

MOTION NO. 0004453

A MOTION denying the petition by A. Noel Nelson and Others for the vacation of a S.W. 172nd Street, concurring with the recommendation of the Department of Public Works and returning the petitioners \$100 deposit (V-1546)

WHEREAS, A. Noel Nelson and others have submitted a petition for the vacation of a portion of S.W. 172nd Street; and

WHEREAS, the Department of Public Works investigated the proposed petition and the vacation area and recommends that the petition be denied and that the petitioner's \$100 deposit be returned to him; and

WHEREAS, the Department of Public Works advises that the vacation area is abutting Puget Sound and is zoned residential; and

WHEREAS, a portion of the State Road Vacation Statute is as follows:

36.87.130 Vacation of roads abutting bodies of water prohibited unless for public purposes or industrial use. No county shall vacate a county road or part thereof which abuts on a body of salt or fresh water unless the purpose of the vacation is to enable any public authority to acquire the vacated property for port purposes, boat moorage or launching sites, or for park, viewpoint, recreational, educational or other public purposes, or unless the property is zoned for industrial uses. (1969 1st ex.s c 185 § 7.)

NOW THEREFORE, BE IT MOVED by the Council of King County:

The King County Council concurs with the recommendations of the Department of Public Works and hereby denies the petition by A. Noel Nelson and Others for the vacation of a portion of S.W. 172nd Street (V-1546).

BE IT FURTHER MOVED the \$100 deposit is to be returned to the petitioners.

PASSED this 27th day of August, 19 79.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Paul Chow
Chairman

ATTEST:

John Hammond
Clerk of the Council

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33