

March 26, 1992
PM:CLT:jah

INTRODUCED BY PAUL BARDEN

PROPOSED NO. 92-259

ORDINANCE NO. 10412

AN ORDINANCE relating to the vacation of a portion of 40th Avenue South in Council District No. 7 - V-2088.

Petitioners: Litowitz Construction and Others

STATEMENT OF FACTS

1. A petition has been filed requesting vacation of that portion of 40th Avenue South hereinafter described.

2. The department of public works has notified the various utilities serving the area and has been advised that an easement was granted to Highline Water District.

3. The building and land development division has studied the 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. However, at the request of the building and land development division, the vacation has been modified to retain a ten-foot wide pedestrian easement.

4. The subject portion of 40th Avenue South was originally a part of the unrecorded plat of Star Lake 5 Acre Tracts. All of the rights-of-way contained in this unrecorded plat were deeded to King County in 1932. The petitioners are developing the proposed plat of Star Lake Meadows (File S89P0043) which contains a right-of-way design replacing the right-of-way to be vacated. King County is in receipt of a warranty deed conveying the replacement right-of-way to the county. In the event that the plat of Star Lake Meadows is not finalized, this deed will be recorded.

5. The department of public works found no evidence that the vacation area has ever been open as a road. A search of the records indicates that no public funds have been expended for its acquisition, improvement, or maintenance. The department of public works considers the subject right-of-way useless as part of the county road system, and believes the public would benefit by the return of this unused area to the public tax rolls.

6. The right-of-way is classified "C Class" and in accordance with King County Code 14.40.020, the compensation due King County is based on 50% of the appraised value of the adjoining lands which may be determined from the records of the department of assessments. The compensation amount was determined by multiplying the vacation area by 50% of the assessed value per square foot of the adjoining property. The compensation required for the easterly half of the vacation area was further reduced by 85% to reflect the presence of the pedestrian easement. King County is in receipt of \$966.42 from the petitioners.

1 Due notice was given in the manner provided by law and a hearing
2 was held by the King County council on the 8th day of
June, 1992.

3 In consideration of the benefits to be derived from the subject
4 vacation, the council has determined that it is in the best interest
of the citizens of King County to grant said petition.

5 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

6 SECTION 1. The council, on the 8th day of
7 June, 1992, hereby vacates and abandons the
8 following described portion of 40th Avenue South:

9 PARCEL 1:

10 The Westerly 10.00 feet of the following described parcel:

11 That portion of Government Lot 4, Section 34, Township 22 North,
12 Range 4 East, W.M., in King County, Washington, more
particularly described as follows:

13 BEGINNING at a point, S 00°37'30" W, 348.39 feet from the
14 Northeast corner of said Government Lot 4;

15 THENCE S 89°39'31" W, 505.21 feet;

16 THENCE S 14°18'55" W, 318.81 feet;

17 THENCE N 89°52'32" E, 580.66 feet to the East line of Government
18 Lot 4;

19 THENCE N 00°37'30" E, 310.68 feet to the POINT OF BEGINNING;

20 EXCEPT the Northerly 20.00 feet thereof;
21 AND EXCEPT the Southerly 10.00 feet thereof;

22 PARCEL 2:

23 The Easterly 10.00 feet of the following described parcel;

24 BEGINNING at a point which bears S 89°39'31" W, 420.00 feet and
25 S 14°18'55" W, 360.06 feet from the Northeast corner of
26 Government Lot 4, Section 34, Township 22 North, Range 4 East,
27 W.M., in King County, Washington, and running:

28 THENCE S 89°39'31" W, 10.33 feet;

29 THENCE N 70°49'20" W, 446.26 feet to the center of the County
30 Road;

31 THENCE along the center of County Road, S 19°10'40" W, 210.00
32 feet;

33 THENCE S 58°39'00" E, 494.17 feet;

THENCE N 14°18'55" E, 318.81 feet to the POINT OF BEGINNING.

EXCEPT the Northerly 20.00 feet thereof;
AND EXCEPT the Southerly 10.00 feet thereof;

ALSO EXCEPTING THEREFROM, for future road purposes, any portion

10412

1 thereof lying within the Westerly extensions of the North and
2 South margins of South 277th Place according to the plat of Star
Lake Meadows (File S89P0043).

3 Reserving unto King County a 10-foot wide easement for
4 pedestrian walkway purposes over the Easterly 10 feet (Easterly
5 one-half) of the above-described total vacation area, said 10-
6 foot wide easement for pedestrian walkway being also described
as the Easterly half of 40th Avenue South as depicted on the
plat of Star Lake 5 Acre Tracts, unrecorded.

7 Contains an area of 5,300 square feet or 0.122 acres, M/L.

8 INTRODUCED AND READ for the first time this 6th
9 day of April, 19 92.

10 PASSED this 8th day of June,
11 19 92.

12 KING COUNTY COUNCIL
13 KING COUNTY WASHINGTON

14 Audrey Luger
15 Chair

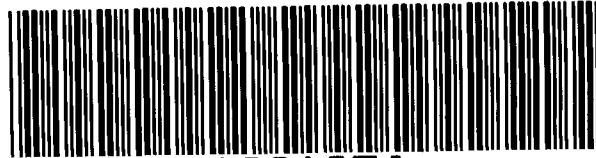
16 ATTEST:

17
18 Janet Masuo
19 Deputy Clerk of the Council

20 APPROVED this 17th day of June,
21 19 92.

22 W. Hill
23 King County Executive

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



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CLERK OF COUNC CORD 0.00
 PAGE 001 OF 004
 03/01/2002 11:45
 KING COUNTY, WA

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

<p>Document Title(s) (or transactions contained therein): (all areas applicable to your document <u>must</u> be filled in) 1. Ordinance 10412 AN ORDINANCE relating to the vacation of a portion of 40th Avenue South in council District No. 7 - V-2088. Petitioners: Litowitz Construction and Others (Grantee)</p>	<p>RECEIVED 2002 JUN 11 AM 9:35 CLERK KING COUNTY COUNCIL</p>
<p>Reference Number(s) of Documents assigned or released: Additional reference #'s on page _____ of document</p>	
<p>Grantor(s) (Last name, first name, initials) 1. King County, Washington Additional names on page _____ of document.</p>	
<p>Legal description (abbreviated: i.e. lot, block, plat or section, township, range) PARCEL 1: The Westerly 10.00 feet of the following described parcel: That portion of Government Additional legal is on page _____ of document.</p>	
<p>Assessor's Property Tax Parcel/Account Number <input type="checkbox"/> Assessor Tax # not yet assigned</p>	
<p>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.</p>	

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 030 1001076

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