

LOUISE MILLER

Introduced By:

Greg Nickels
Jane Hague

CLERK 1/15/98

Proposed No.:

97-348

ORDINANCE NO. **12991**

AN ORDINANCE authorizing the vacation of a portion of Robinwood Road Southwest (V-2295). Petitioners: Donald N. Davis and Robert and Gertrude F. Rempfer.

STATEMENT OF FACTS

1. A petition has filed requesting vacation of that portion of Robinwood Road Southwest hereinafter described.

2. The department of transportation has received comments and recommendations regarding the proposed road vacation from various agencies. The utility companies serving the area have been notified, and staff was advised that Puget Sound Energy and TCI Auburn Cable Company have secured easements over the proposed vacation area. No other utility easements were required.

3. The department of transportation found evidence that portions of the right-of way in the area are open and utilized as a public road. A review of the records indicates that public funds have been expended for its maintenance. The department of transportation believes that the public would benefit by the return of this area to the public tax rolls subject to an emergency access easement across the vacation area.

1 4. The right-of-way is classified "B-Class" and in accordance with
2 K.C.C. 14.40.020, the compensation due King County is based on
3 seventy-five percent of the assessed value of the adjoining lands
4 which may be determined from records of the department of
5 assessments. King County is in receipt of \$1,113.32 from the
6 petitioners.

7 5. Due notice was given in the manner provided by law and a
8 hearing was held by the office of hearing examiner on the 15th of
9 July, 1997.

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

13 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

14 SECTION 1. The council, on the 20th day of January, 19 98,

15 hereby vacates and abandons that portion of Robinwood Road Southwest as conveyed to
16 King County under recording number 2958373, in volume 1747 of deeds, page 113,
17 records of King County, Washington described as follows:

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The west 20 feet of the south 82 feet of the north 219.7 feet of Government Lot 2, Section 2, Township 22 North, Range 2 East, W.M., in King County, Washington; SUBJECT to the emergency access easements attached as exhibits A and B.

Contains an area of approximately 1,600 square feet.

INTRODUCED AND READ for the first time this 16th day of June, 1997.

PASSED by a vote of 12 to 0 this 20th day of

January, 1998.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Louise Miller
Chair

ATTEST:

[Signature]
Clerk of the Council

APPROVED this 30 day of January, 1998

[Signature]
King County Executive

Attachments: Exhibit A - Davis Emergency Access Agreement
Exhibit B - Rempfer Emergency Access Agreement

RECEIVED
ROAD SERVICES

**AGREEMENT
DONALD N. DAVIS VACATION PETITION
KING COUNTY FILE V-2295**

KING COUNTY
ROADS AND ENGINEERING DIVISION

This Agreement is entered into between Donald N. Davis, a single man, and the Road Services Division, King County Department of Transportation.

RECITALS

A. Donald N. Davis owns certain real property located on Vashon Island, King County, Washington. The Davis property is described as follows:

The South 20 feet of the North 159.7 feet and the South 60 feet of the North 219.7 feet of Government Lot 2, Section 2, Township 22 North, Range 2 East, W.M., in King County Washington, less County road.

The Davis property abuts the 60 foot wide County road right-of-way of Robinwood Road Southwest.

B. Mr. Davis has filed a petition with the King County Council seeking vacation of a portion of the right-of-way of Robinwood Road Southwest under File V-2295. The portion of the right-of-way of Robinwood Road Southwest that is the subject of the vacation petition is referred to hereinafter as "the Proposed Vacation Area," and is legally described as follows:

The west 20 feet of that portion of Robinwood Road Southwest as conveyed to King County under Recording Number 2958373, in Volume 1747 of deed, page 113, records of King County, Washington over the parcel of land described as follows:

The South 20 feet of the North 159.7 feet and the South 60 feet of the North 219.7 feet of Government Lot 2, Section 2, Township 22 North, Range 2 East, W.M., in King County Washington;

C. The Road Services Division has recommended that the vacation petition be denied because the Proposed Vacation Area, although not developed as part of the paved roadway of Robinwood Road Southwest, is useful as part of the County road system if by reason of earth movement or flood affecting the road abutting the Davis property or adjacent property, an emergency access to Robinwood Road Southwest is required for repair of said road, and/or as a temporary detour for traffic on Robinwood Road Southwest pending such repair. Mr. Davis

disagrees with this position and has appealed the recommended denial to the King County Hearing Examiner.

AGREEMENT

1. The Road Services Division will recommend approval of the Davis vacation petition upon its receipt of this Agreement and the Emergency Access Easement, a copy of which is attached hereto as Exhibit 1, both properly executed by Mr. Davis.


2. Mr. Davis understands that the final determination on his vacation petition will be made by the County legislative authority in accordance with RCW Chapter 36.87 and King County Code 14.40. This Agreement in no way binds the Hearing Examiner, the King County Council or the King County Executive to any particular action regarding the vacation petition.

3. This Agreement shall be binding on the parties hereto, and their successors, heirs and assigns. The Emergency Access Easement, Exhibit 1, shall be effective on and after the date of King County's approval of the Davis vacation petition, King County Vacation File V-2295. In the event the County does not approve the Davis vacation petition, the Emergency Access Easement shall be null and void and shall have no legal effect.

4. This Agreement, including the attached Exhibit 1, Emergency Access Easement, is the complete expression of the terms hereof, and any representations or understandings, whether oral or written, not incorporated herein are excluded.

5. This Agreement does not waive any rights or remedies otherwise available to the parties.

Harold S. Taniguchi, Manager
Road Services Division
King County Department of Transportation
Date: _____



Donald N. Davis
Date: 11/4/97

RECEIVED
JUL 12 1956
AGREEMENT
ROBERT and GERTRUDE REMPFER VACATION PETITION
KING COUNTY FILE V-2295

FAMILY
ROAD SERVICES DIVISION
This Agreement is entered into between Robert and Gertrude F. Rempfer, husband and wife, and the Road Services Division, King County Department of Transportation.

RECITALS

A. Robert and Gertrude F. Rempfer own certain real property located on Vashon Island, King County Washington. The Rempfer property is described as follows:

The south 60 feet of the north 159.7 feet of Government Lot 2 less south 20 feet less County road together with the south 60 feet of the north 99.70 feet of Government Lot 2 less County road and 2nd class tidelands adjacent in Section 2, Township 22 North, Range 2 East, W.M. per King County Lot Line adjustment number 8908010, recording number 8911021090, records of King County, Washington.

The Rempfer property abuts the 60 foot wide County road right-of-way of Robinwood Road Southwest.

D. The Rempfer's have filed a petition with the King County Council seeking vacation of a portion of the right-of-way of Robinwood Road Southwest under File V-2295. The portion of the right-of-way of Robinwood Road Southwest that is the subject of the vacation petition is referred to hereinafter as "the Proposed Vacation Area," and is legally described as follows:

The west 20 feet of that portion of Robinwood Road Southwest as conveyed to King County under Recording Number 2958373, in Volume 1747 of deed, page 113, records of King County, Washington over the parcel of land described as follows:

Exhibit B

The south two feet of the south 60 feet of the north 159.7 feet of Government Lot 2 less south 20 feet together with the south 60 feet of the north 99.70 feet of Government Lot 2 and 2nd class tidelands adjacent in Section 2, Township 22 North, Range 2 East, W.M. per King County Lot Line adjustment number 8908010, recording number 8911021090, records of King County, Washington.

E. The Road Services Division has recommended that the vacation petition be denied because the Proposed Vacation Area, although not developed as part of the paved roadway of Robinwood Road Southwest, is useful as part of the County road system if by reason of earth movement or flood affecting the road abutting the Rempfer property or adjacent property, an emergency access to Robinwood Road Southwest is required for repair of said road, and/or as a temporary detour for traffic on Robinwood Road Southwest pending such repair.

AGREEMENT

1. The Road Services Division will recommend approval of the Rempfer vacation petition upon its receipt of this Agreement and the Emergency Access Easement, a copy of which is attached hereto as Exhibit 1, both properly executed by Mr. Davis.
2. Mr. and Mrs. Rempfer understand that the final determination on their vacation petition will be made by the County legislative authority in accordance with RCW Chapter 36.87 and King County Code 14.40. This Agreement in no way binds the Hearing Examiner, the King County Council or the King County Executive to any particular action regarding the vacation petition.
3. This Agreement shall be binding on the parties hereto, and their successors, heirs and assigns. The Emergency Access Easement, Exhibit 1, shall be effective on and after the date

of King County's approval of the Rempfer vacation petition, King County Vacation File V-2295. In the event the County does not approve the Rempfer vacation petition, the Emergency Access Easement shall be null and void and shall have no legal effect.

4. This Agreement, including the attached Exhibit 1, Emergency Access Easement, is the complete expression of the terms hereof, and any representations or understandings, whether oral or written, not incorporated herein are excluded.

5. This Agreement does not waive any rights or remedies otherwise available to the parties.

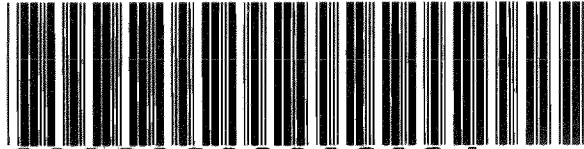
Harold S. Taniguchi, Manager
Road Services Division
King County Department of Transportation
Date: _____

Robert W Rempfer
Robert Rempfer

Date: 14 Nov 97

Gertrude F. Rempfer
Gertrude F. Rempfer

Date: 14 Nov 97



20020208002084

KING COUNTY CO CORD 0.00
PAGE 001 OF 009
02/08/2002 12:40
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 12991 AN ORDINANCE authorizing the vacation of a portion of Robinwood Road Southwest (V-2295). Petitioners: Donald N. Davis and Robert and Gertrude F. Rempfer.

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)

The west 20 feet of the south 82 feet of the north 219.7 feet of Government Lot 2, Section 2,

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 020 8002084

RECEIVED
2002 APR -5 AM 11:22
CLERK
KING COUNTY COUNCIL

Introduced By: LOUISE MILLER
Greg Nickels
Jane Hague

CLERK 1/15/98

Proposed No.: 97-348

ORDINANCE NO. **12991**

AN ORDINANCE authorizing the vacation of a portion of Robinwood Road Southwest (V-2295). Petitioners: Donald N. Davis and Robert and Gertrude F. Rempfer.

STATEMENT OF FACTS

1. A petition has filed requesting vacation of that portion of Robinwood Road Southwest hereinafter described.

2. The department of transportation has received comments and recommendations regarding the proposed road vacation from various agencies. The utility companies serving the area have been notified, and staff was advised that Puget Sound Energy and TCI Auburn Cable Company have secured easements over the proposed vacation area. No other utility easements were required.

3. The department of transportation found evidence that portions of the right-of way in the area are open and utilized as a public road. A review of the records indicates that public funds have been expended for its maintenance. The department of transportation believes that the public would benefit by the return of this area to the public tax rolls subject to an emergency access easement across the vacation area.

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1 4. The right-of-way is classified "B-Class" and in accordance with
2 K.C.C. 14.40.020, the compensation due King County is based on
3 seventy-five percent of the assessed value of the adjoining lands
4 which may be determined from records of the department of
5 assessments. King County is in receipt of \$1,113.32 from the
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7 5. Due notice was given in the manner provided by law and a
8 hearing was held by the office of hearing examiner on the 15th of
9 July, 1997.

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

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15 hereby vacates and abandons that portion of Robinwood Road Southwest as conveyed to
16 King County under recording number 2958373, in volume 1747 of deeds, page 113,
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2002 020 8002084

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2 Section 2, Township 22 North, Range 2 East, W.M., in King County, Washington;
3 SUBJECT to the emergency access easements attached as exhibits A and B.

4
5 Contains an area of approximately 1,600 square feet.
6

7 INTRODUCED AND READ for the first time this 16th day of June, 1997.

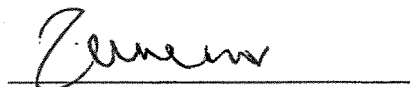
8 PASSED by a vote of 12 to 0 this 20th day of

9 January, 1998.

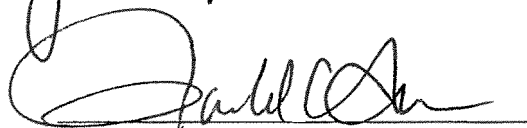
10 KING COUNTY COUNCIL
11 KING COUNTY, WASHINGTON

12 
13 Chair

14 ATTEST:

15 
16 Clerk of the Council

17 APPROVED this 30 day of January, 1998

18 
19 King County Executive

20
21 Attachments: Exhibit A - Davis Emergency Access Agreement
22 Exhibit B - Rempfer Emergency Access Agreement
23

2002 020 8002084

AGREEMENT
DONALD N. DAVIS VACATION PETITION
KING COUNTY FILE V-2295

RECEIVED
ROADS AND ENGINEERING SERVICES
KING COUNTY
ROADS AND ENGINEERING DIVISION

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2002 020 8002086

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5. This Agreement does not waive any rights or remedies otherwise available to the parties.

2002 020 8002086

Harold S. Taniguchi, Manager
Road Services Division
King County Department of Transportation
Date: _____



Donald N. Davis
Date: 11/4/97

FILED
COUNTY CLERK
AGREEMENT
ROBERT and GERTRUDE REMPFER VACATION PETITION
KING COUNTY FILE V-2295

KING COUNTY
ROAD SERVICES DIVISION
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5. This Agreement does not waive any rights or remedies otherwise available to the parties.

2002 020 800208

Harold S. Taniguchi, Manager
Road Services Division
King County Department of Transportation
Date: _____

Robert W Rempfer
Robert Rempfer

Date: 14 Nov 97

Gertrude F. Rempfer
Gertrude F. Rempfer

Date: 14 Nov 97