File #: 2011-0290, **Version:** 2

Clerk 10/19/2011

AN ORDINANCE authorizing the vacation of a portion of John J. Hallworth Road, File V-2656; Petitioner: Jen Simonson.

STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of John J. Hallworth Road right-of-way ("ROW"), also known as County Road No. 583, hereinafter described.

2. The department of transportation notified the various utility companies serving the area and has been advised that easements have either been obtained or are not required within the vacation area.

3. The department of transportation records indicate that King County has maintained the John J. Hallworth Road ROW. The records indicate that no public funds have been expended for its acquisition.

4. The department of transportation considers the subject portion of the ROW not useful 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. The ROW is classified as "B-Class" and, in accordance with K.C.C. 14.40.020, the compensation due to King County for the requested ROW vacation is based on seventy-five percent of the assessed value of the subject ROW, which was calculated from records of the department of assessments as $10,005.31. King County is in receipt of $10,005.31 from the petitioner.

6. The ROW vacation area forms an intersection with Cedar Grove Road Southeast, classified as a rural minor arterial road. The King County Road Design and Construction Standards call for a minimum ROW width of 84 feet for a rural minor arterial. Therefore, an additional 12 feet of ROW width along the petitioner's pertinent property frontage on Cedar Grove Road Southeast is necessary for the county to maintain the minimum required width for Cedar Grove Road Southeast.

7. The petitioner, Jen Simonson, has provided a Quit Claim Deed for an additional 12 feet of ROW width (4,625 square feet in area) along her property frontage on Cedar Grove Road Southeast. The Quit Claim Deed is recorded under recording number 20110825000100 records of King County, Washington.

8. Pursuant to K.C.C. 14.40.020.C, the petitioner shall receive a partial refund of the compensation currently held to offset the value of the new ROW granted by the Quit Claim Deed. Using a per-square-foot basis assuming the vacated and newly deeded ROW area have equal per-unit-area value, the refund amount is calculated to be $3,364.69 for the 4,625 square feet of new ROW area.

Due notice was given in the manner provided by law and a hearing on the requested vacation was held by the hearing examiner on the 10th day of August, 2011.

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 John J. Hallworth Road right-of-way, also known as County Road No. 583, as conveyed to King County by the recording of a Release of Claims, recorded in Volume 272 of Deeds, Page 640, records of King County, Washington, as described below:

That portion of the John J. Hallworth Road, also known as County Road No. 583, situated in the Northwest quarter of the Southeast quarter of Section 22, Township 23 North, Range 6 East, Willamette Meridian, King County, Washington, located within the following described property:

The North half of that portion of the northwest quarter of the southeast quarter of Section 22, Township 23 north, Range 6 east, W.M., in King County, Washington, lying westerly of Cedar Grove County Road as conveyed to King County by Deed recorded under Recording Number 5326225 and lying north of the north line of the south half of the south half of the northwest quarter of the southeast quarter of said Section 22.

EXCEPT any portion thereof lying easterly of a line parallel to and 42.00-feet westerly of the centerline of Cedar Grove Road Southeast, as shown in King County Survey No. 32-23-6-9.

SECTION 2. The amount of $3,364.69 shall be refunded to petitioner Jen Simonson in consideration of corresponding real property compensation of equal value granted by quit claim deed.