

ORDINANCE NO. 858

1
2 AN ORDINANCE vacating a portion of 16th Avenue South
3 (V-1393) within King County.

4 WHEREAS, a petition has been filed in accordance with RCW
5 36.87.020 requesting vacation of the portion of 16th Avenue
6 South hereinafter described; and

7 WHEREAS, the County Council, in accordance with RCW 36.87.010,
8 on the 19th day of April, 1971, declared its intention
9 to vacate and abandon that part of 16th Avenue South proposed to
10 be vacated, it being considered as useless; and

11 WHEREAS, based upon the report of the Department of Public
12 Works, Utilities and Transportation, and being fully advised of
13 all pertinent facts, the County Council finds in accordance with
14 RCW 36.87.030 that the part of 16th Avenue South proposed to be
15 vacated is not useful to the County road system, and that the
16 public will be benefitted from vacation thereof (in part by
17 eliminating the necessity for additional access crossings and
18 traffic controls on 16th Avenue South for access between the
19 properties abutting 16th Avenue South, which otherwise would be
20 necessary); and

21 WHEREAS, the areas surrounding the part of 16th Avenue
22 South proposed to be vacated are zoned for industrial use, within
23 the meaning of RCW 36.87.130; and

24 WHEREAS, pursuant to Ordinance 00129 the County Property
25 Management Division has received the sum of \$12,000.00 for the
26 account of The Boeing Company, beneficiary of the proposed
27 vacation, as compensation for said vacated road, in the event
28 that vacation thereof is completed; and

29 WHEREAS, due notice was given in the manner provided by
30 law, and a hearing was held by the County Council on the 1st
31 day of June, 1971; and said hearing was continued
32 until June 7, 1971; and

1 WHEREAS, the County Council has determined to grant said
2 vacation petition;

3 NOW, THEREFORE,

4 BE IT ORDAINED BY THE KING COUNTY COUNCIL:

5 1. That portion of 16th Avenue South in Section 32, Twp.
6 24 N., R. 4E., W.M., in King County Washington, further described
7 as follows:

8 Beginning at that monument which marks the northeast
9 corner of Section 32, Twp. 24 N., R. 4 E., W.M., in
10 King County, Washington; and running thence parallel
11 to the centerline of said 16th Ave. S. $11^{\circ}51'57''$ West
12 418.50 feet, more or less, to the South face of that
13 abutment of the 16th Avenue South Bridge which is
14 north of Commercial Waterway No. 1, being the to the
15 true point of beginning of this description; thence
16 at right angles $78^{\circ}08'03''$ West 59.58 feet more or
17 less, to the Westerly margin of said 16th Avenue
18 South; thence along said Westerly margin, South $11^{\circ}51'57''$
West 210.38 feet, more or less, to the Northeasterly
margin of said Commercial Waterway No. 1; thence along
said Northeasterly margin South $49^{\circ}00'00''$ East 101.90
feet to the point of beginning of an eleven foot strip
vacated by King County Commissioners on June 24, 1940;
thence on the Westerly side of said eleven foot strip,
North $11^{\circ}51'57''$ East, 260.00 feet, more or less, to
a point which bears South $78^{\circ}08'03''$ East from the to
the true point of beginning; thence North $78^{\circ}08'03''$
West 29.42 feet to the true point of beginning;

19 BE, AND THE SAME IS, HEREBY VACATED; EXCLUDING, HOWEVER, from such
20 vacation the existing bridge overpass structure and supporting
21 piers thereon; and RESERVING, HOWEVER, to King County, Washington
22 the right to reconstruct, maintain and operate any existing
23 overhead or underground utilities in the portion of said road
24 hereby vacated until the beneficiaries of said vacation arrange
25 with the owners thereof for their removal, and the right, through
26 its Director of Public Works, to approve any proposed attachment
27 or alteration to said bridge structure and piers, and prohibit
28 any use of said road portion hereby vacated which may materially
29 jeopardize the structural integrity of said bridge overpass
30 structure or the safe use thereof for public vehicular traffic.

31 2. The sum of \$12,000.00 received from The Boeing
32 Company as compensation for the vacation hereby effected shall be

1 credited to the County Road Fund when this ordinance becomes
2 effective.

3 3. The Boeing Company agrees to and shall reimburse King
4 County for any damage to the bridge overpass structure and
5 supporting piers hereafter caused by or arising out of the use
6 and occupancy by The Boeing Company, its agents, assignees,
7 licensees, or invitees of the vacated property. The Boeing Company
8 agrees to and shall hold King County harmless from all claims and
9 causes of action against King County for any damage or injury
10 caused by or arising out of the use and occupancy by The Boeing
11 Company, its agents, assignees, licensees, or invitees of the
12 vacated property.

13 The vacation hereby ordained shall become effective upon
14 receipt by the County Executive from The Boeing Company, as
15 beneficiary of this vacation, of assurance in form satisfactory to
16 the County Executive granting access rights across the property
17 hereby vacated for purposes of continuing County maintenance of
18 the 16th Avenue South Bridge overpass structure and supporting
19 piers located thereon.

20 PASSED by the King County Council at a regular meeting
21 thereof on the 7th day of June, 1971.

22
23
24 Robert B. Dunn
Chairman of the King County Council

25
26 ATTEST:

27 Ray Olson
28 ACTING Clerk of the Council

29 APPROVED THIS 14th DAY OF June, 1971.

30
31 John D. Spelman
KING COUNTY EXECUTIVE

32 APPROVED AS TO FORM AND LEGALITY

Kenneth K. Walsh
Deputy Prosecuting Attorney
April 16, 1971
Date