File #: 2008-0007, **Version:** 2

Clerk 03/26/2008

AN ORDINANCE authorizing the vacation of a portion of 50th Avenue South, File V-2570; Petitioners: Dennis and Mara Heiman.

STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of the 50th Avenue South right-of-way, dedicated as Colorado Avenue, 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. A Utility Easement, for the Lakehaven Utility District, has been recorded under King County recording number 20080102000240, records of King County, Washington.

4. The department of transportation records indicates that King County has not been maintaining the 50th Avenue South right-of-way. The records indicate that no public funds have been expended for its acquisition. A critical areas review will be required prior to any future development, clearing, or other site alteration with the vacation area.

5. 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.

6. The right-of-way is classified as "C-Class" and, in accordance with K.C.C. 14.40.020, the compensation due King County is based on fifty percent of the assessed value of the subject

right-of-way, which was determined from records of the department of assessments. King County is in receipt of $5,902.00 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 20th day of February.

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 50th Avenue South right-of-way as conveyed to King County by the recording of the Plat of Jovita Addition recorded in Volume 19 of Plats, Page 14, records of King County, Washington as described below:

That portion of the westerly twenty (20) feet of 50th Avenue South (also known as Colorado Avenue) abutting and adjacent to the east line of Lots 1, and 2, Block 37, in the Plat of Jovita Addition, recorded in Volume 19 of Plats, Page 14, records of King County, Washington.

Together with, that portion of the easterly twenty (20) feet of 50th Avenue South (also known as Colorado Avenue) abutting and adjacent to the west line of Lots 1, and 2, Block 36, in said plat.