

October 9, 1989
0053H:LB:clt

Introduced by: Greg Nickels

Proposed No: 89 - 440

ORDINANCE NO.

9164

AN ORDINANCE relating to road vacation;
establishing classes of roads and compensation
which may be required for vacation; and
amending Ordinance 129, Sections 2, 3, and 5
and K.C.C. 14.40.020, K.C.C. 14.40.030, and
K.C.C. 14.40.050.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 129, Section 2, and K.C.C. 14.40.020 is
hereby amended as follows:

Amount. The amount of compensation, if required in this
chapter, shall be determined by the council according to the
following criteria:

A. Vacation of all county roads included in Classes A and B,
if granted, shall require compensation at the full appraised value
for Class A vacations and at 75% of the full appraised value for
Class B vacations as of the effective date of the vacation, which
amount, for the purposes of this chapter, may be determined from
the records of the department of assessments;

Provided that:

The council shall have the authority to accept real property
of equal or greater value in lieu of cash compensation. ((where
~~the value of the road to be vacated is not more than the value of~~
~~the real property to be acquired by such exchange.))~~

B. Vacation of all county roads included in Class C, if granted
shall require compensation at 50% of the full appraised value as
of the effective date of the vacation, which amount, for the
purposes of this chapter, may be determined from the records of
the department of assessments and Class D, if granted, require a
two hundred dollar fee as compensation for the administrative
costs of the vacation.

9164

C. When a road is vacated for a governmental agency, compensation ((may-be-based-upon-the-administrative-costs-of-the-vacation-or-may,-in-the-discretion-of-the-council,-be-based-upon the-origina+cost-of-acquisition)) shall be in accordance with the classification of the road, except that some or all of the compensation may be waived at the discretion of the council.

D. The council may waive some or all of the compensation for any classification of road, if it determines that it would benefit King County to do so.

SECTION 2. Ordinance 129, Section 3, and K.C.C. 14.40.030 are each hereby amended as follows:

Condition Precedent. The compensation determined to be paid shall be a condition precedent to the vacation of any county road and shall be paid to King County by petitioner within ninety days of the recommendation of the county executive for passage of the specific ordinance pertaining to such vacated road. In the event of the failure of the petitioner to pay such sum within ninety days, the petition for vacation shall be denied except that if a road proposed for vacation is bordered by more than one parcel of property and if the owners of some, but not all, of those parcels want to have those portions abutting their properties vacated and are willing to pay their prorated share of the required compensation, the department of public works may so modify the vacation request.

SECTION 3. Ordinance 129, Section 5, and K.C.C. 14.40.050 are each hereby amended as follows:

Manner of Payment. Payment shall be made to the King County Treasurer and ((may)) shall be credited to the county road fund ((in-these-eases-where-the-right-of-way-was-obtained-through-the use-of-county-road-funds;)) in the case of Class A and B vacations and in all other cases shall be credited to ((the-county-current expense-fund)) Fund 316 and earmarked for the acquisition of open space.

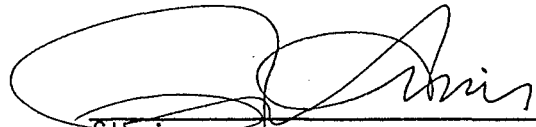
9164

NEW SECTION SECTION 4. This ordinance shall apply only to those road vacations filed after this ordinance takes effect.

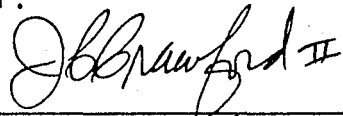
INTRODUCED AND READ for the first time this 5th day of June, 1989.

PASSED this 9th day of October, 1989.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Chairman

ATTEST:



Clerk of the Council

APPROVED this 20th day of October, 1989.


King County Executive

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