

1 January 29, 1997  
2 Ord97.1.13d

Introduced by Jane Hague  
Proposed No. 96-749

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7 ORDINANCE NO. **12618**

8  
9 AN ORDINANCE authorizing the vacation of a portion of South 259th Place and  
10 denying the vacation of South 260th Street - V-2155  
11 Petitioners: Donald and Nadine Masoero.

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14 STATEMENT OF FACTS

15  
16 1. A petition has been filed requesting the vacation of portions of South 259th Place and  
17 South 260th Street.

18  
19 2. King County acquired south 259th Place from the State of Washington, department of  
20 transportation by quit claim deed recorded under recording number 8505070897. A search of  
21 King County records revealed that the County acquired portions of South 260th Street by various  
22 deeds recorded in 1922.

23  
24 3. The department of transportation, road services division has notified the various  
25 utilities serving the area and easements were secured by Puget Sound Power & Light Company  
26 and Highline Water District. No other easements are required.

27  
28 4. The land use services division of the department of development and environmental  
29 services has studied the proposed road vacation and finds that South 259th Place is classified as a  
30 principal arterial, requiring a minimum of 84 feet of right of way width. The land use services  
31 division recommends the vacation of the portion of South 259th Place right of way lying southerly  
32 of a line 42 feet south of the road centerline. The vacation would not be in conflict with the  
33 principles and purposes of the King County Comprehensive Plan or any specific plans in the  
34 vicinity. The land use services division recommends denying the vacation request for South 260th  
35 Street. South 260th Street right of way may provide access for future subdivision and  
36 development in the area.

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38 5. The traffic engineering and transportation system planning sections concur with the  
39 land use services division and recommend the vacation of South 259th Place and denial of the  
40 request for South 260th Street.

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42 6. The department of transportation, road services division recommends vacation of the  
43 portion of South 259th Place and denial of the vacation request for South 260th Street and  
44 hereinafter described. The department of transportation believes the public would benefit by the  
45 return of this portion of the subject right of way to the public tax rolls.

46  
47 7. The council finds that the right of way is classified C-Class and, in accordance with  
48 King County Code 14.40.020. The compensation due King County is based on fifty percent of the  
49 assessed value of the adjoining lands which may be determined from records of the department of

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assessments. King County is in receipt of \$1,250.61 from the petitioner, which exceeds the amount due to King County.

8. The petition contained signatures of additional property owners requesting vacation of the subject right of ways. Petitioners Warren and Juanita Beecroft, Walter and Ester Witter, and Benton and Marion Bangs elected not to pay the compensation for the vacation of South 259th Place.

9. The petitioners Leland and Rita Capp, Donald and Nadine Masoero, Warren and Juanita Beecroft, Walter and Ester Witter, and Benton and Marion Bangs are appealing the recommendation to deny the vacation of the portion of South 260th Street as part of this action.

10. The petitioners Leland and Rita Capp, Donald and Nadine Masoero, Warren and Juanita Beecroft, Walter and Ester Witter, and Benton and Marion Bangs are appealing the compensation required for the vacation request.

Due notice was given in the manner provided by law, and a hearing was commenced by the office of the hearing examiner on October 21, 1996.

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 of King County to grant a modified petition.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1: The Council, on the 24<sup>th</sup> day of January,

1997, hereby vacates and abandons that portion of South 259th Place described as follows:

That portion of South 259th Place lying Southerly of a line 42 feet South of the Centerline of said South 259th Place, and lying adjacent to that parcel of land conveyed to Donald J.Masoero and Nadine L. Masoero, recorded under Recording Number 8706180808, records of King County, Washington.

Containing an area of 1,372 square feet more or less.

SECTION 2. The council hereby rejects the appeal of Leland and Rita Capp, Donald and

Nadine Masoero, Warren and Juanita Beecroft, Walter and Ester Witter, and Benton and Marion Bangs of the department of transportation denial for the vacation of that portion of South 260th Street described as follows:

That portion of South 260th Street lying westerly of the west margin of Military Road South and east of the west line of the Southwest quarter of Section 27, Township 22 North, Range 4 East, and W.M., King County, Washington.

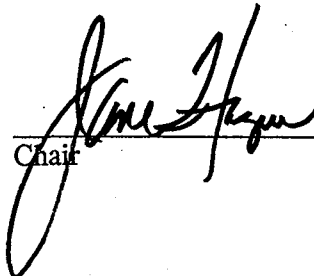
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SECTION 3. The council, hereby concurs with the appeal of Donald and Nadine Masoero, Warren and Juanita Becroft, Walter and Ester Witter, and Benton and Marion Bangs regarding the determination of compensation and finds that the compensation determination made by the department of transportation and the examiner is in error. In accordance with King County Code 14.40, South 259th Place is recognized by the Council as "Class C" right of way. In addition, the department may revise the compensation downward consistent with examiner's recommendation B., if appropriate. After having taken both of these determinations into consideration, the department of transportation is directed to refund that portion of the \$1250.61 right of way compensation deposit which is due to Donald and Nadine Masoero.

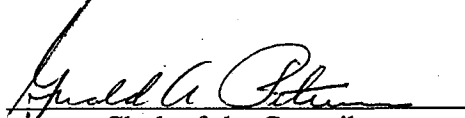
INTRODUCED AND READ for the first time this 16th day of September, 1996.

PASSED by a vote of 10-0 this 24<sup>th</sup> day of JANUARY, 1997.

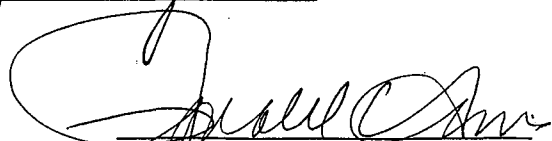
KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Chair

ATTEST:

  
Clerk of the Council

APPROVED this 7 day of February, 1997.

  
King County Executive

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



**20020219000619**  
KING COUNTY CO CORD      0.00  
PAGE 001 OF 004  
02/19/2002 10:23  
KING COUNTY, WA

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 12618 AN ORDINANCE authorizing the vacation of a portion of South 259th Place and denying the vacation of South 260th Street - V-2155. Petitioners: Donald and Nadine Masoero**

**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 South 259th Place lying Southerly of a line 42 feet South of the Centerline.....**

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 021 9000619

1 January 29, 1997  
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Introduced by Jane Hague  
Proposed No. 96-749

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