



## Legislation Text

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**File #:** 2018-0008, **Version:** 2

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Clerk 04/12/2018

AN ORDINANCE authorizing the vacation of a portion of James H. Skirving Road No. 2 Revision, County Road no. 1518 right-of way, Auburn, file no. V-2688; Petitioner: Edward Biliske.

### STATEMENT OF FACTS:

1. A petition was filed requesting vacation of a portion of James H. Skirving Road No. 2 Revision, County Road no. 1518 right-of way, Auburn, hereinafter described.
2. The department of transportation notified utility companies serving the area and King County departments of the proposed vacation and has been advised that Puget Sound Energy has obtained an easement for facilities within the vacation area. Said easement is recorded under King County Recording number 20160317000578. No other easements were required within the vacation area. The vacation shall not extinguish the rights of any utility company to any exiting easements for facilities or equipment within the vacation area.
3. The department of transportation records indicate that King County expended public funds for the acquisition of the subject portions of James H. Skirving Rd No. 2 Revision, County Road No. 1518 right-of-way. Public funds have not been expended for maintenance or improvement of the subject right-of-way.
4. The department of transportation considers the subject portion of 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. Pursuant to K.C.C. 14.40.020, King County may accept real property of equal or greater value in lieu of cash compensation. King County is in receipt of a statutory warranty deed from the petitioner conveying to King County, land consisting of:

That portion of the Northwest quarter of the Southwest quarter of Section 12, Township 21 N., Range 5 E., W.M., lying Southerly of the centerline of Covington Creek, Northeasterly of State Highway No. 5-B (County Road No. 1518), Southeasterly of 168th Way SE, as it now exists and North and West of the following described line:

Commencing at centerline station PT 3+03.29 of 168th Way SE according to Survey No. 12-21-5-9, Wynaco Bridge No. 3194, Drawing 313-38(5), filed for record on 6/21/2006 in the King County Road Services Map Vault;

Thence along the centerline of 168th Way SE, North  $53^{\circ}47'14''$  East 28.36 feet to centerline station 3+31.65;

Thence South  $36^{\circ}12'46''$  East 30.00 feet to a point on the Southeast Right-of-way line of 168th Way SE, being the true point of beginning and the beginning of a curve to the Left, having a radius of 350.00 feet and to which point a radial line bears North  $36^{\circ}12'46''$  West;

Thence along said curve to the Left, Southwesterly through a central angle of  $17^{\circ}59'03''$  an arc distance of 109.86 feet to a point of compound curvature having a radius of 35.00 feet;

Thence Southerly and Southeasterly along a curve to the Left through a central angle of  $85^{\circ}12'43''$  an arc distance of 52.90 feet to a point of tangency with the North right-of-way line of SE Auburn-Black Diamond Road (SSH NO. 5-B), established originally as H.H. Howard Road (County Road No. 969) at a point

30.00 feet Northeast of and radial to centerline station 175+55.94, according to Survey No. 558, approved February 3, 1914 and the termination of this description.

Containing 1371 square feet, more or less.

Said replacement right-of-way is useful to the county to add right-of-way to SE Auburn-Black Diamond Road and 168th Way SE.

6. Due notice was given in the manner provided by law. The office of the hearing examiner held the public hearing on February 27, 2018.

7. The examiner concluded that the road segment subject to this petition is not useful as part of the King County road system, that the public will benefit from its vacation, and that the proposed replacement property provides the public with valuable and useful additional right-of-way to add right-of-way to SE Auburn-Black Diamond Road and 168th Way SE. The examiner explained his recommendation that the council accept the proposed transfer of real property by Statutory Warranty Deed from petitioner as sufficient compensation for the vacation of the subject right-of-way.

8. 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 a portion of James H. Skirving Rd No. 2 Revision, County Road No. 1518 right-of-way, Auburn, as described below:

That portion of James Skirving Road (County Road No. 1518) lying within the Northwest Quarter of the Southwest Quarter of Section 12, Township 21 N., Range 5 E., W.M., lying South and East of 168th Way SE and South and East of the following described line:

Commencing at centerline station P.T. 3+03.29 of 168th Way SE according to Survey No. 12-21-

5-9, Wynaco Bridge No. 3194, Drawing 313-38(5), filed for record on 6/21/2006 in the King County Road Services Map Vault; Thence along the centerline of 168th Way SE, North 53° 47'14" East 28.36 feet to Centerline Station 3+31.65;

Thence South 36°12'46" East 30.00 feet to a point on the Southeast right-of-way line of 168th Way SE, being the true point of beginning and the beginning of a curve to the Left, having a radius of 350.00 feet and to which point a radial line bears North 36°12'46" West;

Thence along said curve to the Left, Southwesterly through a central angle of 17°59'03" an arc distance of 109.86 feet to a point of compound curvature having a radius of 35.00 feet;

Thence Southerly and Southeasterly along a curve to the left through a central angle of 85° 12'43" an arc distance of 52.90 feet to a point of tangency with the North right-of-way line of S.E. Auburn-Black Diamond Road (SSH NO. 5-B), established originally as H.H. Howard Road (County Road No. 969) at appoint 30.00 feet Northeast of and radial to centerline station 175+55.94, according to Survey No. 558, approved February 3, 1914 and the termination of this description.

Situated in the County of King and State of Washington.

Containing an area of 5,643 square feet, more or less.