10/31/77 AHB/ml

Introduced by BILL PEAMS Proposed No.7 - 1046

## ORDINANCE NO. 8 3595

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AN ORDINANCE relating to the vacation of a portion of 94th Avenue N.E. V-1541 Petitioner: Thomas C. Hull and others

## STATEMENT OF FACTS

- 1. A petition has been filed requesting vacation of a portion of 94th Avenue N.E., hereinafter described.
- The Division of Building and Land Development has studied the proposed road vacation and finds that King County should retain that portion of the request which is adjacent to Tax Lot No. 101 and Tax Lot No. 195. The road centerline offset at this location could present road transition problems in the event of road widening. Should the road centerline north of the request be altered to conform with the road centerline adjacent to the plat of Conell (Vol. 89-49), the Division of Building and Land Development would entertain a subsequent vacation petition for this portion of 94th Avenue N.E. At present, however, the Division of Building and Land Development has no objection to vacation of that portion of 94th Avenue N.E. adjacent to Tax Lot No. 48 only.
- The Department of Public Works notified the various utilities serving the area and were advised that easements are not required.
- Ninety-fourth Avenue N.E. was known as Wubbena Road when established on May 2, 1938, as a 40-foot width road by King County Survey No. 30-26-5-6. The vacation area, deeded by Quit Claim to King County, is a remnant of right-of-way resulting from construction of the road on the ground at a different alignment than originally deeded. Previous vacation orders for portions of this same street for this same reason were passed, lying 290 feet southerly of this requested area.
- It does not appear that the vacation area has ever been open as a road. A search of the records indicate that the

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County has spent no funds for its acquisition, however, the surfaced portion of the right-of-way has been paved and the right-of-way maintained by County funds. Therefore, the road is "B Class" in accordance with County Ordinance No. 2759.

King County is now in receipt of \$1,555.00 from the petitioner which has been judged to be the just compensation to King County for this vacation area.

6. The Department of Public Works considers the subject

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6. The Department of Public Works considers the subject vacation area useless as part of the County Road system and believe that the public would be benefited 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 King County Council on the  $\frac{16\%}{4}$  day of  $\frac{1978}{4}$ .

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 THE COUNTY OF KING:

SECTION 1. The Council on the 672 day of 7. brung

19 78, hereby vacates and abandons the portion of 94th

Avenue N.E., described as follows:

That portion of 94th Avenue N.E., also known as Wubbena Road lying within the South half of the North half of the SW quarter of the NE quarter of Section 30, Township 26 North, Range 5 East, W.M. and lying 60 feet westerly of the west line of Lot 1 and its northerly extension and the west line of Lots 23 and 24 of Conell as recorded in Volume 89 of Plats, Page 49, Records of King County, Washington.

1	Vacation area contains approximately
2	7,870 square feet.
3	INTRODUCED AND READ for the first time this // day of
4	<u>November</u> , 19 77.
5	PASSED on this 6th day of February, 1978.
6	KING COUNTY COUNCIL
7	KING COUNTY, WASHINGTON
8	Bernes stern
9	Chairman
10	3517.00
11	ATTEST:
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13	DEPUTY Clerk of the Council
14	11:11
15	APPROVED on this loay of February, 19 78.
16	$\mathcal{L}$
17	It Spellen
18	King County Executive
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