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

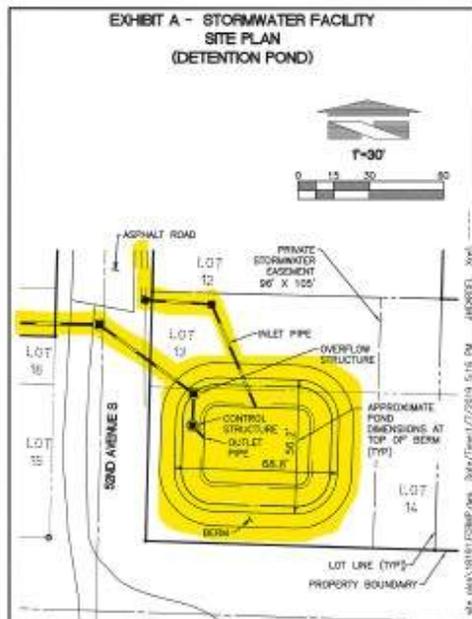
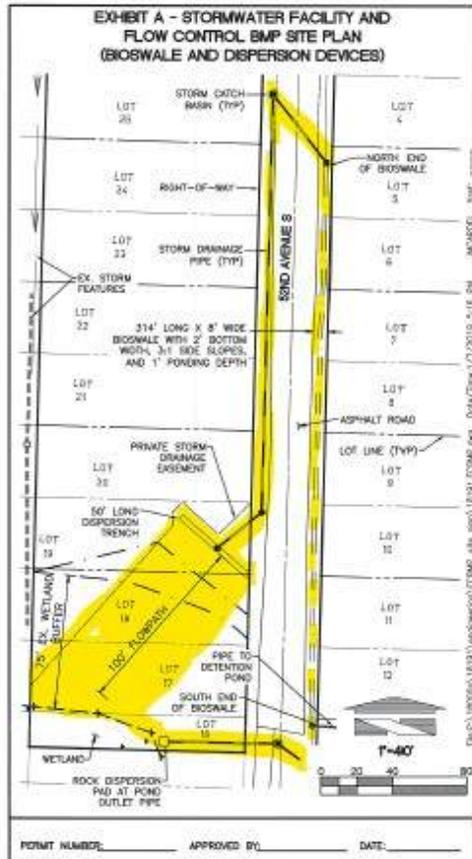
Hello Leslie,  
We would have no objections to V-2742 as there are no drainage facilities there.

On V-2735, as a result of the grading permit GRDE17-0058 to improve the un-opened ROW-see first attachment, they will need to provide a completed and recorded Declaration of Covenant -example attached, second PDF attachment. The covenant needs to include Exhibit A -see third attachment.

Separately, a recorded easement for all parcels encumbered with drainage facilities used to treat runoff and provide flow control as shown by highlighted area-see snippet below found within Exhibit A-third attachment which needs to be delineated by a full legal description, post vacation. The drainage easement needs to designate maintenance responsibilities ascribed to all properties served by the improvement or, if an HOA has been established and incorporated then, maintenance responsibilities can be ascribed to the HOA defaulting to all parcels served in the event of HOA dissolution. I have attached the plan set for the approved and constructed drainages system in the first PDF attachment.

I hope this provides enough information but if not please don't hesitate to call.

Thanks and sorry for the delay,  
Andrew  
Also Happy New Year to you!



From: Drake, Leslie <Leslie.Drake@kingcounty.gov>  
Sent: Tuesday, December 10, 2024 9:22 AM

**To:** McDonald, Andrew <Andrew.McDonald@kingcounty.gov>

**Subject:** RE: Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area

Hi Andrew. Road vacation V-2735 has been hanging around for a while. You had asked that we put it on hold while some boundary line, permit conditions, and easement issues got worked out.

The property owner has 2 road vacation petitions pending. They are parallel streets; West ½ of 53<sup>rd</sup> Ave S (V-2742) and 52<sup>nd</sup> Ave S (V-2735).

The property owner wants to put utilities underneath 52<sup>nd</sup> Ave S. The only way they will be able to do that is if the road vacation is approved.

Are you able to provide me with a response for both road vacations? Or is there something more happening with the proposed development that needs to be sorted out before we can move the petition forward?

Thank you.

**Leslie Drake** (she/her), Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

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**From:** Drake, Leslie

**Sent:** Friday, August 18, 2023 2:40 PM

**To:** McDonald, Andrew <[Andrew.McDonald@kingcounty.gov](mailto:Andrew.McDonald@kingcounty.gov)>

**Subject:** RE: Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area

Hi Andrew. I'm circling back on this road vacation. Have you had an opportunity to look at this one again and determine whether you still have permit conditions that need to be addressed before this road vacation moves forward?

**Leslie Drake**, Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

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**From:** McDonald, Andrew <[Andrew.McDonald@kingcounty.gov](mailto:Andrew.McDonald@kingcounty.gov)>

**Sent:** Thursday, April 7, 2022 6:57 PM

**To:** Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>

**Subject:** FW: Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area

Leslie I am sorry I didn't finish this yet. I see they are back in with permitting for more Boundary Line Adjustments. I will contact Richard Carson and Scott Horan directly on the needs to provide easements and covenants. I have their Cell numbers and their e-mails. My Mother in law is going into hospice and I am out tomorrow to deal with that but should be back on Monday but I will keep you posted. Sorry about the delays in this. I am going to blame covid-19.

Take care,  
Andrew

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**From:** McDonald, Andrew

**Sent:** Tuesday, April 5, 2022 6:32 PM

**To:** Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>

**Subject:** RE: Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area

Yes, I do. I blocked out tomorrow morning and will get it written up.

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**From:** Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>  
**Sent:** Monday, April 4, 2022 2:21 PM  
**To:** McDonald, Andrew <[Andrew.McDonald@kingcounty.gov](mailto:Andrew.McDonald@kingcounty.gov)>  
**Subject:** RE: Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area

Hi Andrew. Following up on this one. Do you still have permit conditions that need to be addressed before this road vacation moves forward?

**Leslie Drake**, Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

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**From:** McDonald, Andrew <[Andrew.McDonald@kingcounty.gov](mailto:Andrew.McDonald@kingcounty.gov)>  
**Sent:** Monday, March 29, 2021 10:31 AM  
**To:** Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>  
**Subject:** RE: Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area

Yes, I think I need to call and discuss with you for next steps. Thanks so much.

---

**From:** Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>  
**Sent:** Monday, March 29, 2021 8:28 AM  
**To:** McDonald, Andrew <[Andrew.McDonald@kingcounty.gov](mailto:Andrew.McDonald@kingcounty.gov)>  
**Subject:** RE: Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area

Ok. The CRE Report is on hold.

Will you reach out to the property owner for easements and covenant as Permit/Plat conditions or do you want to ask for easements as a condition of the road vacation? Do we need a call to discuss and do we need to bring Permitting into the conversation?

Permitting didn't raise any issue w/ the road vacation approval.

**Leslie Drake**, Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

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**From:** McDonald, Andrew <[Andrew.McDonald@kingcounty.gov](mailto:Andrew.McDonald@kingcounty.gov)>  
**Sent:** Saturday, March 27, 2021 9:19 AM  
**To:** Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>  
**Subject:** RE: Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area

Yes, please stop the process. The lack of easements is going to make it very difficult to bring them into compliance. The approval at Permitting was a big mess and that needs to be corrected.

---

**From:** Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>  
**Sent:** Friday, March 26, 2021 7:59 AM  
**To:** McDonald, Andrew <[Andrew.McDonald@kingcounty.gov](mailto:Andrew.McDonald@kingcounty.gov)>  
**Subject:** RE: Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area

Hello Andrew. From the standpoint of road vacation, we are just about to issue the County Engineer's Report on this one. I drafted it and sent it to the Admin for the CRE on 3/18. Should I get that stopped? Are there ROW related conditions from the permit or issues that you want Roads to include as conditions of the road vacation?

Leslie Drake, Road Property Program Manager | Road Services Division, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

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**From:** McDonald, Andrew <[Andrew.McDonald@kingcounty.gov](mailto:Andrew.McDonald@kingcounty.gov)>  
**Sent:** Thursday, March 25, 2021 5:21 PM  
**To:** Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>  
**Subject:** RE: Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area

Hello Leslie,

This one presents a problem. The applicant was approved for a Grading Perimt for roadway improvements and drainage (see Whispering Woods ...PDF). But there was a requirement from Permitting to record a covenant per the King County Surface Water Design Manual-2016 (SWDM)- see first highlighted area below. Also, an easement recording requirement. Neither of which was obtained prior to receiving Final Construction Approval. Do I simply contact the applicant and go over this with them? I want to say there was also a ROW Use permit maybe ??

If a hazard to public safety exists, the County may perform remedial actions without written notice.

If the proposed project is a commercial, industrial, or multifamily development or redevelopment, or a single family residential building permit, a **drainage facility declaration of covenant and grant of easement** (see Reference Section 8-J) must be recorded at the King County Office of Records and Elections prior to engineering plan approval. Whenever a flow control or water quality facility or flow control BMP is proposed to be located on a parcel separate from the parcel or parcels containing the target surfaces mitigated by the facility or BMP, provisions must be made to ensure that the owner or owners of the target surfaces have a perpetual right to operate and maintain the facility. This may be done either by recording an easement granting this right to the owner(s) of the target surfaces, or by conveying the land on which the facility sits (or an interest therein) to the owner(s) of target surfaces.

If the proposed project is a **residential subdivision development**, all privately maintained conveyance systems or other drainage facilities that convey flows through private property must be located in a **drainage easement dedicated to convey surface and storm water**. Individual owners of the properties containing these easements must maintain the drainage facilities through their property. The legal instrument creating drainage easements on private property must contain language that requires a private property owner to obtain written approval from King County prior to removing vegetation (except by routine mowing) from any drainage easement containing open, vegetated drainage facilities (such as swales, channels, ditches, ponds, etc.). See Reference Section 8-L, "Drainage Easement," for guidance.

### 1.2.7 CORE REQUIREMENT #7: FINANCIAL GUARANTEES AND LIABILITY

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**From:** Drake, Leslie <[Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)>  
**Sent:** Monday, December 7, 2020 10:04 AM  
**To:** Harb, Alex <[Alex.Harb@CenturyLink.com](mailto:Alex.Harb@CenturyLink.com)>; Brian Asbury <[BAsbury@lakehaven.org](mailto:BAsbury@lakehaven.org)>; Kulish, Michael <[Michael.Kulish@kingcounty.gov](mailto:Michael.Kulish@kingcounty.gov)>; Jackson, Robert (DNRP) <[Robert.Jackson@kingcounty.gov](mailto:Robert.Jackson@kingcounty.gov)>; McDonald, Andrew <[Andrew.McDonald@kingcounty.gov](mailto:Andrew.McDonald@kingcounty.gov)>; Carr, Trevor <[Trevor.Carr@kingcounty.gov](mailto:Trevor.Carr@kingcounty.gov)>; Ledbetter, Tony <[Tony.Ledbetter@kingcounty.gov](mailto:Tony.Ledbetter@kingcounty.gov)>; Miles, Dawn <[dmiles@kingcounty.gov](mailto:dmiles@kingcounty.gov)>; Carrasquero, Jose <[jcarrasquero@kingcounty.gov](mailto:jcarrasquero@kingcounty.gov)>  
**Subject:** Second Notice V-2735 Proposed Road Vacation in the Auburn/Jovita Heights Area

Hello,

King County has received a request to vacate a portion of 52<sup>nd</sup> Ave S./Indiana Ave of the Jovita Heights Addition Plat in the Auburn area of unincorporated King County. Your agency or division has been identified as a potential stakeholder in this right-of-way vacation. Therefore, your input or response to this petition is of great value in the vacation process.

This is the second and final notice for the stakeholder review phase for Road Vacation File V-2735.

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 January 11, 2021**

**Thank you**

**Leslie Drake**, Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

---

**DECLARATION OF COVENANT  
FOR INSPECTION AND MAINTENANCE OF STORMWATER  
FACILITIES AND BMPS**

Grantor: \_\_\_\_\_

Grantee: King County

Legal Description: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Additional Legal(s) on: \_\_\_\_\_

Assessor's Tax Parcel ID#: \_\_\_\_\_

IN CONSIDERATION of the approved King County \_\_\_\_\_ permit  
for application No. \_\_\_\_\_ relating to the real property ("Property") described  
above, the Grantor(s), the owner(s) in fee of that Property, hereby covenants(covenant) with King  
County, a political subdivision of the state of Washington and its municipal successors in interest and  
assigns ("King County" and "the County", or "its municipal successor"), that he/she(they) will observe,  
consent to, and abide by the conditions and obligations set forth and described in Paragraphs 1 through 10

below with regard to the Property, and hereby grants(grant) an easement as described in Paragraphs 2 and

3. Grantor(s) hereby grants(grant), covenants(covenant), and agrees(agree) as follows:

1. The Grantor(s) or his/her(their) successors in interest and assigns ("Owners") shall at their own cost, operate, maintain, and keep in good repair, the Property's stormwater facilities and best management practices ("BMPs") identified in the plans and specifications submitted to King County for the review and approval of permit(s) #: \_\_\_\_\_ . Stormwater facilities include pipes, swales, tanks, vaults, ponds, and other engineered structures designed to manage stormwater on the Property. Stormwater BMPs include dispersion and infiltration devices, native vegetated areas, permeable pavements, vegetated roofs, rainwater harvesting systems, reduced impervious surface coverage, and other measures designed to reduce the amount of stormwater runoff on the Property.

2. King County shall have the right to ingress and egress over those portions of the Property necessary to perform inspections of the stormwater facilities and BMPs and conduct other activities specified in this Declaration of Covenant and in accordance with King County Code ("KCC") 9.04.120 or relevant municipal successor's codes as applicable. This right of ingress and egress, right to inspect, and right to perform required maintenance or repair as provided for in Section 3 below, shall not extend over those portions of the Property shown in Exhibit "A."

3. If King County determines that maintenance or repair work is required to be done to any of the stormwater facilities or BMPs, the Director of the Water and Land Resources Division or its municipal successor in interest ("WLR") shall give notice of the specific maintenance and/or repair work required pursuant to KCC 9.04.120 or relevant municipal successor's codes as applicable. The Director shall also set a reasonable time in which such work is to be completed by the Owners. If the above required maintenance or repair is not completed within the time set by the Director, the County may perform the required maintenance or repair, and hereby is given access to the Property, subject to the exclusion in Paragraph 2 above, for such purposes. Written notice will be sent to the Owners stating the County's intention to perform such work. This work will not commence until at least seven (7) days after such

notice is mailed. If, within the sole discretion of the WLR Director, there exists an imminent or present danger, the seven (7) day notice period will be waived and maintenance and/or repair work will begin immediately.

4. If at any time King County reasonably determines that a stormwater facility or BMP on the Property creates any of the hazardous conditions listed in KCC 9.04.130 or relevant municipal successor's codes as applicable and herein incorporated by reference, the WLR Director or equivalent municipal successors official may take measures specified therein.

5. The Owners shall assume all responsibility for the cost of any maintenance or repair work completed by the County as described in Paragraph 3 or any measures taken by the County to address hazardous conditions as described in Paragraph 4. Such responsibility shall include reimbursement to the County within thirty (30) days of the receipt of the invoice for any such work performed. Overdue payments will require payment of interest at the current legal rate as liquidated damages. If legal action ensues, the prevailing party is entitled to costs or fees.

6. The Owners are hereby required to obtain written approval from the King County WLR Director prior to filling, piping, cutting, or removing vegetation (except in routine landscape maintenance) in open vegetated stormwater facilities (such as swales, channels, ditches, ponds, etc.), or performing any alterations or modifications to the stormwater facilities and BMPs referenced in this Declaration of Covenant.

7. Any notice or consent required to be given or otherwise provided for by the provisions of this Agreement shall be effective upon personal delivery, or three (3) days after mailing by Certified Mail, return receipt requested.

8. With regard to the matters addressed herein, this agreement constitutes the entire agreement between the parties, and supersedes all prior discussions, negotiations, and all agreements whatsoever whether oral or written.

9. This Declaration of Covenant is intended to protect the value and desirability of the real property described above, and shall inure to the benefit of all the citizens of King County and its

municipal successors and assigns. This Declaration of Covenant shall run with the land and be binding upon Grantor(s), and Grantor's(s') successors in interest, and assigns.

10. This Declaration of Covenant may be terminated by execution of a written agreement by the Owners and King County or the municipal successor that is recorded by King County in its real property records.

IN WITNESS WHEREOF, this Declaration of Covenant for the Inspection and Maintenance of Stormwater Facilities and BMPs is executed this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
GRANTOR, owner of the Property

\_\_\_\_\_  
GRANTOR, owner of the Property

STATE OF WASHINGTON )  
COUNTY OF KING )ss.

On this day personally appeared before me:

\_\_\_\_\_, to me known to be the individual(s) described in and who executed the within and foregoing instrument and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein stated.

Given under my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

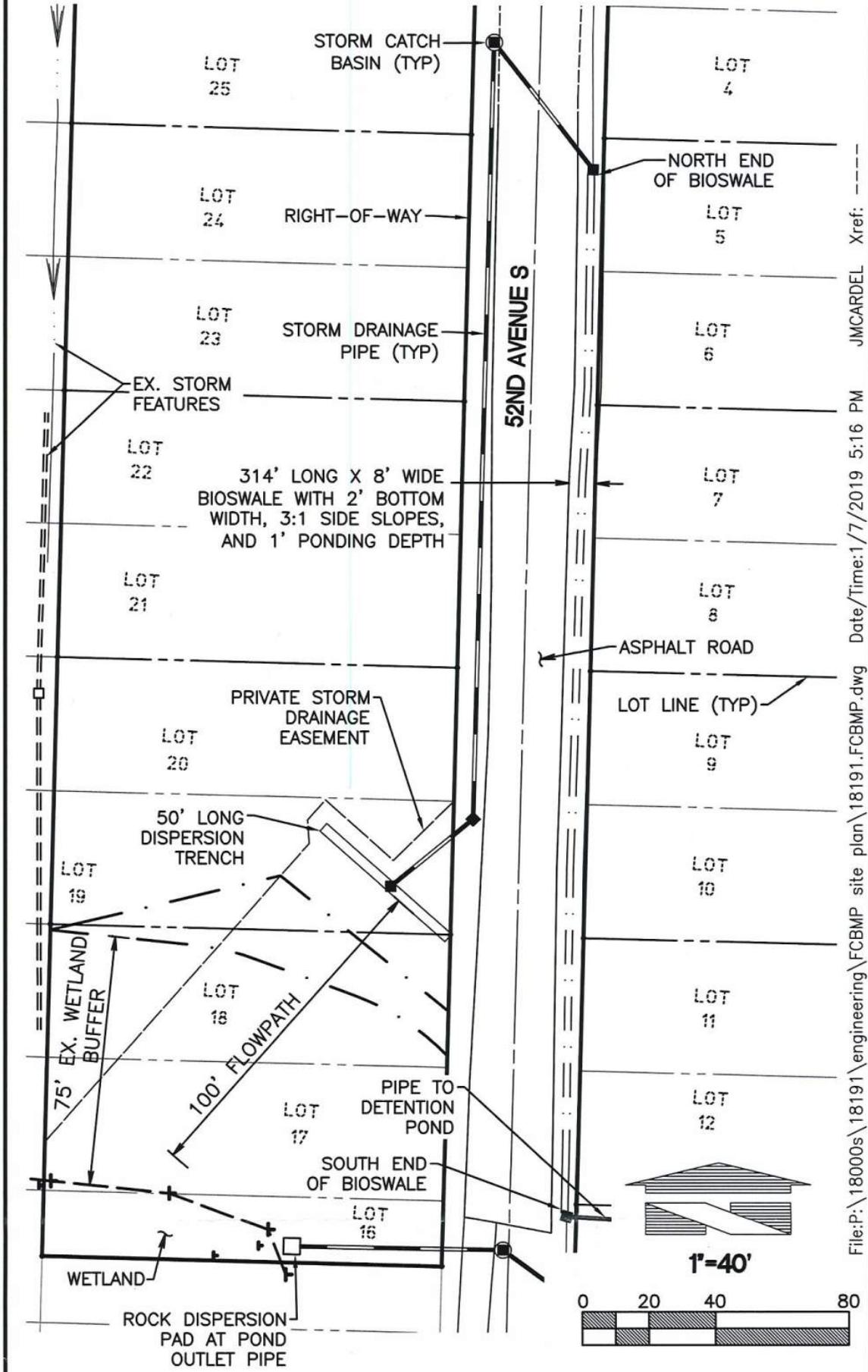
\_\_\_\_\_  
\_\_\_\_\_  
Printed name  
Notary Public in and for the State of Washington,  
residing at

\_\_\_\_\_  
My appointment expires \_\_\_\_\_

# Exhibit A



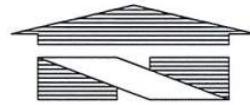
### EXHIBIT A - STORMWATER FACILITY AND FLOW CONTROL BMP SITE PLAN (BIOSWALE AND DISPERSION DEVICES)



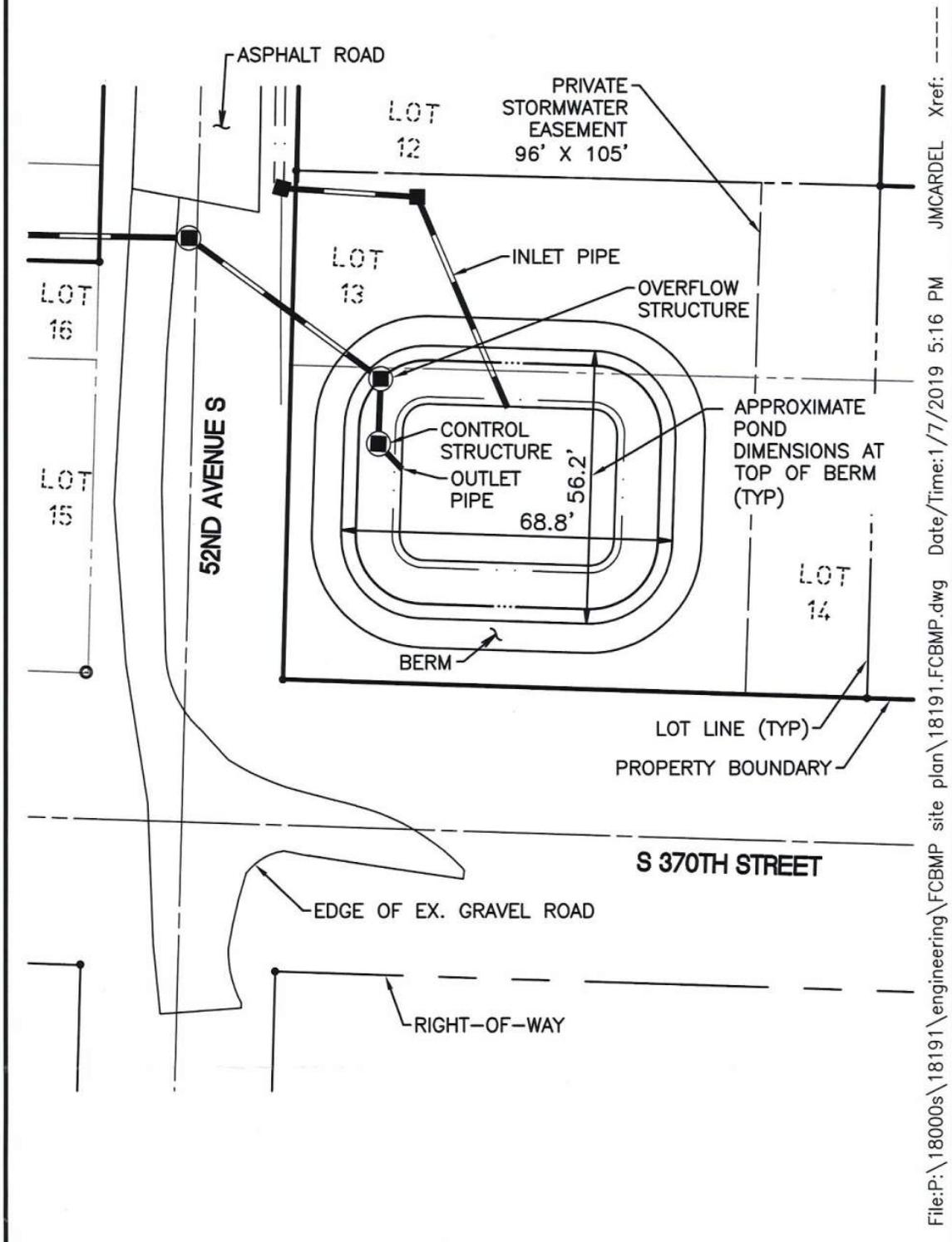
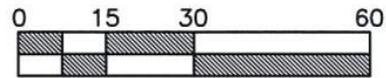
File:P:\18000s\18191\engineering\FCBMP site plan\18191.FCBMP.dwg Date/Time:1/7/2019 5:16 PM JMCARDEL Xref:-----

PERMIT NUMBER: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

### EXHIBIT A - STORMWATER FACILITY SITE PLAN (DETENTION POND)



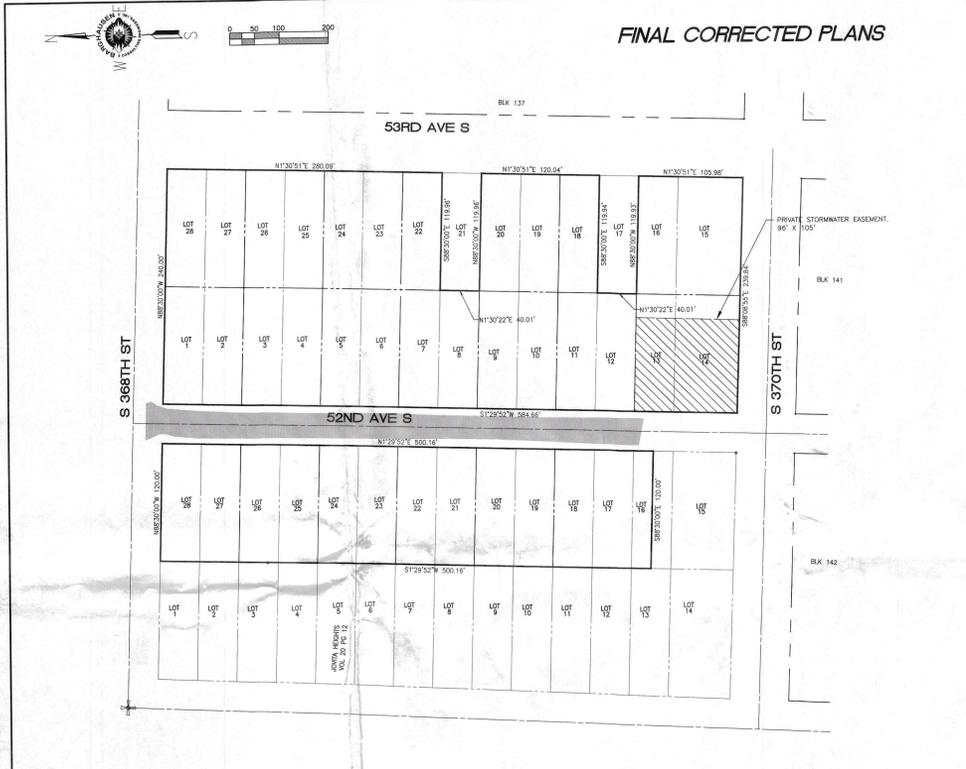
1"=30'



File:P:\18000s\18191\engineering\FCBMP site plan\18191.FCBMP.dwg Date/Time:1/7/2019 5:16 PM JMCARDEL Xref:-----

PERMIT NUMBER: \_\_\_\_\_ APPROVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

RECEIVED  
JAN 10 2019  
KING COUNTY PERMITS



FINAL CORRECTED PLANS

**SHEET INDEX**

- 1 OF 5 COVER SHEET
- 2 OF 5 EXISTING CONDITIONS PLAN
- 3 OF 5 DRAINAGE & EROSION PLAN
- 4 OF 5 DETAILS & NOTES
- 5 OF 5 RECORDS

**DEVELOPER**  
WHISPERING WOODS, LLC  
SCOTT HOBAN  
PO BOX 1328  
MILTON, WA 98344-1329  
(360) 229-9500

**ENGINEER**  
BARHAUZEN CONSULTING ENGINEERS, INC.  
18215 72ND AVE. SOUTH  
KENT, WA 98033  
PHONE: (206) 241-6222  
FAX: (206) 231-8782  
CONTACT: BARRY TAUNTON, P.E.

**SURVEYOR**  
GREENE LAND SURVEYING  
3400 PACIFIC ST SE  
LYNNWOOD, WA 98037  
PHONE: (206) 468-9979  
CONTACT: ROBERT GREENE, PLS

**WETLAND BIOLOGIST**  
SEWELL WETLAND CONSULTING, INC  
PO BOX 880  
FALL CITY, WA 98024  
(206) 854-9515

**LEGAL DESCRIPTION:**  
LEGAL DESCRIPTIONS:  
PARCEL 1: PARCEL NUMBER 375160-6139 THE NORTH HALF OF LOT 18 AND LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 AND 28, BLOCK 135, JOVITA HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 20 OF PLATS, PAGE(S) 12, RECORDS OF KING COUNTY, WASHINGTON.  
PARCEL 2: PARCEL NUMBER 375160-5165 LOTS 1 THROUGH 28, LESS LOTS 17 AND 21, BLOCK 136, JOVITA HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 20 OF PLATS, PAGE(S) 12, RECORDS OF KING COUNTY, WASHINGTON.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.  
**NOTE:**  
REFERENCE SURVEYS SEE RECORDS FILE NUMBERS 873209004, 201012780007 AND 200802890018  
1 FOOT CONTOUR ELEVATIONS SHOWN

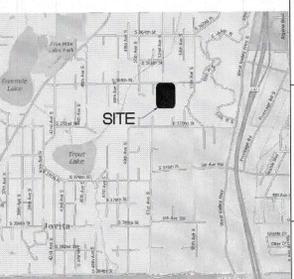
HORIZONTAL DATUM: NAD 83/12  
WA STATE COORD. SYS. N  
ZONE - GIPS STATE POSITION & R.T.K.  
VERTICAL DATUM: NAVD 1988

**UTILITY CONFLICT NOTE:**  
**CAUTION:**  
THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION, DIMENSION AND DEPTH OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS OR NOT BY POT-HOLING THE UTILITIES AND SURVEYING THE HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION. THIS SHALL INCLUDE CALLING UTILITY LOCATOR # 811 AND THEN POT-HOLING ALL OF THE EXISTING UTILITIES AT LOCATIONS OF NEW UTILITY CROSSINGS TO POSITIVELY VERIFY WHETHER OR NOT CONFLICTS EXIST. LOCATIONS OF SHD UTILITIES AS SHOWN ON THESE PLANS ARE SHOWN WHEN OCCUR. THE CONTRACTOR SHALL CONSULT BARHAUZEN CONSULTING ENGINEERS, INC TO RESOLVE ALL PROBLEMS PRIOR TO PROCEEDING WITH CONSTRUCTION.

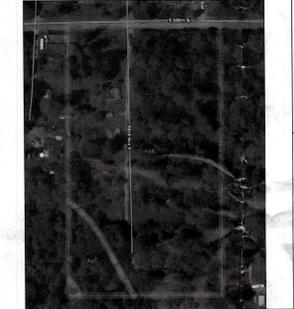
CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR OBTAINING PERMITS FROM THE WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES FOR REMOVING AND REINSTALLING ALL SURVEY MONUMENTS THAT MAY BE AFFECTED BY CONSTRUCTION ACTIVITY. PERMITS TO WAC 332-120. APPLICATIONS MUST BE COMPLETED BY A REGISTERED LAND SURVEYOR. APPLICATIONS FOR PERMITS TO REMOVE MONUMENTS MAY BE OBTAINED FROM THE WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES, OR BY CONTACTING THEIR OFFICE BY TELEPHONE AT (206) 802-1190.  
WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES  
PUBLIC LAND SURVEY OFFICE  
1111 WASHINGTON STREET, S.E.  
P.O. BOX 47000  
OLYMPIA, WASHINGTON 98504-7000

UPON COMPLETION OF CONSTRUCTION, ALL MONUMENTS REPLACED, REMOVED, OR DESTROYED SHALL BE REPLACED BY A REGISTERED LAND SURVEYOR, AT THE COST OF THE CONTRACTOR AT THE DISCRETION OF THE CONTRACTOR, PURSUANT TO THESE REGULATIONS. THE APPROPRIATE TERMS FOR REPLACEMENT OF SHD MONUMENTS SHALL ALSO BE THE RESPONSIBILITY OF THE CONTRACTOR.

Vicinity Map SCALE: NTS



Soils Map SCALE: NTS



**Notice Required**  
Contractors shall notify operators who maintain underground utility lines in the area of proposed excavation or boring at least ten business days, but not more than ten working days prior to commencement of excavation or demolition in accordance with Title 19, chapters and telephone numbers of the operators of underground utility lines in this project appear below. These numbers shall also be used to report in an emergency conditions as required.

Power Company	Phone
PRIVATE SEPTIC Sanitary Sewer	N/A
LAKEWHELEN WATER & SEWER DISTRICT	253-841-1516
Water District	
PIQUET SOUND ENERGY	(253) 395-7965
Gas Company	
PIQUET SOUND ENERGY	(253) 395-7965
Power Company	
Call Before You Dig	800-424-5535

**Notes**

- The Developer is required to notify the Land Use Services Division, Land Use Department, (206) 336-6562, five days prior to the beginning of construction for a preconstruction conference and specifically request notification before beginning:
  - A. Installing station and erosion control measures
  - B. Clearing and grubbing
  - C. Earthwork
  - D. Excavation of any underground utility
  - E. Before grading, retaining, slope or placing surfaces
  - F. Installation of any forms or placing any concrete
- A permit must be obtained from the office of the Resident Engineer, Washington State Department of Transportation, before any construction is started on any existing state route.
  - A. A Major Project Approval (MCA) permit must be obtained from the Washington State Department of Fisheries prior to any work when required.

Bonding Information

Restoration Bond Amount \$ \_\_\_\_\_  
Performance Bond Amount \$ \_\_\_\_\_

Site Plan Approval

Approval of these plans is for construction of road and drainage improvements, site drainage & grading and temporary erosion control in unincorporated King County only. These plans do not authorize any other utility approval or improvements proposed in any State right of way.  
Site plan approval is void if the commercial building permit has not been obtained or renewed within two years of approval.  
Subdivision plan approval is void if the final plat is not recorded prior to the preliminary plot approval expiration.

PRO RATA SHARE ASSESSMENT ANALYSIS (County Use Only)

Section	Township	Range	Tax Parcel Number	Number
3153	211	014	3171511610	-6139 & -6165

Site Location is within the FUNDALL/WHITE drainage area(s)  
Pro Rata Share Assessment(s) are  Required  Not Required  
From the site due to development for increased storm water runoff:  
Peak Runoff Assessment Rate(s) \_\_\_\_\_ per A.C. Ft. increases (1 year, 2 hour storm)  
Peak Volume Assessment Rate(s) \_\_\_\_\_ per A.C. Ft. increases (2 year, 2 hour storm)

**AGREEMENTS, PLAN REFERENCES, PERMITS ETC.**  
(To be completed by Consultant)  
Preliminary Plot Approval/Permit issued Date: N/A  
Expiration Date: N/A  
Other Related Permit Numbers Received:  
Right-of-Way Use Permit \_\_\_\_\_  
Building/Structural \_\_\_\_\_  
Grading \_\_\_\_\_  
Other \_\_\_\_\_  
Board feet of tree removal on site: < 5,000  
Cubic yards of material hauled on/off the site: APPROX. 400  
Is this a highly sensitive area site? (Yes/No): NO  
Note: If "yes", per SWDM Appendix D44 a Highly Sensitive Site Erosion Control Supervisor is required. See ESC plan.

**Emergency 911**  
Police-Fire-Rescue

RECOMMENDED FOR APPROVAL  
(To be completed by King County)  
Date: FINAL CORRECTED PLAN

1/16/2019  
Barhauzen Consulting Engineers, Inc.  
Senior Engineer  
Traffic & Planning Engineer  
Sensitive Areas  
Structural Review Engineer  
Other

APPROVED FOR CONSTRUCTION  
DEPARTMENT OF DEVELOPMENT & ENVIRONMENTAL SERVICES

1/19/2019  
Date  
Barhauzen Consulting Engineers, P.L.L.C.  
Development Engineer

PROJECT CONTACT INFORMATION (To be completed by Consultant)  
Whispering Woods, LLC  
Name  
Phone: 206-229-9500  
Address and ZIP Code  
PO BOX 1328, MILTON, WA 98354  
 A Partnership  
 An Individual  
Name  
Phone  
Address and ZIP Code

Whispering Woods, Inc.  
Name  
18215 72nd Ave. S, Kent, WA 98032  
Address and ZIP Code  
Phone: 425-251-6222  
 A Corporation  
 A Partnership  
 An Individual

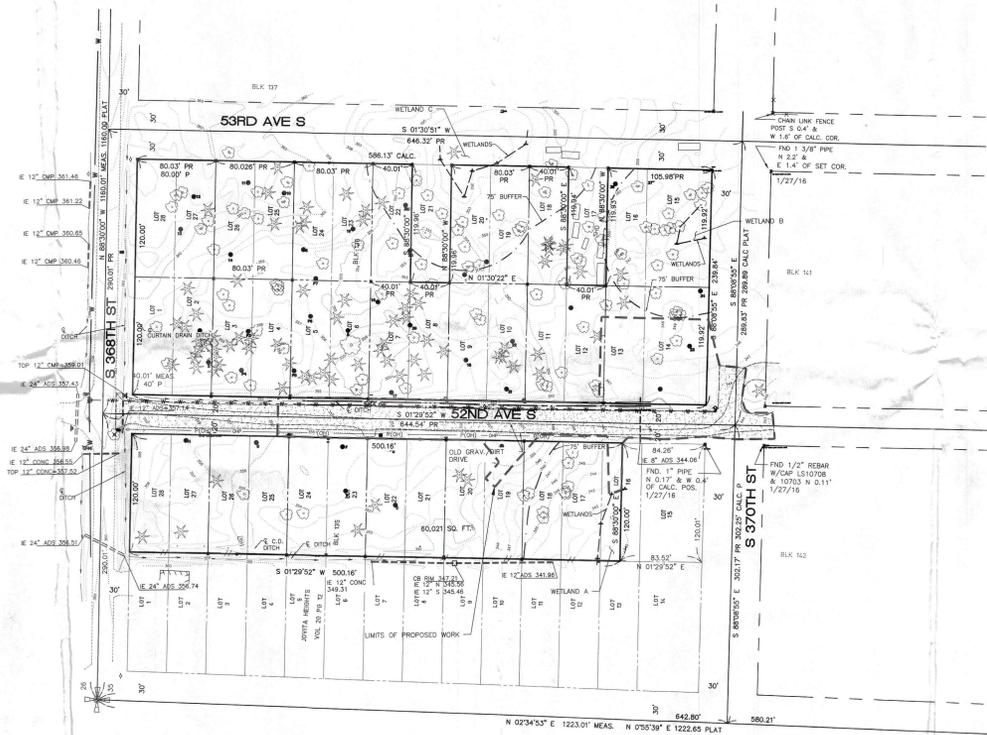
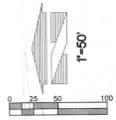
18215 72ND AVENUE SOUTH  
KENT, WA 98032  
(425)251-6222  
(425)251-6782 FAX  
BARHAUZEN CONSULTING ENGINEERS, INC.  
BARHAUZEN CONSULTING ENGINEERS, INC.



COVER SHEET  
WHISPERING WOODS  
ABC PERMIT

DOES FILE NUMBER:  
Activity Number: SPCE 17-0058  
Project Number: \_\_\_\_\_  
Development No: \_\_\_\_\_





**LEGAL DESCRIPTION:**

**LEGAL DESCRIPTIONS**

PARCEL 1: PARCEL NUMBER 375160-6139 THE NORTH HALF OF LOT 16 AND LOTS 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 AND 28, BLOCK 136, JOVITA HEIGHTS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 20 OF PLATS, PAGE(S) 12, RECORDS OF KING COUNTY, WASHINGTON.

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SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON.

**NOTE:**

REFERENCE SURVEYS SEE RECORDERS FILE NUMBERS 8710198004, 201601217800007 AND 2008028900018  
1 FOOT CONTOUR ELEVATIONS SHOWN

HORIZONTAL DATUM: NAD 83/72  
WA STATE COORD. SYS. N.  
ZONE - GRS16 STATE POSITION & R.T.K.  
VERTICAL DATUM: NAVD 1988

**NOTE:**

WETLAND DELINEATION PER ED SEWALL. SEE PLANS UNDER SEPARATE COVER.

**LEGEND**

(NOT ALL UTILITIES MAY APPEAR ON THE MAP)

- SURVEY MONUMENT (AS NOTED)
- SECTION CORNER (AS NOTED)
- POWER POLE
- JUNCTION BOX (AS NOTED)
- TELEPHONE MANHOLE
- EX EXHAUST MANHOLE (EX)
- EX STORM MANHOLE (EXSM)
- EXHAUST SEWER MANHOLE (EXSMH)
- GLENDWIT (AS NOTED)
- GAS METER
- GAS VALVE
- WATER VALVE (WV)
- FACILITY
- FIRE HYDRANT / CONNECTION
- WATER MANHOLE
- WATER METER
- BURN-OFF / AIRC
- SEWER METER
- SIGN
- WATER LINE
- DITCH LINE
- POWER LINE (OV) OR (UG)
- STORM LINE
- SEWER LINE
- DECIDUOUS TREE
- CONIFEROUS TREE
- CONCRETE
- GRASSLAND (AS NOTED)
- ASPHALT
- BUILDING LINE

ABBREVIATIONS

- (RM) REFERENCE SURVEYS
- (DN) OVERHEAD
- (UG) UNDERGROUND
- (TP) TYPICAL
- (C) CALCULATED
- (M) MEASURED

**FINAL CORRECTED PLANS**  
**EXISTING CONDITIONS PLAN**  
**FOR**  
**WHISPERING WOODS**  
**ABC PERMIT**

---

**WHISPERING WOODS LLC**  
PO BOX 1829  
MILTON, WA 98354  
CONTACT: SCOTT HORAN

---

**For**

---

**SCOTT HORAN**  
Professional Engineer  
18215 72ND AVENUE SOUTH  
MILTON, WA 98354  
(425)251-8222  
(425)251-8782 FAX  
CIVIL ENGINEERING, LAND PLANNING,  
SURVEYING, ENVIRONMENTAL SERVICES  
Date: 1/17/18

---

**BACHHAUSEN**  
CONSULTING ENGINEERS, INC.

---

Job Number: 1881  
Sheet: 2 of 5

*Code 17-0058*  
**FINAL CORRECTED PLAN**

KING COUNTY DP&R APPROVAL

Senior Engineer	Date
<i>[Signature]</i>	1/10/2019
Senior Engineer	Date

DEVELOPMENT ENGINEER

**UTILITY CONFLICT NOTE:**

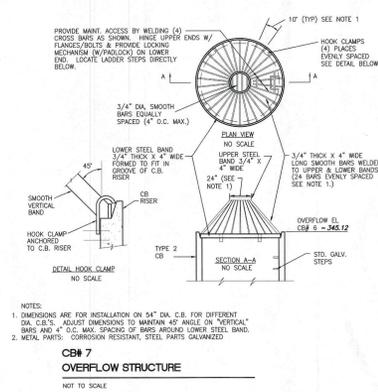
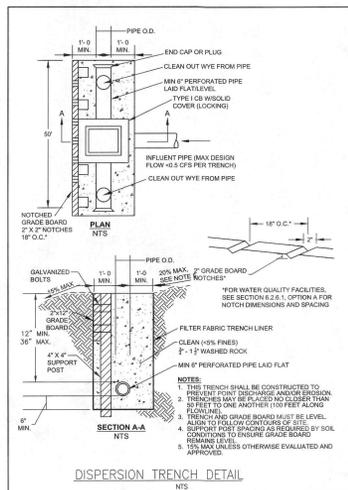
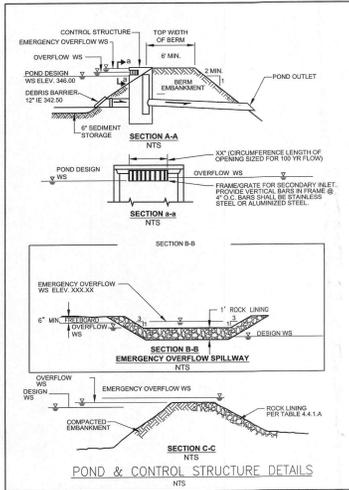
**CAUTION**

THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION, DIMENSION, AND DEPTH OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS OR NOT BY POTHOLING THE UTILITIES AND SURVEYING THE HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION, DIMENSION, AND DEPTH OF ALL EXISTING UTILITIES AT LOCATIONS OF NEW UTILITIES CROSSING TO PHYSICALLY ADJACENT UTILITIES OR NEW UTILITIES. LOCATIONS OF SAS UTILITIES AS SHOWN ON THESE PLANS ARE BASED UPON THE UNVERIFIED PUBLIC INFORMATION AND ARE SUBJECT TO VARIATION. IF CONFLICTS SHOULD OCCUR, THE CONTRACTOR SHALL CONSULT BACHHAUSEN CONSULTING ENGINEERS, INC. TO RESOLVE ALL PROBLEMS PRIOR TO PROCEEDING WITH CONSTRUCTION.

DATE PLOTTED: 1/17/18 11:31 AM (LOCAL TIME) 1/17/18 11:31 AM (LOCAL TIME) 1/17/18 11:31 AM (LOCAL TIME) 1/17/18 11:31 AM (LOCAL TIME)







**ROCK PROTECTION AT OUTFALLS**

ROCK LINING SHALL BE QUARRY SPALLS WITH GRADATION AS FOLLOWS:

- PASSING 6-INCH SQUARE SIEVE: 100%
- PASSING 3-INCH SQUARE SIEVE: 40-100% MINIMUM
- PASSING 1/4-INCH SQUARE SIEVE: 0-100% MINIMUM

**ROCK LINING MINIMUM DIMENSIONS**

THICKNESS: 1 FOOT  
WIDTH: DIAMETER + 6 FEET  
LENGTH: 6 FEET OR 6 X DIAMETER, WHICHEVER IS GREATER  
HEIGHT: CROWN + 1 FOOT

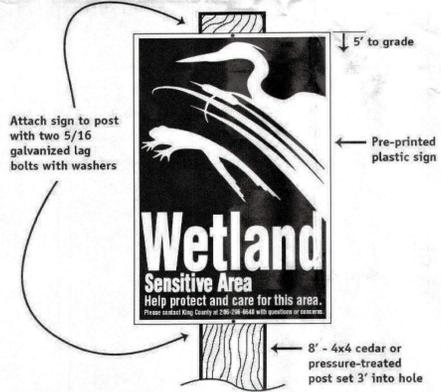
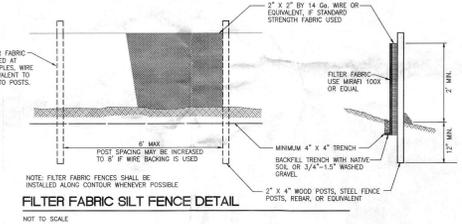
**RRRAP OUTFALL SPECIFICATIONS**

RRRAP SHALL BE REASONABLY WELL GRADED WITH GRADATION AS FOLLOWS:

- MAXIMUM STONE SIZE: 24 INCHES (NOMINAL DIAMETER)
- MEDIAN STONE SIZE: 18 INCHES
- MINIMUM STONE SIZE: 4 INCHES

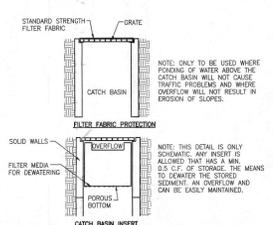
**RRRAP MINIMUM DIMENSIONS**

THICKNESS: 2 FEET  
WIDTH: DIAMETER + 6 FEET OR 3 X DIAMETER, WHICHEVER IS GREATER  
LENGTH: 12 FEET OR 4 X DIAMETER, WHICHEVER IS GREATER  
HEIGHT: CROWN + 1 FOOT

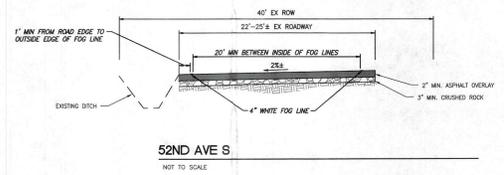


King County wetland/stream sign installation detail

The fence should be permanent, a minimum 4-foot high, and be wildlife passable. Wildlife should be able to get into and out of the mitigation site through the fences. Small animals should be able to travel under the fence and large mammals should be able to jump over the fence. Often split rail or smooth wire fences are used.



CATCH BASIN PROTECTION



CALL BEFORE YOU DIG:  
1-800-424-5555

1/16/2019

Final Corrected Plan

KING COUNTY DEPR APPROVAL

Project Engineer: [Signature]

Date: 1/16/2019

Developer Engineer: [Signature]

Date:

**UTILITY CONFLICT NOTE**

**CAUTION**

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<p>1. 1/16/2019 2. 1/16/2019 3. 1/16/2019 4. 1/16/2019 5. 1/16/2019 6. 1/16/2019 7. 1/16/2019 8. 1/16/2019 9. 1/16/2019 10. 1/16/2019</p>		<p>Final Corrected Plans DETAILS AND NOTES FOR WHISPERING WOODS ABC PERMIT</p>
<p>Whispering Woods, LLC PO BOX 1929 MILTON, WA 98854 CONTACT: SCOTT HORAN</p>	<p>For:</p> <p>Barclausen Consulting Engineers, Inc. 18215 72nd Avenue South Burien, WA 98148 Phone: (206) 251-8222 Fax: (206) 251-8732 Civil Engineering, Land Planning, Surveying, Environmental Services</p>	<p>Sheet: 5 of 5</p>



# King County

Department of Local Services  
**Road Services Division**

October 21, 2020

RE: **V-2735 Notice of Proposed Right-of-Way Vacation** - a portion of 52<sup>nd</sup> Ave S. / Indiana Ave., Jovita Heights Plat, in the Auburn area of King County

Dear Recipient,

Whispering Woods Estates, LLC and Richard L. Carson have petitioned King County to vacate a portion of an 52<sup>nd</sup> Ave S./Indiana Ave., Jovita Heights Plat, in the Auburn area of King County. The King County Department of Local Services, 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:

**November 23, 2020**

Your timely response will allow Road Services Division staff the time necessary to review your comments/recommendations and prepare a report to 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](mailto: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

V- 2735

October 21, 2020

Petition for Vacation of a portion of 52<sup>nd</sup> Ave S. / Indiana Ave., Jovita Heights Plat, in the Auburn area of King County

Petitioners: Whispering Woods Estates, LLC//Richard L. Carson

Site Parcel Numbers: 3751606141, 3751606140, 3751606139, 3751606138, 3751606137, 3751606145, 3751606185, 3751606180, 3751606175, 3751606170, 3756106165, 3751606160, 3751606155

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:12-8-20

Name: \_Trevor J. Carr RPA III \_\_\_\_\_ Phone: 206-477-4207 \_\_\_\_\_

- 1. Nature of public utilities, if any, in right-of-way? N
- 2. Is right-of-way improved for travel? N
- 3. Is right-of-way necessary for present or future road system, either for travel or public utilities? N
- 4. Are easements desired? N

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

Do you have any additional comments?

\_\_\_\_\_  
\_\_\_\_\_

What is your recommendation?

Proceed with Vacation

Page 3 of 3

Legal Description of the Proposed Vacation area –

All of 52<sup>nd</sup> Ave S. (Indiana Avenue) lying between Block 135 and Block 136, Plat of Jovita Heights according to the plat filed in Vol. 12 at page 20 of Plats, records of the King County Recorder.

Situate in the Northwest Quarter of the Northwest Quarter of Section 35, Twp. 21 N., Rge. 4 E., Willamette Meridian, King County, Washington.

Containing 22,965 s.f., more or less.

Thomas Bros Map page 775

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](mailto:Leslie.Drake@kingcounty.gov).

Please return this completed form via e-mail to: [Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)

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

**Bryan, John**

---

**From:** Eichelsdoerfer, Robert  
**Sent:** Thursday, October 22, 2020 10:02 AM  
**To:** Drake, Leslie  
**Subject:** RE: Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

Hi Leslie,

It appears from iMap that a new asphalt road with curbing on both sides has been constructed within the existing 52<sup>nd</sup> Avenue South right-of-way to access the Whispering Woods parcels. Per King County Roads Viewer, 52<sup>nd</sup> Avenue South is not maintained by King County; so 52<sup>nd</sup> Avenue South is essentially a private road constructed within King County right-of-way.

If this right-of-way is vacated, how will three parcels to the south of Whispering Woods (#375160-6134, -6407, -6503) gain access from South 368<sup>th</sup> Street? Without 52<sup>nd</sup> Avenue South right-of-way, the parcel owners would have to receive permission from the landowners to the north to use the private road.

Per Google Map Street View, there are utility poles along 52<sup>nd</sup> Avenue South that appear to have power and other utilities. If the right-of-way is vacated, there will need to be ground and aerial easements with the Whispering Woods property owners for the utility poles and lines.

*Robert Eichelsdoerfer, PE, Development Review and Road Variance Engineer, Road Services Division, King County  
Department of Local Services, 206-477-3652  
24/7 Help Line 206-477-8100, [maint.road@kingcounty.gov](mailto:maint.road@kingcounty.gov), [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)*

---

**From:** Drake, Leslie <Leslie.Drake@kingcounty.gov>  
**Sent:** Wednesday, October 21, 2020 4:02 PM  
**To:** Rightofway@pse.com; Jim Biggs <JBiggs@wavebroadband.com>; jill\_Look@cable.comcast.com; aaron\_Cantrell@cable.comcast.com; Harb, Alex <Alex.Harb@CenturyLink.com>; Brian Asbury <BASbury@lakehaven.org>; prevention@southkingfire.org; prevention.division@southkingfire.org; Claussen, Kimberly <Kimberly.Claussen@kingcounty.gov>; Kulish, Michael <Michael.Kulish@kingcounty.gov>; Jackson, Robert (DNRP) <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>; Ledbetter, Tony <Tony.Ledbetter@kingcounty.gov>; Eichelsdoerfer, Robert <Robert.Eichelsdoerfer@kingcounty.gov>; Brown, Keith <Keith.Brown@kingcounty.gov>; McManus, Aileen <Aileen.McManus@kingcounty.gov>; Miles, Dawn <dmiles@kingcounty.gov>; Lauritzen, John M <John.Lauritzen@kingcounty.gov>; Minichillo, Tom <Tom.Minichillo@kingcounty.gov>; Cassidy, Jon <Jon.Cassidy@kingcounty.gov>; Scott, Todd <Todd.Scott@kingcounty.gov>  
**Subject:** Notice of Proposed Road Vacation V-2735 in the Auburn/Jovita Heights Addition area

Hello,

King County has received a request to vacate a portion of 52<sup>nd</sup> Ave S./Indiana Ave of the Jovita Heights Addition Plat in the Auburn area of unincorporated King County. Your agency or division has been identified as a potential stakeholder in this right-of-way vacation. Therefore, your input or response to this petition is of great value in the vacation process.

Exhibit D1 -060

This is the first notice for Road Vacation File V-2735

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 November 21, 2020**

Thank you

**Leslie Drake**, Road Property Program Manager | **Road Services Division**, King County Department of Local Services | 206-477-7764 | 24/7 Help Line 206-477-8100 | [maint.roads@kingcounty.gov](mailto:maint.roads@kingcounty.gov) | [www.kingcounty.gov/roads](http://www.kingcounty.gov/roads)



# King County

Department of Local Services  
**Road Services Division**

December 7, 2020

RE: **V-2735 Notice of Proposed Right-of-Way Vacation** - a portion of 52<sup>nd</sup> Ave S. /  
Indiana Ave., Jovita Heights Plat, in the Auburn area of King County

Dear Recipient,

Whispering Woods Estates, LLC and Richard L. Carson have petitioned King County to vacate a portion of an 52<sup>nd</sup> Ave S./Indiana Ave., Jovita Heights Plat, in the Auburn area of King County. The King County Department of Local Services, 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:

**January 11, 2021**

Your timely response will allow Road Services Division staff the time necessary to review your comments/recommendations and prepare a report to 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](mailto:Leslie.Drake@kingcounty.gov).

This is the second and final notice at this phase of the vacation process. 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 of 3

V- 2735

December 7, 2020

Petition for Vacation of a portion of 52<sup>nd</sup> Ave S. / Indiana Ave., Jovita Heights Plat, in the Auburn area of King County

Petitioners: Whispering Woods Estates, LLC//Richard L. Carson

Site Parcel Numbers: 3751606141, 3751606140, 3751606139, 3751606138, 3751606137, 3751606145, 3751606185, 3751606180, 3751606175, 3751606170, 3756106165, 3751606160, 3751606155

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

Agency: RSD, Maintenance Section, Environmental Unit Date: December 18, 2020

Name: Tanner Harris Phone: 206-263-8179

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 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?

No critical areas or other environmental issues present.

What is your recommendation?

No objection from the RSD Maintenance Section Environmental Unit.

Page 3 of 3

Legal Description of the Proposed Vacation area –

All of 52<sup>nd</sup> Ave S. (Indiana Avenue) lying between Block 135 and Block 136, Plat of Jovita Heights according to the plat filed in Vol. 12 at page 20 of Plats, records of the King County Recorder.

Situate in the Northwest Quarter of the Northwest Quarter of Section 35, Twp. 21 N., Rge. 4 E., Willamette Meridian, King County, Washington.

Containing 22,965 s.f., more or less.

Thomas Bros Map page 775

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](mailto:Leslie.Drake@kingcounty.gov).

Please return this completed form via e-mail to: [Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)

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



# King County

Department of Local Services  
**Road Services Division**

October 21, 2020

RE: **V-2735 Notice of Proposed Right-of-Way Vacation** - a portion of 52<sup>nd</sup> Ave S. /  
Indiana Ave., Jovita Heights Plat, in the Auburn area of King County

Dear Recipient,

Whispering Woods Estates, LLC and Richard L. Carson have petitioned King County to vacate a portion of an 52<sup>nd</sup> Ave S./Indiana Ave., Jovita Heights Plat, in the Auburn area of King County. The King County Department of Local Services, 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:

**November 23, 2020**

Your timely response will allow Road Services Division staff the time necessary to review your comments/recommendations and prepare a report to 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](mailto: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

V- 2735

October 21, 2020

Petition for Vacation of a portion of 52<sup>nd</sup> Ave S. / Indiana Ave., Jovita Heights Plat, in the Auburn area of King County

Petitioners: Whispering Woods Estates, LLC//Richard L. Carson

Site Parcel Numbers: 3751606141, 3751606140, 3751606139, 3751606138, 3751606137, 3751606145, 3751606185, 3751606180, 3751606175, 3751606170, 3756106165, 3751606160, 3751606155

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

Agency: Roads Drainage Date: 10/22/20

Name: Jon Cassidy Phone: 7-2588

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? **None for 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?

\_\_\_\_\_  
\_\_\_\_\_

What is your recommendation? **Vacate**

Page 3 of 3

Legal Description of the Proposed Vacation area –

All of 52<sup>nd</sup> Ave S. (Indiana Avenue) lying between Block 135 and Block 136, Plat of Jovita Heights according to the plat filed in Vol. 12 at page 20 of Plats, records of the King County Recorder.

Situate in the Northwest Quarter of the Northwest Quarter of Section 35, Twp. 21 N., Rge. 4 E., Willamette Meridian, King County, Washington.

Containing 22,965 s.f., more or less.

Thomas Bros Map page 775

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](mailto:Leslie.Drake@kingcounty.gov).

Please return this completed form via e-mail to: [Leslie.Drake@kingcounty.gov](mailto:Leslie.Drake@kingcounty.gov)

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

Page 2 of 3

V- 2735

October 21, 2020

Petition for Vacation of a portion of 52<sup>nd</sup> Ave S. / Indiana Ave., Jovita Heights Plat, in the Auburn area of King County

Petitioners: Whispering Woods Estates, LLC//Richard L. Carson

Site Parcel Numbers: 3751606141, 3751606140, 3751606139, 3751606138, 3751606137, 3751606145, 3751606185, 3751606180, 3751606175, 3751606170, 3756106165, 3751606160, 3751606155

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

Agency: KC Historic Preservation

Date: 11/18/2020

Name: Todd Scott, Preservation Planner

Phone: 206-477-4545

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 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?

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What is your recommendation? Approve vacation.

# JOVITA HEIGHTS.

Scale: 1"=200'

Examined and approved this 10<sup>th</sup> day of July A.D. 1911

J. R. Morrison  
County Engineer

by C. P. Dexter  
Deputy

Examined and approved this 10<sup>th</sup> day of July A.D. 1911.

David M<sup>c</sup> Kenzie  
Chairman Board of County Commissioners.

Attest: Otto A. Case  
Clerk of Board

by N. M. Wardall  
Deputy



755919

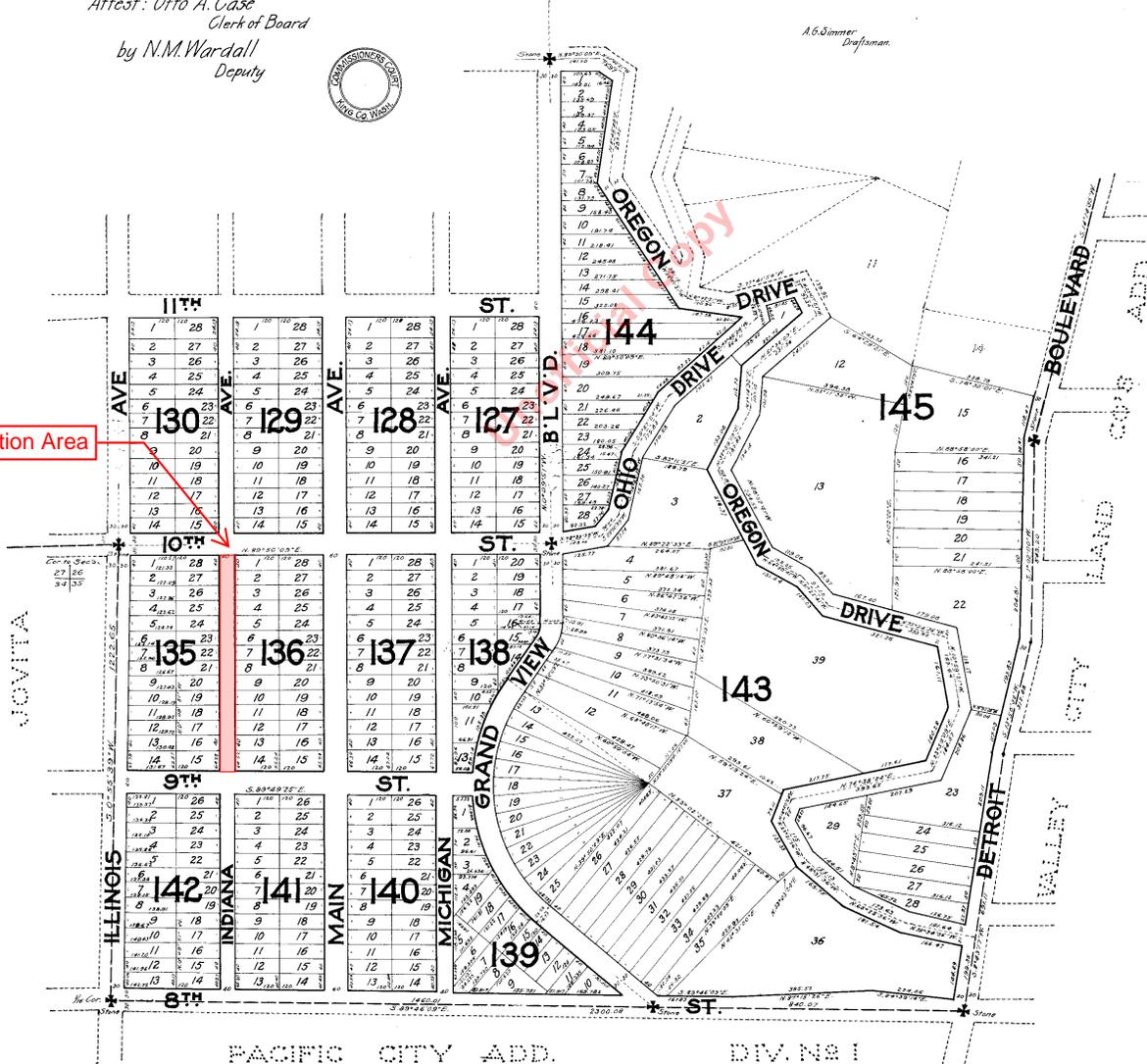
Filed for record at the request of Gardner & Gardner July 10<sup>th</sup> A.D. 1911 at 1:53 P.M. and recorded in Vol. 20 of Plats page 12 records of King Co.

Otto A. Case  
County Auditor

by *[Signature]*  
Deputy

A. G. Summer  
Draftsman.

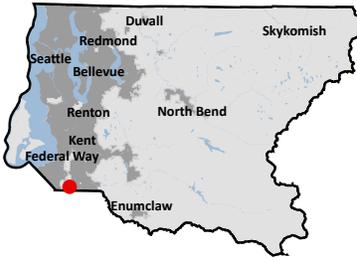
Vacation Area



# PROPOSED RIGHT-OF-WAY VACATION V-2735



**Vacation File: V-2735**  
 52nd Ave S  
 NW 35-21-04  
**ROW Area (approximate):**  
 23376 FT<sup>2</sup> or 0.54 Acres



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



FOR INFORMATIONAL USE ONLY

Date Created:	<b>September 30, 2025</b>
Drafted by:	<b>John Bryan</b>
Sponsors:	<b>Councilmember Zahilay</b>
Attachments:	

1 ..Title

2 AN ORDINANCE authorizing the vacation of a portion of  
 3 52nd Avenue South/Indiana Ave, V-2735; Petitioner:  
 4 Whispering Woods Estates, LLC.

5 ..Body

6 STATEMENT OF FACTS:

- 7 1. A petition has been filed requesting vacation of a portion of 52nd  
 8 Avenue South/Indiana Ave in the West King County Community Service  
 9 Area of unincorporated King County, hereinafter described.
- 10 2. The department of local services notified utility companies serving the  
 11 area and King County departments of the proposed vacation. Puget Sound  
 12 Energy, Comcast, and Lakehaven Water and Sewer District have  
 13 identified facilities within the vacation area and secured easements from  
 14 the Petitioners. The vacation shall not extinguish the rights of any utility  
 15 company to any existing easements for facilities or equipment within the  
 16 vacation area.
- 17 3. The department of local services identified three properties that rely  
 18 upon the area proposed for vacation for access. Easements benefiting  
 19 these properties have been executed or written statements from those  
 20 owners declining such access have been received.

21 4. The department of local services's records indicate that this segment of  
22 right of way is unopened and unmaintained.

23 5. The department of local services considers the subject portion of right  
24 of way useless as part of the county road system and believes the public  
25 would benefit by the return of this segment of right of way to the public  
26 tax rolls and recommends approval of the vacation.

27 6. Pursuant to K.C.C. 14.40.020 and RCW 36.87.120, the value of the  
28 vacation area is offset by the costs to King County to manage and  
29 maintain this segment of unopened right of way and the present value of  
30 future property tax resulting in: a determination of no compensation  
31 required for the vacation of approximately 21,690 square feet of 52nd  
32 Avenue South/Indiana Ave right of way to the property of Petitioner  
33 Whispering Woods Estates, LLC, King County assessor's Parcel Numbers  
34 375160-6185, 375160-6180, 375160-6175, 375160-6165, 375160-6160,  
35 375160-6155, 375160-6140, 375160-6137, and 375160-6139; and a  
36 determination of no compensation required for the vacation of  
37 approximately 1,686 square feet of 52nd Avenue South/Indiana Ave right  
38 of way to the property of Non-Petitioner Fred Omer Walden Trust, King  
39 County assessor's Parcel Number 375160-6134. If required,  
40 compensation must be received by King County within ninety days of  
41 approval of the ordinance vacating the right of way.

42 7. Due notice was given in the manner provided by law. The office of the  
43 hearing examiner held the public hearing on \_\_\_\_\_, \_\_\_\_\_, 2025.

44 8. As detailed in the \_\_\_\_\_, \_\_\_\_ 2025, recommendation, the hearing  
45 examiner found that the road segment subject to this petition is not useful  
46 as part of the King County road system, concluded that the vacation of this  
47 segment of road will benefit the public through the transfer of  
48 responsibility for management and return of the property to the public tax  
49 roll, and recommended approval of the vacation.

50 9. For the reasons stated in the examiner's \_\_\_\_\_, \_\_\_\_ 2025,  
51 report and recommendation, the council determines that it is in the best  
52 interest of the citizens of King County to grant said petition and vacate the  
53 right of way.

54 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

55 SECTION 1. The council, on the effective date of this ordinance, hereby vacates  
56 and abandons a portion of 52nd Avenue South/Indiana Ave right of way as described  
57 below:

58 All of 52nd Ave S. (Indiana Avenue) lying between Block 135 and Block  
59 136, Plat of Jovita Heights according to the plat filed in Vol. 12 at page 20  
60 of Plats, records of the King County Recorder.

61 Situate in the Northwest Quarter of the Northwest Quarter of Section 35,  
62 Twp. 21 N., Rge. 4 E., Willamette Meridian, King County, Washington.

63 Containing 23,376 square feet or 0.54 acres, more or less.

64 SECTION 2. Recording of the approved vacation is contingent on delivery of  
65 \$ \_\_\_\_\_ to King County within ninety days of the date of enactment of this  
66 ordinance.