



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

January 8, 2008

Ordinance 16003

Proposed No. 2007-0583.2

Sponsors Gossett

1 AN ORDINANCE authorizing the vacation of a portion of
2 Lakeridge Drive South, File V-2574; Petitioners: Aaron
3 Eugene Collier and Dorian Colleen Kensok.
4

5 **STATEMENT OF FACTS:**

6 1. A petition has been filed requesting vacation of a portion of Lakeridge
7 Drive South hereinafter described.

8 2. The department of transportation notified the various utility companies
9 serving the area and has been advised that easements are not required
10 within the vacation area.

11 3. The department of transportation records indicates that King County
12 has not been maintaining Lakeridge Drive South. The records indicate
13 that no public funds have been expended for its acquisition.

14 4. The department of transportation considers the subject portion of the
15 right-of-way useless as part of the county road system and believes the
16 public would benefit by the return of this unused area to the public tax
17 rolls.

18 5. The right-of-way is classified as "C-Class" and, in accordance with
19 K.C.C. 14.40.020, the compensation due King County is based on fifty
20 percent of the assessed value of the subject right-of-way, which was
21 determined from records of the department of assessments. King County
22 is in receipt of \$17,553.81 from the petitioners.

23 Due notice was given in the manner provided by law and a hearing was
24 held by the office of the hearing examiner on the 5th day of December
25 2007.

26 In consideration of the benefits to be derived from the subject vacation the
27 council has determined that it is in the best interest of the citizens of King
28 County to grant said petition.

29 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

30 SECTION 1. The council, on the effective date of this ordinance, hereby vacates
31 and abandons that portion of Lakeridge Drive South as conveyed to King County by the
32 recording of the Plat of Lakeridge Division No. 2, recorded in Volume 32 of Plats, Page
33 37, records of King County, Washington as described below:

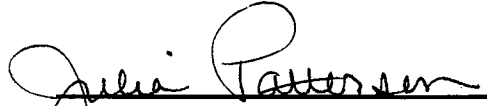
34 That portion of the southerly twenty (20) feet of Lakeridge
35 Drive South right-of-way, abutting and adjacent to the
36 north line of Lot 1, Block 44, in the Plat of Lakeridge

37 Division Two, recorded in Volume 32 of Plats, Page 37,
38 records of King County, Washington.
39

Ordinance 16003 was introduced on 11/5/2007 and passed by the Metropolitan King County Council on 1/7/2008, by the following vote:

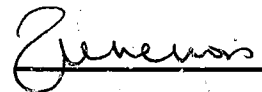
Yes: 9 - Ms. Patterson, Mr. Dunn, Mr. Constantine, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Julia Patterson, Chair

ATTEST:



Anne Norris, Clerk of the Council

APPROVED this 14 day of January, 2008.



Ron Sims, County Executive

Attachments A. Hearing Examiner Report dated December 12, 2007

RECEIVED
2008 JAN 16 PM 3:57
CLERK
KING COUNTY COUNCIL

December 12, 2007

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

400 Yesler Way, Room 404
Seattle, Washington 98104
Telephone (206) 296-4660
Facsimile (206) 296-1654
Email: hearex@metrokc.gov

REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL

SUBJECT: Department of Transportation file no. **V-2574**
Proposed Ordinance no. **2007-0583**
Parcel no. **405880-2290**

AARON E. COLLIER & DORIAN C. KENSOK

Road Vacation Petition

Location: Portion of Lake Ridge Drive South

Petitioners: **Aaron E. Collier & Dorian C. Kensok**
10901 Lakeridge Drive South
Seattle, Washington 98178-2642
Telephone: (206) 321-9303

King County: Department of Transportation (DOT), Road Services Division
represented by Nicole Keller
201 S. Jackson Street
Seattle, Washington 98104-3856
Telephone: (206) 296-3731
Facsimile: (206) 296-0567

SUMMARY OF RECOMMENDATIONS:

| | |
|---------------------------|-----------------------|
| Department's Preliminary: | Approve road vacation |
| Department's Final: | Approve road vacation |
| Examiner's: | Approve road vacation |

DEPARTMENT'S REPORT:

The Department of Transportation's written report to the King County Hearing Examiner for Item No. V-2574 was received by the Examiner on November 16, 2007.

PUBLIC HEARING:

After reviewing the Department's Report and examining available information on file with the petition, the Examiner conducted a public hearing on the subject as follows:

The hearing on Item No. V-2574 was opened by the Examiner on December 5, 2007, in the Hearing Examiner's Conference Room, 400 Yesler Way, Seattle, WA 98104 and was continued for administrative purposes, pending receipt of an affidavit of publication of notice of the date of the hearing. The affidavit of publication (exh. 23) was received December 10, 2007, and the hearing was then closed. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the Hearing Examiner.

FINDINGS, CONCLUSIONS & RECOMMENDATION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:

1. General Information:

| | |
|------------------------------|-----------------------------------|
| Road name and location: | Portion of Lake Ridge Drive South |
| Right of way classification: | C |
| Area: | 2,557 square feet |
| Compensation: | \$17,553.81 |

2. The Examiner adopts and incorporates herein by this reference the facts set forth in the Department of Transportation's report to the King County Hearing Examiner for the December 5, 2007 public hearing and the statement of facts contained in Proposed Ordinance No. 2007-0583. The Department's report and proposed Ordinance No. 2007-0583 will be attached to those copies of this report and recommendation that are submitted to the Metropolitan King County Council.
2. Notice of hearing on the Department's report was given as required by law, and a hearing on the report was conducted by the Examiner on behalf of the Metropolitan King County Council.
3. Maps showing the vicinity of the proposed vacation and the specific area to be vacated are attachments 1 and 2 to this report and recommendation.

CONCLUSION:

1. The road subject to this petition is useless as part of the King County road system, and the public will be benefited by its vacation.
2. The Notice of Hearing on the Report of the Department of Transportation was given as required by law, and the hearing on the report was conducted by the King County Hearing Examiner on behalf of the King County Council.

RECOMMENDATION:

APPROVE proposed Ordinance No. 2007-0583 (Attachment 3 to this report and recommendation) to vacate the subject road right-of-way.

RECOMMENDED December 12, 2007.

James N. O'Connor
King County Hearing Examiner *pro tem*

TRANSMITTED December 12, 2007, to the following parties and interested persons:

City of Renton
Attn: Karen McFarland
1055 South Grady Way
Renton WA 98055

City of Seattle
Attn: Donald Harris
800 Maynard Ave. S., 4th Fl.
Seattle WA 98134

Comcast
Attn: Jim Nies
4020 Auburn Way N.
Auburn WA 98002

Aaron Collier & Dorian Kensok
10901 Lk. Ridge Dr. S.
Seattle WA 98178

King County Water District #19
P.O. Box T
1760 - 100th Ave. SW
Vashon WA 98070

Puget Sound Energy
Attn: Judy McCollum
P.O. Box 97034
Bellevue WA 98009

Qwest
Attn: Marge Bailey
2510 - 84th St. S., Ste. 18
Lakewood WA 98499

Skyway Sewer & Water District
6723 S. 124th St.
Attn: Cheryl Scheuerman
Seattle WA 98178

Kim Claussen
DDES/LUSD
MS OAK-DE-0100

Neil DeGoojer
DNRP/WLRD
MS KSC-NR-0600

Sarah Gagnon
Wastewater Treatment
MS KSC-NR-0503

Nancy Gordon
KCDOT/D&C
MS KSC-TR-0431

David Gualtieri
KCDOT/CIP & Planning Sec.
MS KSC-TR-0317

Denise Hauck
KC Dept. of Exec. Svcs.
MS ADM-ES-0500

Bill Hintz
KC DOT, Rd. Maint.
MS RSD-TR-0100

Nicole Keller
KC DOT, Rd. Svcs. Div.
MS KSC-TR-0231

Kristen Langley
DDES/LUSD
MS OAK-DE-0100

Tom Lew
KC DNRP/WLRD
MS KSC-NR-0600

Paulette Norman
KCDOT/RD SERV.
MS KSC-TR-0231

Robert Nunnenkamp
KC DNRP/Prog Dev.
MS KSC-NR-0700

Lydia Reynolds-Jones
KC DOT/RD SERV.
MS KSC-TR-0231

Charlie Sundberg
Bus. Rel. & Economic Dev.
MS BOA-EX-2000

Kelly Whiting
KC DOT, Rd. Svcs. Div.
MS KSC-TR-0231

Bill Wilbert
DNRP-Wastewater
MS KSC-NR-0503

NOTICE OF RIGHT TO APPEAL
AND ADDITIONAL ACTION REQUIRED

In order to appeal the recommendation of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$250.00 (check payable to King County Office of Finance) *on or before* **December 26, 2007**. If a notice of appeal is filed, the original and six (6) copies of

a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council *on or before* **January 1, 2008**.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Courthouse, 516 3rd Avenue, Seattle, Washington 98104, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within 14 days calendar days of the date of this report, or if a written appeal statement and argument are not filed within 21 calendar days of the date of this report, the Clerk of the Council shall place a proposed ordinance which implements the Examiner's recommended action on the agenda of the next available Council meeting. At that meeting, the Council may adopt the Examiner's recommendation, may defer action, may refer the matter to a Council committee, or may remand to the Examiner for further hearing or further consideration.

Action of the Council Final. The action of the Council on a recommendation of the Examiner shall be final and conclusive unless within twenty-one (21) days from the date of the action an aggrieved party or person applies for a writ of certiorari from the Superior Court in and for the County of King, State of Washington, for the purpose of review of the action taken.

MINUTES OF THE DECEMBER 5, 2007, PUBLIC HEARING ON DEPARTMENT OF TRANSPORTATION, ROAD SERVICES DIVISION FILE NO. V-2574.

James N. O'Connor was the Hearing Examiner in this matter. Participating in the hearing were Nicole Keller, representing the Department, and Aaron E. Collier and Dorian C. Kensok, the Petitioners.

The following exhibits were offered and entered into the record:

- Exhibit No. 1 Report to the Hearing Examiner for the December 5, 2007 hearing, with 16 attachments
- Exhibit No. 2 Petition transmittal letter, dated September 5, 2007 to KC Department of Transportation, from Clerk of the Council
- Exhibit No. 3 Petitioner's cover letter stating reason for vacation request dated September 1, 2006
- Exhibit No. 4 Petition for vacation of a County road including legal descriptions of petitioners' properties
- Exhibit No. 5 Copy of the filing fee – check #1166 from the Petitioners
- Exhibit No. 6 Receipt #802 for filing fee
- Exhibit No. 7 Vicinity map
- Exhibit No. 8 King County plat map of Lake Ridge Division Two, recorded in Volume 32 of plats, page 37, records of King County, Washington
- Exhibit No. 9 Map depicting vacation area
- Exhibit No. 10 Letter to the Petitioners from DOT dated October 11, 2006 notifying them of the vacation process
- Exhibit No. 11 Copy of the final agency notice dated January 2, 2007 notifying affected agencies of their response to be received prior to January 31, 2007
- Exhibit No. 12 Letter to the Petitioners from DOT dated April 18, 2007 requesting compensation
- Exhibit No. 13 Compensation worksheet

- Exhibit No. 14 Letter to DOT from the Petitioners requesting a 90 day extension to submit their compensation
- Exhibit No. 15 Copy of the compensation check in the amount of \$17,553.81
- Exhibit No. 16 King County deposit receipt No. 146672 dated September 5, 2007
- Exhibit No. 17 Transmittal letter dated April 24, 2007 to the Council providing the recommendation of KCDOT and the County Road Engineer
- Exhibit No. 18 Ordinance transmittal letter dated October 22, 2007 from the King County Executive to Councilmember Larry Phillips
- Exhibit No. 19 Proposed Ordinance 2007-0583
- Exhibit No. 20 Fiscal Note
- Exhibit No. 21 Notice of hearing
- Exhibit No. 22 Affidavit of posting for the hearing
- Exhibit No. 23 Affidavit of publication for the date of the hearing

JNOC:gao

V-2574 RPT