



Legislation Text

File #: 2024-0233, **Version:** 2

Clerk 11/18/2024

AN ORDINANCE concurring with the recommendation of the hearing examiner to approve, subject to conditions, the application for public benefit rating system assessed valuation for open space submitted by Denis Lopes Monteiro and Michelle Pedersen for property located at a portion of 190th Avenue SE/Gioranni Vitarelli Rd/Rd No.1592, Renton, WA, designated department of natural resources and parks, water and land resources division file no. V-2751.

1. A petition has been filed requesting vacation of a portion of 190th Ave SE/Gioranni Vitarelli Rd/Rd No. 1592 in the Renton 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. Cedar River Water and Sewer District has an easement over the vacation area; no other agency or utility requested identified a need for an easement over the vacation area. The vacation does 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's records indicate that this segment of right of way is unopened and unmaintained. The portion of right of way is crossed by a private road easement. An easement for ingress and egress across a portion of the subject right of way in favor of the properties using the private road easement is necessary to preserve access.
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 a determination of \$5,637 as compensation for the vacation of an approximate 4,000 square foot portion of 190th Ave SE to the property of petitioners Denis Lopes Monteiro and Michelle Pedersen, King County assessor's Parcel Number 182206-9155, and no charge of compensation for the vacation of an approximate 4,000 square foot portion of 190th Ave SE to the property of petitioners Denis Lopes Monteiro and Michelle Pedersen, King County assessor's Parcel Number 182206-9152. If required, 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 September 10, 2024.

7. As detailed in the September 24, 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 with the requirement of payment of \$5,637 by petitioners, execution of an easement in favor of the properties using the private road, and execution of an easement in favor of Cedar River Water and Sewer District as conditions of vacation.

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 190th Ave SE/Gioranni Vitarelli Rd/Rd No. 1592 right of way as described below:

That portion of the Northwest Quarter of the Northeast Quarter of Section 18, Township 22 North, Range 6 East, W.M., in King County, Washington, described as follows:

Beginning at the Southwest corner of said Subdivision; thence N01°31'33"E along the West line thereof 30.00 feet; thence S88°58'52"E, parallel with the South line of said Subdivision, 675.32 feet to the Easterly margin of 190th Avenue Southeast; thence N01°29'51"E along said Easterly margin, 150.01 feet, to the North line of the South 180.00 feet of said Subdivision and the True Point of Beginning; thence continuing N01°29'51"E, 210.01 feet to the North line of the South 390 feet of said Subdivision; thence N88°58'52"W, along said North line, 40.00 feet; thence S01°29'51"W, 210.01 feet to the North line of the South 180 feet of said Subdivision; thence S88°58'52"E, along said North line, 40.00 feet to the True Point of Beginning. Containing 7,997 SF

Situate in the County of King, State of Washington.

SECTION 2. For parcel 182206-9155, recording of the approved vacation to vacate the subject road right-of-way abutting CONTINGENT on Petitioners, within 90 days of the date the council takes final action on this ordinance:

- A. Paying \$5,637 to King County;
- B. Delivering a signed easement in favor of the five properties using the private access road;

and

- C. Delivering a signed easement in favor of the Cedar River Water and Sewer District.

If King County does not receive each of those three items by that date, there is no vacation and the associated right-of-way remains King County's. If those three items are timely met, the clerk shall

record an ordinance against parcel 182206-9155. Recording an ordinance signifies that all three contingencies are satisfied and that the right-of-way associated with parcel 182206-9155 is vacated.

SECTION 3. For parcel 182206-9152, recording of the approved vacation to vacate the subject road right-of-way abutting CONTINGENT on Petitioners, within 90 days of the date the council takes final action on this ordinance:

- A. Delivering a signed easement in favor of the five properties using the private road; and
- B. Delivering a signed easement in favor of the Cedar River Water and Sewer District.

If King County does not receive both of those items by that date, there is no vacation and the associated right-of-way remains King County's. If those two items are timely met, the clerk shall record an ordinance against parcel 182206-9152. Recording

an ordinance signifies that both contingencies are satisfied and that the right-of-way associated with parcel 182206-9152 is vacated.