



## Legislation Text

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**File #:** 2011-0346, **Version:** 2

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Clerk 12/08/2011

AN ORDINANCE authorizing the vacation of a portion of 51st Avenue South,

File V-2653; Petitioners: Richard L. Engler and Mary A. Rogan.

### STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of the 51st Avenue South right-of-way ("ROW") described in this ordinance.
2. The department of transportation notified the various utility companies serving the area and has been advised that an easement was provided to the Lakehaven utility district under recording number 20111108000557, records of King County, Washington. No other easements were required within the vacation area at this time.
3. The department of transportation records indicate that King County has not been maintaining the 51st Avenue South 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 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. The ROW is classified as "C-Class" and, in accordance with K.C.C. 14.40.020, the compensation due to King County is based on fifty percent of the assessed value of the subject ROW, which was determined from records of the department of assessments. King County is in receipt of \$24,036.00 from the petitioners.

Due notice was given in the manner provided by law and a hearing was held by the office of the hearing examiner on the 28th day of September, 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 the 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 51st Avenue South right-of-way ("ROW"), also known as Illinois Street, as conveyed to King County by the recording of the Plat of Jovita Heights, recorded in Volume 20 of Plats, Page 12, records of King County, Washington, as described below:

That portion of the westerly 30 feet of the 51st Avenue South ROW, also known as Illinois Street, abutting and adjacent to the east line of Lots 16 through 25, Block 114, in the Plat of Jovita Heights, recorded in Volume 20 of Plats, Page 12, records of King County, Washington. Together with that portion of the easterly 30 feet of the 51st Avenue South ROW, also known as Illinois Street, abutting and adjacent to the west line of Lots 7 through 15, Block 113, of said Plat of Jovita Heights.