File #: 2015-0335, **Version:** 2

Clerk 01/05/2016

AN ORDINANCE authorizing the vacation of a portion of Geo Bayne Road and Alexander McKinnon Road, File V-2657; Petitioner: David Harrison, Joe Harrison.

STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of Geo Bayne Road right-of-way (also known as County Road No. 1224), as well as Alexander McKinnon Road right-of-way (also known as County Road No. 381), hereinafter described.

2. The department of transportation notified the relevant county agencies and the various utility companies serving the area. An easement has been granted to Puget Sound Energy for construction and maintenance of its facilities within the vacation area. An ingress/egress easement has also been granted to an adjacent property.

3. Department of transportation records indicates that King County did not expend public funds acquiring the Geo Bayne Road or the Alexander McKinnon Road rights-of-way, but it has maintained them historically.

4. The department of transportation considers the subject portion of the 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. The right-of-way is classified as "B-Class" and, in accordance with K.C.C. 14.40.020, the compensation due to King County is based on seventy-five percent of the assessed value of the

subject right-of-way, a value determined from records of the department of assessments. King County has received $6,293.34 from the petitioner.

6. Due notice was given in the manner required by law and the office of the hearing examiner held a hearing on December 9, 2016. The examiner concluded that the road was useless to the county and the public would benefit from vacation, and that $6,293.34 was the correct compensation.

7. 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 Geo Bayne Road right-of-way (also known as County Road No. 1224), as well as Alexander McKinnon Road right-of-way (also known as County Road No. 381), legally described as:

That portion of the NE 1/4 of Section 10, Township 21 North, Range 7 East, Willamette Meridian, King County, Washington, described as follows:

That portion of the Geo Bayne Road right-of-way, also known as County Road No. 1224, located in said subdivision, as deeded to King County by the Quit Claim Deed recorded in Volume 1199 of Deeds, on Page 447, records of King County, Washington, lying westerly of the Alexander McKinnon Road right-of-way.

TOGETHER with that portion of the Alexander McKinnon Road right-of-way, also known as County Road No. 381, located in said subdivision, as relocated and quit claim deeded to King County under King County recording no. 7105100340, lying northerly of the Cumberland Kanasket Road right-of-way, and southwesterly of the B.N.R.R. Co. right-of-way known as Segment "C" of the Eagle Gorge Railroad Relocation Project. EXCEPT those previously vacated portions, AND EXCEPT that portion of said right-of-way, located in the Northern

Pacific Railroad Palmer Cut-Off right-of-way, as shown in the survey recorded in Volume 159 of Surveys, on Page 47, records of King County, Washington.

The area of the proposed vacation is shown on the attached map titled:

PROPOSED RIGHT-OF-WAY VACATION, Geo Bayne Road-Alexander McKinnon Road, Vacation File V-2657.