



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

File created: 9/3/2024 **In control:** Hearing Examiner

On agenda: **Final action:** 11/26/2024

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Title: AN ORDINANCE authorizing the vacation of a portion of the unnamed Alley and Street in the Plat of Stillwater, V-2754; Petitioners: Patricia Barajas and Cuauhtemoc Barajas Reina, Kim Kyoung, and Zoe and Derek Anderson.

Sponsors: Dave Upthegrove

Indexes: Vacation

Code sections:

Attachments: 1. Ordinance 19870, 2. A. Hearing Examiner Report, dated October 25, 2024, 3. DNRP Staff Report, 4. 2024-0275 transmittal letter, 5. V-2754 CRE Report, 6. 2024-0275 Fiscal Note, 7. 2024-0275 Legislative Review Form

Date	Ver.	Action By	Action	Result
11/26/2024	2	Metropolitan King County Council	Passed	Pass
9/3/2024	1	Metropolitan King County Council	Introduced and Referred	

Clerk 11/21/2024

AN ORDINANCE authorizing the vacation of a portion of the unnamed Alley and Street in the Plat of Stillwater, V-2754; Petitioners: Patricia Barajas and Cuauhtemoc Barajas Reina, Kim Kyoung, and Zoe and Derek Anderson.

STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of the unnamed Alley and Street in the Plat of Stillwater in the Carnation area of unincorporated King County, hereinafter described.
2. The department of local services notified utility companies serving the area and King County departments of the proposed vacation. No easements were requested over the vacation area. 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' records indicate that this segment of right of way is

unopened and unmaintained.

4. 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 recommends approval of the vacation.

5. Pursuant to K.C.C. 14.40.020 and RCW 36.87.120, the value of the vacation area is offset by the costs to King County to manage and maintain this segment of unopened right of way and the present value of future property tax resulting in the department of local services recommending: \$730 as compensation for the vacation of approximately 8,308 square feet of right of way to the property of petitioners Patricia Barajas and Cuauhtemoc Barajas Reina (King County assessor's parcel number 042507-9008); \$3,913 as compensation for the vacation of approximately 8,243 square feet of right of way to the property of petitioner Kyoung Kim (King County assessor's parcel number 801610-0040); \$730 as compensation for the vacation of approximately 1,354 square feet of right of way to the property of petitioners Zoe and Derek Anderson (King County assessor's parcel number 801610-0030). Compensation must be received by King County within ninety days of approval of the ordinance vacating the right of way.

6. Due notice was given in the manner provided by law. The office of the hearing examiner held the public hearing on October 10, 2024.

7. As detailed in the October 25, 2024, 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, condition on paying compensation. In paragraph 12, the examiner explained why reducing the \$3,913 required compensation from petitioner Kyoung Kim to \$730 level required from petitioners Patricia Barajas and Cuauhtemoc

Barajas Reina and also from Zoe and Derek Anderson was warranted.

8. 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 the unnamed alley and street right of way in the Plat of Stillwater as described below:

All that portion of the unnamed Street lying East of Lot 1, Block 1 and West of Lot 4, Block 2 of Stillwater, according to the Plat thereof recorded in Volume 19, Page 11, Records of King County, Washington;

and

All that portion of the Alley lying Southerly of Said Block 1 and Southerly of said Block 2 of Stillwater, according to the Plat thereof recorded in Volume 19, Page 11 Records of King County, Washington.

Containing 17,905 SF.

SECTION 2. Recording of the subject road right-of-way abutting parcel 042507-9008 (Barajas) is contingent on petitioner paying \$730 to King County within ninety days of the date the council takes final action on this ordinance. If King County does not receive \$730 by that date, there is no vacation, and the associated right-of-way remains King County's. If payment is timely received, the clerk shall record an ordinance against parcel 042507-9008. Recording an ordinance will signify that payment has been received, the contingency is satisfied, and the right-of-way associated with parcel 042507-9008 is vacated.

SECTION 3. Recording of the subject road right-of-way abutting parcel 801610-0030 (Anderson) is contingent on petitioner paying \$730 to King County within ninety days of the date the

council takes final action on this ordinance. If King County does not receive \$730 by that date, there is no vacation, and the associated right-of-way remains King County's. If payment is timely received, the clerk shall record an ordinance against parcel 801610-0030. Recording an ordinance will signify that payment has been received, the contingency is satisfied, and the right-of-way associated with parcel 801610-0030 is vacated.

SECTION 4. Recording of the subject road right-of-way abutting parcel 801610-0040 (Kim) is contingent on petitioner paying \$730 to King County within ninety days of the date the council takes final action on this ordinance. If King County does not receive \$730 by that date, there is no vacation, and the associated right-of-way remains King County's. If payment is timely received, the clerk shall record an ordinance against parcel 801610-0040. Recording an ordinance will signify that payment has been received, the contingency is satisfied, and the right-of-way associated with parcel 801610-0040 is vacated.