



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

August 18, 2003

Ordinance 14736

Proposed No. 2003-0288.2

Sponsors Sullivan

1 AN ORDINANCE authorizing the vacation of a portion of
2 an alleyway in Whitwoods 1st Addition File V-2453.

3 Petitioner: Sally Jo Hilstad.
4
5

6 **STATEMENT OF FACTS:**

- 7 1. A petition has been filed requesting vacation of a portion of an
8 alleyway in Whitwoods 1st Addition hereinafter described.
- 9 2. The department of transportation notified the various utility companies
10 serving the area and has been advised that easements were not required
11 within the vacation area.
- 12 3. The department of transportation records indicates that King County
13 has not been maintaining the alleyway. The records indicate that no
14 public funds have been expended for its acquisition.
- 15 4. The department of transportation considers the subject portion of the
16 right-of-way useless as part of the county road system and believes the

17 public would benefit by the return of this unused area to the public tax
18 rolls.

19 5. The right-of-way is classified as "C-Class" and, in accordance with
20 K.C.C. 14.40.020, the compensation due King County is based on fifty
21 percent of the assessed value of the subject right-of-way which was
22 determined from records of the department of assessments. King County
23 is in receipt of \$1519.20 from the petitioner.

24 Due notice was given in the manner provided by law and a hearing was
25 held by the office of the hearing examiner on the 23rd day of July, 2003.

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

29 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

30 SECTION 1. The council, on the 18th day of August, 2003, hereby vacates and
31 abandons that portion of an alleyway in Whitwoods 1st Addition as conveyed to King
32 County in Volume 21 of Plats, Page 60, records of King County, Washington described as
33 follows:

34 The north 8 feet of the alleyway south of and adjacent to
35 Lot 28 and the east half of Lot 29 as recorded in


36 Whitwoods 1st Addition Plat, recorded under Volume 21 of
37 Plats, Page 60, records of King County, Washington.

38

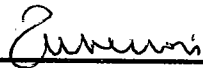
Ordinance 14736 was introduced on 6/30/2003 and passed by the Metropolitan King County Council on 8/18/2003, by the following vote:

Yes: 11 - Ms. Sullivan, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Hammond, Mr. Gossett, Ms. Hague and Ms. Patterson
No: 0
Excused: 2 - Ms. Edmonds and Mr. Irons

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

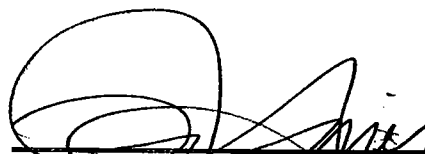

Cynthia Sullivan, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 29 day of August, 2003.



Ron Sims, County Executive

Attachments A. Hearing Examiner Report dated July 24, 2003

RECEIVED
2003 AUG 28 PM 4:06
KING COUNTY CLERK
KING COUNTY COUNCIL

14736
July 24, 2003

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON
850 Union Bank of California Building
900 Fourth Avenue
Seattle, Washington 98164
Telephone (206) 296-4660
Facsimile (206) 296-1654**

REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL

SUBJECT: King County Department of Transportation File No. V-2453
Proposed Ordinance No. 2003-0288

**SALLY JO HILSTAD
Road Vacation Petition**

Location: Portion of alleyway of Whitwoods 1st Addition between Southwest
117th Street and Southwest 118th Street

Petitioner: **Sally Jo Hilstad**
1039 Southwest 117th Street
Seattle, WA 98146
Telephone: (206) 241-9247

King County: Department of Transportation, *represented by*
Jodi Simmons
201 S. Jackson St.
Seattle, WA 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:	Approve road vacation

DEPARTMENT'S REPORT:

The Department of Transportation's written report to the King County Hearing Examiner for Item No. V-2453 was received by the Examiner on July 10, 2003.

PUBLIC HEARING:

After reviewing the Department of Transportation'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-2453 opened by the Examiner at 1:05 p.m., July 23, 2003, in the Fifth Floor Conference Room of the Union Bank of California Building, 900 – 4th Avenue, Seattle, WA 98164, and closed at 1:13 p.m. 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 King County 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 alleyway of Whitwoods 1 st Addition between Southwest 117 th Street and Southwest 118 th Street
Right of way classification:	"C" Class
Area:	480 square feet
Compensation:	\$1,519.20

2. Except as provided below, 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 July 23, 2003 public hearing and the statement of facts contained in Proposed Ordinance No. 2003-0288. The Department's report will be attached to those copies of this report and recommendation that are submitted to 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.
4. Vacation of the subject right-of-way would have no adverse effect on the provision of fire and emergency services to the subject property or surrounding area.

CONCLUSIONS:

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 a hearing on the report was conducted by the King County Hearing Examiner on behalf of the King County Council.

3. The compensation required by law to be paid as a condition precedent to the vacation of this road has been deposited with King County, and the easements, if any, necessary for the construction, repair and maintenance of public utilities and services have been provided in form satisfactory to the affected public utilities.

RECOMMENDATION:

APPROVE proposed Ordinance No. 2003-0288 to vacate the subject road.

RECOMMENDED this 24th day of July, 2003.

Stafford L. Smith
King County Hearing Examiner

TRANSMITTED this 24th day of July, 2003, to the following parties and interested persons:

Don Dauphiny
Qwest Communications
1200 12th Ave. NW
Issaquah WA 98027

Terry Davis
Comcast, Inc.
410 Valley Ave. NW
Puyallup WA 98371

Stephen E. Hagen
Seattle City Light
700 - 5th Ave., Ste. 3300
Seattle WA 98104-5031

Sally Jo Hilstad
1039 SW 117th St.
Seattle WA 98146

Jodi Simmons
Engineer II
DOT/Road Services
MS KSC-TR-0231

William Skahan
Southwest Suburban
431 SW Ambaum
Burien WA 98166

Lionel Sun
Seattle Water Department
710 2nd Avenue - 9th Floor
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Greg Borba
DDES/LUSD
MS OAK-DE-0100

Clerk of the Council
MS KCC-CC-1025

Curt Crawford
KC DNR
Water & Land Res. Div.
MS KSC-NR-0600

Neil DeGoojer
KC Office of Open Space
MS KSC-NR-600

Pam Elardo
KC DNR&P
Wastewater Treatment Div.
MS KSC-NR-0503

Nancy Gordon
King County DOT
Transit/D&C
MS KSC-TR-0431

Dennis Gorley
Dept of Transportation
Road Services Division
MS KSC-TR-0231

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

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

Fatin Kara
KC DOT/Rd. Svcs. Div.
MS KSC-TR-0222

Roderick E. Matsuno
KC DOT
Road Maint. Section
MS RSD-TR-0100

Paulette Norman
KCDOT
Roads Division
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Robert Nunnenkamp
KC Parks and Recreation
MS LBP-PR-0100

Lydia Reynolds-Jones
KC DOT
Project Support Serv.
MS KSC-TR-0231

Charlie Sundberg
Office of Cultural Res.
Landmarks & Heritage Prog.
MS STR-CR-0200

NOTICE OF RIGHT TO APPEAL

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 August 7, 2003*. If a notice of appeal is filed, the original and 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 August 14, 2003*.

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 JULY 23, 2003, PUBLIC HEARING ON KING COUNTY DEPARTMENT OF TRANSPORTATION FILE NO. V-2453.

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing was Jodi Simmons, representing the Department, and Sally Jo Hilstad, the Petitioner.

The following exhibits were offered and entered into the hearing record:

- Exhibit No. 1 DOT Report to the Hearing Examiner dated 7/1/03 with 16 attachments
- Exhibit No. 2 Petition transmittal letter dated 6/4/02 to the Department of Transportation from The Clerk of the Council

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- Exhibit No. 16 Affidavit of posting for hearing
- Exhibit No. 17 Affidavit of publication for date of hearing
- Exhibit No. 18 Copy of Cashier's Check #8150209866

SLS:gao

V-2453

Attachments

Return Address:
Clerk of the Council
Metropolitan King County Council
Mail stop KCC-CC 1025



20030909000224
CLERKS OFFICE CORD 0.00
PAGE 001 OF 009
09/09/2003 09:21
KING COUNTY, WA

Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document <u>must</u> be filled in)	
1. ORDINANCE 14736 AN ORDINANCE authorizing the vacation of a portion of an alleyway in Whitwoods 1st Addition - File V-2453. Petitioners: Sally Jo Hilstad.	
Reference Number(s) of Documents assigned or released: Additional reference #'s on page _____ of document	RECEIVED 2003 OCT 28 PM 12:13 CLERK KING COUNTY COUNCIL
Grantor(s) (Last name, first name, initials) 1. King County, Washington Additional names on page _____ of document.	
Grantee(s) (Last name first, then first name and initials) 1. _____ 2. _____ Additional names on page _____ of document.	
Legal description (abbreviated: i.e. lot, block, plat or section, township, range) The north 8 feet of the alleyway south of and adjacent to Lot 28 and the east half of Lot 29 as recorded Additional legal is on page _____ of document.	
Assessor's Property Tax Parcel/Account Number <input type="checkbox"/> Assessor Tax # not yet assigned	
The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.	

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

Signature of Requesting Party



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

August 18, 2003

Ordinance 14736

Proposed No. 2003-0288.2

Sponsors Sullivan

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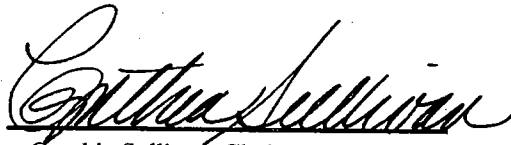
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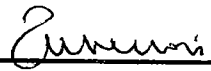
Ordinance 14736 was introduced on 6/30/2003 and passed by the Metropolitan King County Council on 8/18/2003, by the following vote:

Yes: 11 - Ms. Sullivan, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Hammond, Mr. Gossett, Ms. Hague and Ms. Patterson
No: 0
Excused: 2 - Ms. Edmonds and Mr. Irons

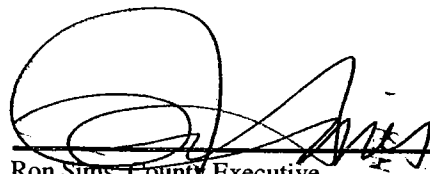
KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Cynthia Sullivan, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 29 day of August, 2003.


Ron Sims, County Executive

Attachments A. Hearing Examiner Report dated July 24, 2003

RECEIVED
2003 AUG 28 PM 4:06
KING COUNTY COUNCIL CLERK

14736
July 24, 2003

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON
850 Union Bank of California Building
900 Fourth Avenue
Seattle, Washington 98164
Telephone (206) 296-4660
Facsimile (206) 296-1654**

REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL

SUBJECT: King County Department of Transportation File No. V-2453.
Proposed Ordinance No. 2003-0288

**SALLY JO HILSTAD
Road Vacation Petition**

Location: Portion of alleyway of Whitwoods 1st Addition between Southwest
117th Street and Southwest 118th Street

Petitioner: **Sally Jo Hilstad**
1039 Southwest 117th Street
Seattle, WA 98146
Telephone: (206) 241-9247

King County: Department of Transportation, *represented by*
Jodi Simmons
201 S. Jackson St.
Seattle, WA 98104-3856
Telephone: (206) 296-3731
Facsimile: (206) 296-0567

SUMMARY OF RECOMMENDATIONS:

Department's Preliminary:
Department's Final:
Examiner:

Approve road vacation
Approve road vacation
Approve road vacation

DEPARTMENT'S REPORT:

The Department of Transportation's written report to the King County Hearing Examiner for Item No. V-2453 was received by the Examiner on July 10, 2003.

PUBLIC HEARING:

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FINDINGS:

1. General Information:

Road name and location: Portion of alleyway of Whitwoods 1st Addition between Southwest 117th Street and Southwest 118th Street

Right of way classification: "C" Class

Area: 480 square feet

Compensation: \$1,519.20

2. Except as provided below, 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 July 23, 2003 public hearing and the statement of facts contained in Proposed Ordinance No. 2003-0288. The Department's report will be attached to those copies of this report and recommendation that are submitted to the Metropolitan King County Council.
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CONCLUSIONS:

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RECOMMENDATION:

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RECOMMENDED this 24th day of July, 2003.

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King County Hearing Examiner

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Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing was Jodi Simmons, representing the Department, and Sally Jo Hilstad, the Petitioner.

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SLS:gao

V-2453

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