

4/13/78
AHB/ml

Introduced By PAUL BARDEN

Proposed No. 78-357

ORDINANCE NO. 3823

AN ORDINANCE relating to the vacation of a portion
of 8th Avenue South V-1578
Petitioner: Jeremiah J. McCarty and others

STATEMENT OF FACTS

1. A petition has been filed requesting vacation of a portion of 8th Avenue South, hereinafter described.
2. The Department of Public Works notified the various utilities serving the area and were advised that easements are not required.
3. The vacation area is a portion of the Plat of The Southern Pacific Land Company's Second Addition to Des Moines, which was recorded on November 30, 1889. The Department of Public Works found no evidence that the vacation area has ever been open as a road.
4. The portion of 8th Avenue South abutting this vacation area on the south was vacated by Superior Court action in 1973 (S. C. 769743).
5. A search of the records indicates that the County has spent no funds for the acquisition or maintenance of the subject vacation area. The right of way would, therefore, be classified "C Class" in accordance with County Ordinance No. 2759.
6. Upon granting of the petition for vacation, the title to the East half of subject road will vest in the petitioner and the West half will vest in King County.
7. The Division of Building and Land Development has studied the subject proposed road vacation and finds that it would not be in conflict with the principles and purposes of the King County Comprehensive Plan and the specific plans in the vicinity of this proposed vacation.
8. The Department of Public Works considers the subject right of way useless as part of the County road system and believes 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 31st day of July, 19 78.

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

1 of King County to grant said petition.

2 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

3 SECTION 1. The Council on the 31st day of July,
4 19 78, hereby vacates and abandons the portion of 8th Avenue South
5 described as follows:

6 All that portion of 8th Avenue South also known as
7 Tacoma Avenue, 60 feet in width, in The Southern
8 Pacific Land Company's Second Addition to Des Moines
9 as recorded in Vol. 4 of Plats, page 49, Records of
10 King County, Washington, lying south of the westerly
11 extension of the north line of Lot 4, Block 17 and
12 north of the westerly extension of the south line of
13 Lot 10, Block 17. (NW 1/4 Sec. 8, Twp. 22 N.,
14 R. 4 E., W.M.)

15 Vacation area contains approximately 10,500 square feet.

16 INTRODUCED AND READ for the first time this 15th day of May,
17 19 78.

18 PASSED on this 31st day of July, 19 78.

19 KING COUNTY COUNCIL
20 KING COUNTY, WASHINGTON

21 Bernice Stern
22 Chairman

23 ATTEST:
24 [Signature]
25 Clerk of the Council

26 APPROVED on this _____ day of _____, 19 _____.

27 DEEMED ENACTED WITHOUT
28 COUNTY EXECUTIVE'S SIGNATURE.

29 DATED: 8-10-78

30 _____
31 King County Executive