



## Legislation Text

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**File #:** 2009-0214, **Version:** 2

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Clerk 07/15/2009

AN ORDINANCE authorizing the vacation of a portion of SE 400th Street, File V-2620; Petitioners: Muckleshoot Indian Tribe.

### STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of SE 400th Street, also known as A.J. Porter Road, hereinafter described.
2. The department of transportation notified the various utility companies serving the area and has been advised that easements are not required within the vacation area.
3. The department of transportation records indicate that King County has not been maintaining SE 400th Street. The records indicate that no public funds have been expended for its acquisition.
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 removal of King County's interest in this unused strip of road right-of-way.
5. The right-of-way is classified as "C-Class" and, in accordance with K.C.C. 14.40.020, the compensation due 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 \$9,148.68 from the petitioners.
6. The adjacent property is owned by the Muckleshoot Indian Tribe, a government agency, and is located on the Muckleshoot Tribal Reservation.

7. In accordance with K.C.C. 14.40.020.D, compensation due to King County from another government agency for a road vacation may be waived at the discretion of the King County Council. King County is in receipt of a request that the full amount of compensation due to King County for this petition be waived and refunded to the petitioners, because they are a government agency.

Due notice was given in the manner provided by law and a hearing was held by the office of the hearing examiner on the 20th day of May 2009.

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 SE 400th Street right-of-way, also known as A.J. Porter Road, as conveyed to King County by the recording of the Quit-Claim Deed recorded in Volume 1501 of Deeds, on Page 381, records of King County, Washington as described below:

The south 30 feet of the southeast quarter of the southwest quarter of Section 1, Township 20 North, Range 5 East, Willamette Meridian, in King County, Washington.

Area is approximately 0.98 acres.

SECTION 2. In accordance with K.C.C. 14.40.020.D, the council hereby waives the compensation, and shall refund the full amount of \$9,148.68 to the petitioner.