

ORDINANCE NO: 6470

AN ORDINANCE relating to the vacation of a portion of Marine View Drive South - V-1786
Petitioner: Mary Elizabeth Montgomery and Others

STATEMENT OF FACTS

1. A petition has been filed requesting vacation of a portion of Marine View Drive, hereinafter described.

2. The Department of Public Works has notified the various utilities serving the area and has been advised that easements have been secured by Puget Power and King County Water District No. 56.

3. The petition for vacation of a portion of Marine View Drive was previously filed under V-1594 in 1978 by Mary Elizabeth Montgomery. The petition was denied by King County Motion No. 4274. The Department of Public Works requested the Department of Planning and Community Development to again reevaluate their previous request to recommend denial of this proposed vacation. They still considered Marine View Drive as a potential trail corridor and thus recommended that the request again be denied. On May 14, 1982, Mary Elizabeth Montgomery, through her Attorney C. A. Lirhus, filed a written Notice of Appeal.

4. The Department of Public Works considers the subject right of way useless as part of the County road system. As of August 5, 1982, they felt that whether the public would be benefited by the return of this unused area to the tax rolls was now a matter of conjecture. Much of the right of way for Marine View Drive South was acquired by Condemnation proceedings in 1934 (S.C. #270654). The road file also shows that in 1968 a Superior Court Judgment (S.C. #693054) recognized the above Condemnation Action but ruled a non-user statute existed and awarded a Quiet Title to the property owner located approximately 900 feet northerly of the Montgomery property.

5. On December 1982, the King County Facilities and

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

1 Economic Development Committee heard and approved the appeal of
2 Mary Elizabeth Montgomery.

3
4 6. Upon approval of the appeal of Mary Elizabeth Montgomery,
5 the adjoining property owners in that section of Marine View
6 Drive were given the opportunity to join in the petition for the
7 subject road vacation. The vacation area is classified "A" Class
8 in accordance with King County Ordinance No. 2759. Letters were
9 sent to the Federal Way School District No. 210, Dennis A. King,
10 Mary E. Montgomery and Daniel Spillner. Charles O. North, Jr.
11 contacted us in person. King County is now in receipt of
12 \$3,858.40 from Charles North, Jr., \$4,630.55 from Daniel Spillner,
13 \$3,771.04 from Dennis King, \$1,094.30 from Mary Montgomery and a
14 request that she be able to pay the balance of \$6,000.00 on a
15 four year contract to include interest at the rate of 10% on the
16 unpaid balance, and a Deed from the Federal Way School District
17 No. 210, for that portion of the proposed road vacation site
18 located on the Redondo School Site No. 98, valued at \$7,276.99,
19 to King County in exchange for the value of the Site No. 41 area,
20 deeded to King County for road, determined value to be \$4,485.00.
21 The School District proposes that the difference of \$2,791.99 be
22 applied as a credit to King County toward any future acquisitions
23 of School District property.

24 Due notice was given in the manner provided by law and a
25 hearing was held by the King County Council on the 25th
26 day of July, 1983.

27 In consideration of the benefits to be derived from the
28 subject vacation, the Council has determined that it is in the
29 best interest of the citizens of King County to grant said
30 petition.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

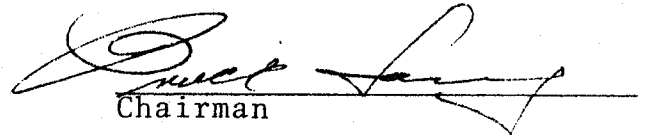
SECTION 1. The Council on the 25th day of July 1983, hereby vacates and abandons the portion of Marine View Drive South, described as follows:

That portion of Puget Sound Marine View Drive South, 80 feet in width within the Northeast 1/4 of Section 32, Township 22 North, Range 4 East, W.M., King County, Washington, lying South of the Plat of Raabe's Addition, as recorded in Volume 78 of Plats, Page 11, Records of King County, Washington; EXCEPT the South 30 feet thereof.

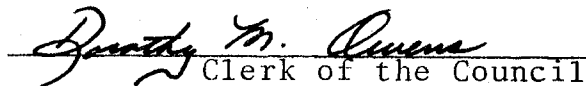
Contains an area of 71,600 square feet or 1.644 Acres, M/L INTRODUCED AND READ for the first time this 13th day of June, 1983.

PASSED on this 25th day of July 1983.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Chairman

ATTEST:


Clerk of the Council

APPROVED on this _____ day of _____, 19_____.

DEEMED ENACTED WITHOUT
COUNTY EXECUTIVE'S SIGNATURE

DATED: 8/4/83

King County Executive



20020424003372

METRO KC COUNC CORD 0.00
PAGE 001 OF 004
04/24/2002 15:47
KING COUNTY, WA

Return Address:
Clerk of the Council
Metropolitan King County Council
Room W 1025 King County Courthouse
Seattle, WA 98104

Please print or type information WASHINGTON STATE RECORDER'S Cover Sheet (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document must be filled in)

1. ORDINANCE 6470 AN ORDINANCE relating to the vacation of a portion of Marine View Drive South - V-1786 Petitioner: Mary Elizabeth Montgomery and Others. (Grantee)

Reference Number(s) of Documents assigned or released:

Additional reference #'s on page _____ of document

Grantor(s) (Last name, first name, initials)

1. King County, Washington

Additional names on page _____ of document.

Grantee(s) (Last name first, then first name and initials)

1. _____
2. _____

Additional names on page _____ of document.

Legal description (abbreviated: i.e. lot, block, plat or section, township, range)

That portion of Puget Sound Marine View Drive South,...

Additional legal is on page _____ of document.

Assessor's Property Tax Parcel/Account Number

Assessor Tax # not yet assigned

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

Signature of Requesting Party

2002 042 4003372

RECEIVED
2002 JUL 19 AM 11:26
KING COUNTY CLERK
KING COUNTY COUNCIL

ORDINANCE NO. 6470

AN ORDINANCE relating to the vacation of a portion of Marine View Drive South - V-1786
Petitioner: Mary Elizabeth Montgomery and Others

STATEMENT OF FACTS

1. A petition has been filed requesting vacation of a portion of Marine View Drive, hereinafter described.

2. The Department of Public Works has notified the various utilities serving the area and has been advised that easements have been secured by Puget Power and King County Water District No. 56.

3. The petition for vacation of a portion of Marine View Drive was previously filed under V-1594 in 1978 by Mary Elizabeth Montgomery. The petition was denied by King County Motion No. 4274. The Department of Public Works requested the Department of Planning and Community Development to again reevaluate their previous request to recommend denial of this proposed vacation. They still considered Marine View Drive as a potential trail corridor and thus recommended that the request again be denied. On May 14, 1982, Mary Elizabeth Montgomery, through her Attorney C. A. Lirhus, filed a written Notice of Appeal.

4. The Department of Public Works considers the subject right of way useless as part of the County road system. As of August 5, 1982, they felt that whether the public would be benefited by the return of this unused area to the tax rolls was now a matter of conjecture. Much of the right of way for Marine View Drive South was acquired by Condemnation proceedings in 1934 (S.C. #270654). The road file also shows that in 1968 a Superior Court Judgment (S.C. #693054) recognized the above Condemnation Action but ruled a non-user statute existed and awarded a Quiet Title to the property owner located approximately 900 feet northerly of the Montgomery property.

5. On December 1982, the King County Facilities and

2002 042 4003372

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

1 Economic Development Committee heard and approved the appeal of
2 Mary Elizabeth Montgomery.

3
4 6. Upon approval of the appeal of Mary Elizabeth Montgomery,
5 the adjoining property owners in that section of Marine View
6 Drive were given the opportunity to join in the petition for the
7 subject road vacation. The vacation area is classified "A" Class
8 in accordance with King County Ordinance No. 2759. Letters were
9 sent to the Federal Way School District No. 210, Dennis A. King,
10 Mary E. Montgomery and Daniel Spillner. Charles O. North, Jr.
11 contacted us in person. King County is now in receipt of
12 \$3,858.40 from Charles North, Jr., \$4,630.55 from Daniel Spillner,
13 \$3,771.04 from Dennis King, \$1,094.30 from Mary Montgomery and a
14 request that she be able to pay the balance of \$6,000.00 on a
15 four year contract to include interest at the rate of 10% on the
16 unpaid balance, and a Deed from the Federal Way School District
17 No. 210, for that portion of the proposed road vacation site
18 located on the Redondo School Site No. 98, valued at \$7,276.99,
19 to King County in exchange for the value of the Site No. 41 area,
20 deeded to King County for road, determined value to be \$4,485.00.
21 The School District proposes that the difference of \$2,791.99 be
22 applied as a credit to King County toward any future acquisitions
23 of School District property.

24 Due notice was given in the manner provided by law and a
25 hearing was held by the King County Council on the 25th
26 day of July, 1983.

27 In consideration of the benefits to be derived from the
28 subject vacation, the Council has determined that it is in the
29 best interest of the citizens of King County to grant said
30 petition.

2002 042 4003372

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The Council on the 25th day of July 1983, hereby vacates and abandons the portion of Marine View Drive South, described as follows:

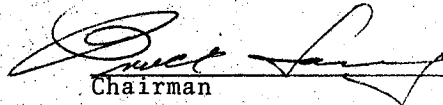
That portion of Puget Sound Marine View Drive South, 80 feet in width within the Northeast 1/4 of Section 32, Township 22 North, Range 4 East, W.M., King County, Washington, lying South of the Plat of Raabe's Addition, as recorded in Volume 78 of Plats, Page 11, Records of King County, Washington; EXCEPT the South 30 feet thereof.

Contains an area of 71,600 square feet or 1.644 Acres, M/L


INTRODUCED AND READ for the first time this 13th day of June, 1983.

PASSED on this 25th day of July 1983.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Chairman

ATTEST:


Clerk of the Council

APPROVED on this _____ day of _____, 19_____.

DEEMED ENACTED WITHOUT
COUNTY EXECUTIVE'S SIGNATURE
DATED: 8/4/83
King County Executive

2002 042 4003372

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