

September 22, 1992  
PM:CLT:tg

INTRODUCED BY: PAUL BARDEN

PROPOSED NO: 92-782

ORDINANCE NO. **10657**

AN ORDINANCE relating to the vacation of portions of Occidental Avenue South and South 204th Street in Council District No. 7 - V-2109.

Petitioners: Resurrection Lutheran Church and Others

STATEMENT OF FACTS

1. A petition has been filed requesting vacation of portions of Occidental Avenue South and South 204th Street, in Council District No. 7, hereinafter described (V-2109).

2. The department of public works has notified the various utilities serving the area and has been advised that easements have been granted to Puget Sound Power and Light Company, U.S. West Communications, Highline Water District and the Southwest Suburban Sewer District. No other easements are required.

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.

4. A field visit by public works' staff revealed a well used pedestrian pathway system in both rights-of-way. Public works has recommended that King County reserve a ten-foot wide pedestrian access along these two rights-of-way.

5. The department of public works considers the subject rights-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.

6. The proposed vacation areas were dedicated as public rights-of-way in the plat of Huntington Park Addition to Des Moines and were dedicated to the public in 1889. Because of the early filing date, the rights-of-way fall under the jurisdiction of an act passed by the first State Legislature during the session of 1889-90 (Laws 1889-90, Page 603, Section 32; Ballinger's Code 3803). This law stipulated that any dedicated right-of-way remaining unopened for public use for five years was automatically vacated and the authority for building that roadway was barred by the lapse of time. Although later repealed, the law, as revised, still affects all such rights-of-way filed prior to March 12, 1904. This ordinance formalizes the vacation of the rights-of-way and removes the cloud on the title in favor of the adjoining properties.

7. The department of public works found no evidence that the vacation area has ever been open for County road purposes. A search of the records indicates that no public funds have been expended for acquisition, improvement, or maintenance of subject rights-of-way. The rights-of-way are, therefore, classified "C Class" in accordance with King County Code 14.40.060. Because the proposed vacation areas are subject to the Laws of 1889-90 and have already been vacated by operation of law, the department of public works and the real property division recommended waiving all compensation except \$200.00 for administrative costs. King County is in receipt of \$200.00 from the petitioner.

1 Due notice was given in the manner provided by law and a  
 2 hearing was held by the King County council on the 30th  
 3 day of November, 1992.

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

8 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

9 SECTION 1. The council, on the 30th day of  
 10 November, 1992, hereby vacates and abandons the  
 11 following described portions of Occidental Avenue South and  
 12 South 204th Street:

13 That portion of the Southwest 1/4 of Section 5,  
 14 Township 22 North, Range 4 East, W.M., King County,  
 15 Washington, described as follows:

16 The North 25 feet and the South 25 feet of South 204th  
 17 Street lying West of the West margin of Second Avenue  
 18 South and lying East of a line being five feet Easterly  
 19 of and parallel with the centerline of Occidental  
 20 Avenue South (First Place South);

21 TOGETHER WITH the North 25 feet and the South 25 feet  
 22 of South 204th Street lying East of the West margin of  
 23 Occidental Avenue South (First Place South) and lying  
 24 West of a line being five feet Westerly of and parallel  
 25 with the centerline of said Occidental Avenue South;

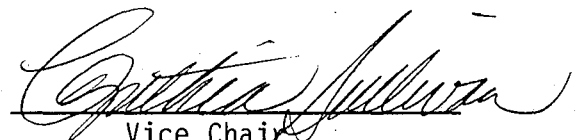
26 TOGETHER WITH the East 25 feet and the West 25 feet of  
 27 Occidental Avenue South (First Place South) lying South  
 28 of the South margin of South 204th Street and lying  
 29 North of the Easterly extension of the South line of  
 30 Lot 9 of Block 40 in Southern Pacific Land Company's  
 31 Huntington Park Addition to Des Moines as recorded in  
 32 Volume 4 of plats, page 24 records of said County.

33 Contains an area of 24,500 square feet or 0.56 acres, M/L.

34 INTRODUCED AND READ for the first time this 26th  
 35 day of October, 1992.

36 PASSED this 30th day of November, 1992.

37 KING COUNTY COUNCIL  
 38 KING COUNTY, WASHINGTON

39   
 40 Vice Chair

41 ATTEST:

42   
 43 Clerk of the Council

44 APPROVED this 11th day of December, 1992.

45   
 46 King County Executive



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 10657 AN ORDINANCE relating to the vacation of a portion of Occidental Avenue South and South 204th Street in Council District No. 7 - V-2109. Petitioners: Resurrection Lutheran Church and Others**

**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.

**Legal description** (abbreviated: i.e. lot, block, plat or section, township, range)  
**That portion of the southwest 1/4 of Section 5, Township 22 North, Range 4 East, W.M., King County .....**  
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 022 2000766

RECEIVED  
2002 MAY 16 AM 8:53  
CLERK  
KING COUNTY COUNCIL

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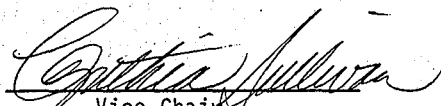
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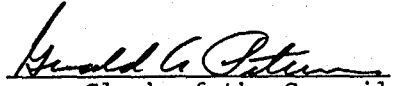
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