



Legislation Text

File #: 2009-0475, **Version:** 2

Clerk 10/28/2009

AN ORDINANCE authorizing the vacation of a portion of 78th Avenue
Northeast, File V-2625; Petitioner: Mary Lou Baxter.

STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of the 78th Avenue Northeast right-of-way, also known as Dibble Avenue, hereinafter described.
2. The department of transportation notified the various utility companies serving the area and was advised that the Northshore Utility District requires an easement for an existing sewer main. The easement has been recorded under King County recording number 20090929000643. No other easements were requested within the vacation area at this time.
3. The department of transportation's records indicate that King County has not been maintaining the 78th Avenue Northeast right-of-way. The records indicate that no public funds have been expended for its acquisition. A critical areas review will be required prior to any future development, clearing, or other site alteration within the vacation area.
4. The department of transportation considers the subject portion of the right-of-way useless as part of the county road system and believes the public would benefit by the return of this unused area to the public tax rolls.
5. The right-of-way is classified as "C Class" and, in accordance with K.C.C. 14.40.020, the compensation due to King County is based on fifty percent of the assessed value of the subject right-of-way, which was determined from records of the department of assessments. King

County is in receipt of \$8,239.89 from the petitioner.

6. Due notice was given in the manner provided by law and a hearing was held by the hearing examiner on the 23rd day of September, 2009.

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

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The council, on the effective date of this ordinance, hereby vacates and abandons that portion of the 78th Avenue Northeast right-of-way as conveyed to King County by the recording of the Plat of Kerr's Lake Washington One Acre Tracts, recorded in Volume 17 of Plats, on Page 4, records of King County, Washington, as described below:

That portion of easterly 15 feet of the 78th Avenue Northeast right-of-way, also known as Dibble Avenue, abutting and adjacent to the west line of the southerly 63.25 feet of Lot 5, Block 6, of the Plat of Kerr's Lake Washington One Acre Tracts, as recorded in Volume 17 of Plats, Page 4, records of King County, Washington.