

Legislation Details (With Text)

File #: 2022-0447 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 12/6/2022 **In control:** Hearing Examiner

On agenda: **Final action:** 5/23/2023

Enactment date: **Enactment #:** 19620

Title: AN ORDINANCE authorizing the vacation of a portion of 49th Avenue S / Kansas Street, file no. V-2733; Petitioners: Sergey and Vera Kondratyev.

Sponsors: Claudia Balducci, Dave Upthegrove

Indexes: Vacation

Code sections:

Attachments: 1. Ordinance 19620 as corrected, 2. Ordinance 19620, 3. A. Hearing Examiner Report, dated April 11, 2023, 4. 2022-0447 transmittal letter, 5. 2022-0447 CRE Report, 6. 2022-0447 Fiscal Note, 7. 2022-0447 Legislative Review Form, 8. 2022-0447--Seattle Times - Invoice #50508 - \$388.02, 9. 2022-0447 DNRP Staff Report, 10. download 19620

Date	Ver.	Action By	Action	Result
5/23/2023	2	Metropolitan King County Council	Passed	Pass
1/10/2023	1	Metropolitan King County Council	Reintroduced	
12/6/2022	1	Metropolitan King County Council	Introduced and Referred	

Clerk 05/17/2023

AN ORDINANCE authorizing the vacation of a portion of 49th Avenue S /

Kansas Street, file no. V-2733; Petitioners: Sergey and Vera Kondratyev.

STATEMENT OF FACTS:

1. A petition was filed requesting vacation of a portion of 49th Avenue South / Kansas Street in the Jovita Heights Addition Plat, hereinafter described.
2. The department of local services notified utility companies serving the area and King County departments of the proposed vacation Lakehaven Water and Sewer District was the only utility that required an easement over the vacation area, and they have since obtained it from petitioners Sergey and Vera Kondratyev. The vacation shall not extinguish the rights of any utility company to any existing easements for facilities or equipment within the vacation area.

3. The department of local services's records indicate that this segment of right of way is unopened and unmaintained.
5. The department of local services 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 segment of right of way to the public tax rolls and recommended approval of the vacation.
6. The department of local services also recommended that no additional compensation be due for the vacation of this portion of 49th Avenue South/Kansas Street in the Jovita Heights Addition Plat to the property of petitioners Sergey and Vera Kondratyev, King County Assessor's Parcel Numbers 375160-5119, 375160-5003, and 375160-5063.
7. Due notice was given in the manner provided by law. The office of the hearing examiner held the public hearing on March 28, 2023.
8. As detailed in the April 11, 2023, recommendation, the hearing examiner found that the road segment subject to this petition is not useful as part of the King County road system, concluded that the vacation of this segment of road will benefit the public through the transfer of responsibility for management and return of the property to the public tax roll, and recommended approval of the vacation petition without the requirement of additional compensation from the petitioners.
9. For the reasons stated in the examiner's report and recommendation, the council determines that it is in the best interest of the citizens of King County to grant said petition and vacate the right of way.

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 49th Avenue South/Kansas Street right of way as dedicated to King County by the recording of the 1911 plat of Jovita Heights Addition, recorded in Volume 20 of Plats at Page 12, records of King County Washington as described below:

Those portions of 49th Ave S./Kansas St. abutting Lots 1 through 6, Block 115

and also abutting Lots 26 through 30, Block 116, all in the Plat of Jovita Heights
Addition according to the plat filed in Vol. 20 of Plats at Page 12, records of King
County, Washington.

Situate in the Southeast Quarter of Section 27 Township
21, Range 4 King County, Washington.

Containing 13,200 square feet, more or less.