File #: 2011-0011, **Version:** 2

Clerk 05/11/2011

AN ORDINANCE denying a petition to vacate a portion of Northeast 116th Street, File V-2655; Petitioners: Finn Hill Meadows Association.

STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of Northeast 116th Street hereinafter described.

2. The subject right-of-way is located with the city of Kirkland's pending Finn-Hill, Juanita, Kingsgate Area Annexation, scheduled to be effective June 1, 2011. As of the effective date, King County will no longer have jurisdiction over the subject right-of-way ("ROW").

3. The department of transportation notified the various utility companies serving the area, the standard stakeholders, and the city of Kirkland for comments. The department of transportation has been advised that Puget Sound Energy and Northshore Utility District require easements within the vacation area.

4. The Northeast 116th Street ROW represents an opportunity to resolve long-standing, persistent and well-documented access issues for the Goat Hill Loop road system.

5. Through the stakeholder review process, the city of Kirkland has requested that King County not divest public interest in the subject ROW.

6. The department of transportation records indicate that Northeast 116th Street is an unmaintained public ROW.

7. For the reasons stated above, the department of transportation cannot consider the subject

portion of the ROW useless as part of the county road system and believes the public would not benefit by the return of this unused area to the public tax rolls.

Due notice was given in the manner provided by law and a hearing was held by the office of the hearing examiner on the 16th day of February, 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 deny said petition.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The council, on the effective date of this ordinance, hereby sustains the department of transportation's and hearing examiner's recommendations to deny the request to vacate and abandon that portion of Northeast 116th Street, also known as Juanita Point Road - County Road Survey No. 30-26-5-2, as established under King County resolution No. 4384, records of King County, Washington as described below:

That portion of the north 30-feet of the NE 116th Street ROW, also known as Juanita Point Road - County Road Survey No. 30-26-5-2, abutting and adjacent to the south line of Tract A, of the Plat of Finn Hill Meadows, recorded in Volume 101 of Plats, on Page 78, records of King County, Washington, except the easterly 230-feet thereof.

Together with that portion of the south 30-feet of the Northeast 116th Street ROW, also known as Juanita Point Road - County Road Survey No. 30-26-5-2, located in the Northwest quarter of the Northwest quarter Section 31, Township 36 North, Range 5 East, Willamette Meridian, King County, Washington, lying easterly of the northerly extension of the west line of the property (tax parcel no. 312605-9014) described in the

Warranty Deed recorded under King County recording no. 20090708001475, except the easterly 230-feet thereof.

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