



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 27, 2009

Ordinance 16606

Proposed No. 2009-0372.1

Sponsors von Reichbauer

1 AN ORDINANCE declaring as surplus King County's
2 interest in King County assessor's tax parcel numbers
3 192105-9008-02, 192105-9082-01 and 192105-9010-08,
4 located on the east side of M Street SE Near 12th Street SE,
5 in Auburn, Washington; and authorizing the county
6 executive to execute a quit claim deed for such interest.

7

8 STATEMENT OF FACTS:

- 9 1. Before 1906, the White river varied in its course in the Auburn, King
10 County, area sometimes flowing north through south King County, and
11 sometimes flowing south into the Puyallup river.
- 12 2. In 1906, the course of the White river was permanently diverted south
13 into the Stuck river and then the Puyallup river, leaving an approximately
14 three-mile stretch of abandoned riverbed in south King County.
- 15 3. In 1915, pursuant to RCW 86.13.110, the state of Washington granted
16 to King and Pierce counties, jointly, title to the abandoned bed of the
17 White river.

18 4. In 1915, pursuant to RCW 86.13.100, the state of Washington granted
19 to King and Pierce counties, jointly, the power to dispose of lands
20 acquired pursuant to RCW 86.13.110.

21 5. Miles Sand & Gravel Co. and/or Frank Miles (collectively "Miles")
22 owns a portion of the former bed of the White River identified by King
23 County assessor's tax parcel numbers 192105-9008-02, 192105-9082-01
24 and 192105-9010-08, located on the east side of M Street SE near 12th
25 Street SE, in Auburn, Washington, King County ("the property"), and
26 legally described in Attachment A to this ordinance.

27 6. Miles's title to the property states that Miles owns any rights to the
28 centerline of the abandoned bed of the White river subject to any rights
29 that King and Pierce counties may have acquired in 1915 under RCW
30 86.13.110.

31 7. Miles has obtained permits and has paid taxes on the property over the
32 years.

33 8. Much of the three mile stretch of the abandoned bed of the White river
34 of which the property forms a part has been developed.

35 9. Pursuant to K.C.C. 4.56.080, the King County executive has examined
36 the title to Property and has determined:

37 (a) Any interest in the Property that King County may have under RCW
38 86.13.110 is remote, speculative and of no value to King County; and

39 (b) Even if King County's interest in the property was not remote,
40 speculative or of no value, King County otherwise has no present or future

41 use for property and recommends that King County's interest therein, if
42 any, be declared surplus.

43 10. Pursuant to RCW 86.13.100, the property may not be disposed of
44 except by joint action of the legislative authorities of King and Pierce
45 counties.

46 11. It is the best interest of the people of King County to resolve any
47 questions regarding ownership of the property in favor of Miles and to
48 convey the property to Miles by joint action with Pierce county.

49 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

50 SECTION 1. King County's interest in the property, the description of which is in
51 Attachment A to this ordinance and incorporated herein by reference, is hereby declared
52 to be remote, speculative and of no value to King County.

53 SECTION 2. The property is hereby declared to be surplus to King County's
54 present and future needs.

55 SECTION 3. The King County council, in accordance with K.C.C. 4.56.080,
56 hereby authorizes the executive or his designee to convey to Miles by quit claim deed, in
57 substantially the form of Attachment B to this ordinance, all of King County's right, title
58 and interest, if any, in the property; provided, however, that pursuant to the joint action
59 requirements of RCW 86.13.100, the executive shall not execute and deliver a quit claim
60

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61 deed of the property to Miles unless and until the Pierce county council shall have
62 authorized a similar conveyance to Miles of Pierce county's interest in the property.
63

Ordinance 16606 was introduced on 6/15/2009 and passed by the Metropolitan King
County Council on 7/27/2009, by the following vote:


Yes: 7 - Mr. Constantine, Mr. Ferguson, Ms. Hague, Mr. von Reichbauer, Mr.
Gossett, Mr. Phillips and Mr. Dunn
No: 0
Excused: 2 - Ms. Lambert and Ms. Patterson

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



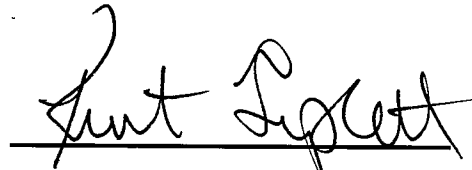
Dow Constantine, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 7th day of August, 2009.



Kurt Triplett, County Executive

Attachments A. Legal Description, B. Quit Claim Deed

RECEIVED
2009 AUG -7 PM 3:50
CLERK
KING COUNTY COUNCIL

16606

Attachment A

Legal Description

TAX PARCEL 192105-9008-02:

That portion of Government Lots 9 and 10 of abandoned channel of the White River, situated in the southeast quarter of northeast quarter, Section 19, Township 21 north, Range 5 east, W.M., in King County, Washington; being described as follows:

Commencing at a point on the south line of said southeast quarter from which the southeast corner of said southeast quarter bears north $89^{\circ}38'25''$ east 97.20 feet; thence north $32^{\circ}38'14''$ west a distance of 35.48 feet, to the north margin of 17th Street southeast and the TRUE POINT OF BEGINNING; thence continuing north $32^{\circ}38'14''$ west a distance of 438.32 feet, to the north line of the south 400.59 feet of said southeast quarter; thence north $89^{\circ}38'25''$ east, along said north line, a distance of 17.16 feet, to the east line or the west 985.59 feet of said southeast quarter; thence north $00^{\circ}13'55''$ east, along said east line, a distance of 233.02 feet; thence north $45^{\circ}27'33''$ west a distance of 162.93 feet, to the north line of south 748.62 feet of said southeast quarter; thence south $89^{\circ}38'25''$ west, along said north line, a distance of 440.02 feet, to the east line of the west 429.00 feet of said southeast quarter; thence north $00^{\circ}13'55''$ east, along said east line, a distance of 241.83 feet, to the south line of the north 330.80 feet of said southeast quarter; thence north $89^{\circ}29'39''$ east, along said south line, a distance of 601.05 feet, to the east line of the west 1030.00 feet of said southeast quarter; thence north $00^{\circ}13'55''$ east, along said east line, a distance of 330.83 feet, to the north line of said southeast quarter; thence north $89^{\circ}29'39''$ east, along said north line, a distance of 288.82 feet, to the northeast corner of said southeast quarter; thence south $00^{\circ}03'35''$ west, along the east line of said

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southeast quarter, a distance of 1268.58 feet, to the north line of the south 55.00 feet of said northeast quarter; thence south 89°38'25" west, along said line, a distance of 31.14 feet; thence south 00°21'35" east a distance of 5.00 feet; thence southwesterly along the arc of a curve to the right with a radius of 20.00 feet, a central angle of 90°00'00" and an arc length of 31.42 feet, to the north margin of 17th Street southeast; thence south 89°38'25" west, along said margin, a distance of 65.41 feet, to the TRUE POINT OF BEGINNING.

(ALSO KNOWN AS Proposed Parcel A of City of Auburn Application for Lot Line Adjustment recorded under Recording Number 20001218001244.)

TAX PARCEL 192105-9082-01:

The east 1000 feet of the west 1030 feet of the north 330.80 feet of the following:

Government Lots 9 and 10 and the abandoned White River channel lying between same.

All in Section 19, Township 21 north, Range 5 east, W.M., in King County, Washington.

TAX PARCEL 192105-9010-08:

That portion of Government Lot 10, Section 19, Township 21 North, Range 5 East, W.M., in King County, Washington, and of the old channel bed of White River, described as follows:

Commencing at a point on the south line of the northeast quarter of Section 19, Township 21 North, Range 5 East, W.M., in King County, Washington, 97.20 feet south 89°38'35" west of the southeast corner of the northeast quarter of Section 19; thence north 32°38'14" west 442.191 feet; thence south 0°13'55" west 373.868 feet to the south line of said northeast quarter; thence along said south line north 89°38'35" east 240.00 feet to the TRUE POINT OF BEGINNING;

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EXCEPT that portion thereof conveyed to the City of Auburn for street purposes by deed recorded under Recording Number 6526353.

QUIT CLAIM DEED

PREAMBLE. Whereas the White River formerly flowed through South King County, but permanently moved to a southerly route in 1906, leaving a stretch of abandoned riverbed; and

Whereas the State of Washington transferred state interests in the abandoned riverbed to King and Pierce counties, jointly, in 1915, through RCW 86.13.110, and the two counties have authority to dispose of these interests pursuant to RCW 86.13.100; and

Whereas, Pierce County and King County have each determined that whatever interests they may have in the parcels described in Exhibit A are remote and speculative and of no value to either of them; and

Whereas, King County has declared that the parcels described in Exhibit A are surplus to King County's present and future needs; and

Whereas, Pierce County has authorized a similar conveyance of Pierce county's interests in the parcels described in Exhibit A to Miles Sand and Gravel Company; therefore,

In recognition of these facts, this deed is hereby granted to assist Miles Sand and Gravel in clearing title to the property described in Exhibit A.

Grantor: King County

Grantee: Miles Sand & Gravel Company

Legal Description (abbreviated): A portion of Govt. Lots 9 and 10 of abandoned channel of the White River in the SE 1/4 of NE 1/4, Sec 19, Twn 21 north, R 5 east, W.M., Additional legal(s) on page 2.

Assessor's Tax Parcel ID#: 192105-9008-02 (called parcel A); 192105-9082-01 (called parcel B); and 192105-9010-08 (called parcel E)

Reference Nos. of Documents Released or Assigned: _____

The Grantor, King County, a political subdivision in the state of Washington, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, conveys and quit

claims to Grantee, Miles Sand & Gravel Company, a Washington corporation, all of King County's right, title and interest in the following described real estate:

SEE EXHIBIT "A"

DATED this ____ day of _____, 2009.

KING COUNTY, a political subdivision
in the state of Washington

Approved as to form:

By: _____
Its: _____

By: _____
Its: _____

STATE OF WASHINGTON)
) ss.
County of King)

I certify that I know or have satisfactory evidence that _____
is the person who appeared before me, to me known to be the _____
of KING COUNTY, the political subdivision of the state of Washington that executed the within
and foregoing instrument and acknowledged the said instrument to be the free and voluntary
act of said political subdivision for the uses and purposes therein mentioned, and on oath stated
that _____ was authorized to execute and in fact executed said instrument on behalf of said
political subdivision.

Given under my hand and official seal this _____ day of _____, 2009.

Print Name: _____
NOTARY PUBLIC in and for the State of
Washington, residing at _____
My appointment expires: _____

EXHIBIT "A"

PARCEL A:

That portion of Government Lots 9 and 10 of abandoned channel of the White River, situated in the southeast quarter of northeast quarter, Section 19, Township 21 north, Range 5 east, W.M., in King County, Washington; being described as follows:

Commencing at a point on the south line of said southeast quarter from which the southeast corner of said southeast quarter bears north 89°38'25" east 97.20 feet; thence north 32°38'14" west a distance of 35.48 feet, to the north margin of 17th Street southeast and the TRUE POINT OF BEGINNING; thence continuing north 32°38'14" west a distance of 438.32 feet, to the north line of the south 400.59 feet of said southeast quarter; thence north 89°38'25" east, along said north line, a distance of 17.16 feet, to the east line or the west 985.59 feet of said southeast quarter; thence north 00°13'55" east, along said east line, a distance of 233.02 feet; thence north 45°27'33" west a distance of 162.93 feet, to the north line of south 748.62 feet of said southeast quarter; thence south 89°38'25" west, along said north line, a distance of 440.02 feet, to the east line of the west 429.00 feet of said southeast quarter; thence north 00°13'55" east, along said east line, a distance of 241.83 feet, to the south line of the north 330.80 feet of said southeast quarter; thence north 89°29'39" east, along said south line, a distance of 601.05 feet, to the east line of the west 1030.00 feet of said southeast quarter; thence north 00°13'55" east, along said east line, a distance of 330.83 feet, to the north line of said southeast quarter; thence north 89°29'39" east, along said north line, a distance of 288.82 feet, to the northeast corner of said southeast quarter; thence south 00°03'35" west, along the east line of said southeast quarter, a distance of 1268.58 feet, to the north line of the south 55.00 feet of said northeast quarter; thence south 89°38'25" west, along said line, a distance of 31.14 feet; thence south 00°21'35" east a distance of 5.00 feet; thence southwesterly along the arc of a curve to the right with a radius of 20.00 feet, a central angle of 90°00'00" and an arc length of 31.42 feet, to the north margin of 17th Street southeast; thence south 89°38'25" west, along said margin, a distance of 65.41 feet, to the TRUE POINT OF BEGINNING.

(ALSO KNOWN AS Proposed Parcel A of City of Auburn Application for Lot Line Adjustment recorded under Recording Number 20001218001244.)

Tax Parcel 192105-9008-02

PARCEL B:

The east 1000 feet of the west 1030 feet of the north 330.80 feet of the following:

Government Lots 9 and 10 and the abandoned White River channel lying between same. All in Section 19, Township 21 north, Range 5 east, W.M., in King County, Washington.

Tax Parcel 192105-9082-01

PARCEL E:

That portion of Government Lot 10, Section 19, Township 21 North, Range 5 East, W.M., in King County, Washington, and of the old channel bed of White River, described as follows:

Commencing at a point on the south line of the northeast quarter of Section 19, Township 21 North, Range 5 East, W.M., in King County, Washington, 97.20 feet south $89^{\circ}38'35''$ west of the southeast corner of the northeast quarter of Section 19; thence north $32^{\circ}38'14''$ west 442.191 feet; thence south $0^{\circ}13'55''$ west 373.868 feet to the south line of said northeast quarter; thence along said south line north $89^{\circ}38'35''$ east 240.00 feet to the TRUE POINT OF BEGINNING;

EXCEPT that portion thereof conveyed to the City of Auburn for street purposes by deed recorded under Recording Number 6526353.

Tax Parcel 192105-9010-08