



Legislation Text

File #: 2001-0554, **Version:** 2

AN ORDINANCE authorizing the vacation of a portion of 168th Avenue

Southeast File V-2425 Petitioner: Issaquah School District No. 411.

STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of that portion of 168th Avenue Southeast hereinafter described.
2. The department of transportation notified the various utilities companies serving the area and has been advised that easements were not required within the vacation area.
3. The department of transportation records indicates that King County has not maintained 168th Avenue Southeast.
4. The records indicate that parcel "A" of the proposed vacation area was dedicated in the Renton Suburban Tracts Division No.2, as recorded in Volume 58 of Plats, Pages 97 and 98, records of King County, Washington. The Issaquah School District under recording number 7409030550, records of King County, Washington, conveyed parcel "B" the westerly 30 feet of the right-of-way to King County. The consideration for that conveyance was for mutual benefit
5. Parcel "A" of the proposed vacation area is classified as a "C Class" road vacation. In accordance with K.C.C. chapter 14.40, compensation is due King County for vacating a county road. The compensation is based on a percentage of the assessed value of the adjoining lands as determined from the records of the department of assessments. The Issaquah School District is the owner of the abutting property, which the department of assessments records list as tax-exempt. Determining a compensation amount would require an appraisal of the property at the

petitioner's expense. The Issaquah School District did not provide an appraisal. Should the council decide not to waive the compensation, then an appraisal of the land will be required and the compensation calculated accordingly.

6. Parcel "B" of the proposed vacation right-of-way is classified as "D-Class." K.C.C. 14.40.020B requires a two-hundred-dollar fee for the administrative cost of the vacation. In accordance with K.C.C. 14.40.020D, "(w)hen a road is vacated for a governmental agency, compensation shall be in accordance with the classification of the road, except that some or all of the compensation may be waived at the discretion of the council." The road services division recommends that the compensation be waived. The waiver is justified by the services and benefit, which are provided to King County and its citizens by the Issaquah School District.

7. 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 school district.

Due notice was given in the manner provided by law and a hearing was held by the office of the hearing examiner on the 6th day of December, 2001.

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 22nd day of January, 2002, hereby vacates and abandons that portion of 168th Avenue Southeast as described in Attachment A to this ordinance:

SECTION 2. The council hereby waives the compensation in accordance with K.C.C. 14.40.020 D.