



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

January 15, 2002

Ordinance 14281

Proposed No. 2001-0432.2

Sponsors von Reichbauer

1 AN ORDINANCE authorizing the vacation of a portion of
2 South 336th Street File V-2421 Petitioner: New Heart
3 Worship Center.

4

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STATEMENT OF FACTS:

7

1. A petition has been filed requesting vacation of that portion of South
8 336th Street hereinafter described.

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2. The department of transportation notified the various utilities
10 companies serving the area and has been advised that easements were not
11 required within the vacation area.

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12

3. The subject right-of-way was dedicated in the Plat of Maltby's Lake
13 Geneva Five Acre Tracts, Volume 14 of Plats, Page 73, Records of King
14 County, Washington.

13

14

15

4. The department of transportation road maintenance records indicate
16 that King County has not maintained South 336th Street. The records
17 indicate that no public funds have been expended for its acquisition.

16

17

18 5. The department of transportation considers the subject portion of the
19 right-of-way useless as part of the county road system and believes the
20 public would benefit by the return of this unused area to the public tax
21 rolls.

22 6. The right-of-way is classified as "C-Class" and, in accordance with
23 K.C.C. 14.40.020, the compensation due King County is based on fifty
24 percent of the assessed value of the subject right-of-way which was
25 determined from records of the department of assessments. King County
26 is in receipt of \$8,468.36 from the petitioner.

27 Due notice was given in the manner provided by law and a hearing was
28 held by the office of the hearing examiner on the 12th day of December,
29 2001.

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

33 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

34 SECTION 1. The council, on the 14th day of January, 2002, hereby vacates and
35 abandons that portion of South 336th Street as dedicated in the Plat of Maltby's Lake
36 Geneva Five Acre Tracts, Volume 14 of Plats, Page 73, Records of King County,
37 Washington, described as follows:

38 Being that portion of said South 336th Street, lying Northerly of Tracts 2 and 5 of said
39 plat and Northerly of that portion of Old Military Road vacated on September 28, 1936,
40 running along the east line of Tracts 2 and 4 of said plat and lying 50 feet Westerly of the

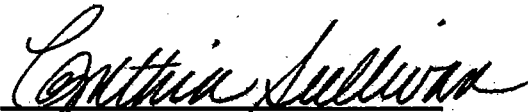
Ordinance 14281

41 centerline of Military Road South (Military Road South Section, No. 1375 Surv. No. 108
42 ¾, EST. 3-4-29, C.C. Vol. 29-385).
43 EXCEPTING THE West 150 feet of said Tract 5 thereof
44 Containing 17,247 square feet more or less.
45

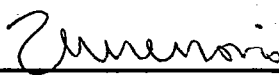
Ordinance 14281 was introduced on 8/27/01 and passed by the Metropolitan King County Council on 1/14/02, by the following vote:


Yes: 12 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Pullen, Mr. Gossett, Ms. Hague, Mr. Irons and Ms. Patterson
No: 0
Excused: 1 - Mr. Phillips

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Cynthia Sullivan, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 24 day of January, 2002 
Ron Sims, County Executive

Attachments A. Hearing Examiner report dated 12-10-01

14281

December 10, 2001

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON
850 Union Bank of California Building
900 Fourth Avenue
Seattle, Washington 98164
Telephone (206) 296-4660
Facsimile (206) 296-1654**

REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL

SUBJECT: King County Department of Transportation File No. V-2421
Proposed Ordinance No. 2001-0432

**NEW HEART WORSHIP CENTER
Road Vacation Petition**

Location: Portion of South 336th Street between Military Road South
And 45th Avenue South

Applicant: **New Heart Worship Center**
33415 Military Road South
Auburn, WA 98001-9603
Telephone: (253) 939-0553

King County: Department of Transportation, Road Services Division,
represented by **Dennis Gorley**
201 S. Jackson Street
Seattle, WA 98104-3858
Telephone: (206) 296-6522
Facsimile: (206) 296-0567

SUMMARY OF RECOMMENDATIONS:

Department's Preliminary:	Approve road vacation
Department's Final:	Approve road vacation
Examiner:	Approve road vacation

DEPARTMENT'S REPORT:

The Department of Transportation's written report to the King County Hearing Examiner for Item No. V-2421 was received by the Examiner on November 20, 2001.

PUBLIC HEARING:

After reviewing the Department of Transportation's Report and examining available information

on file with the petition, the Examiner conducted a public hearing on the subject as follows:

The hearing on Item No. V-2409 was opened by the Examiner at 10:00 a.m., December 6, 2001, in the Fifth Floor Conference Room of the Union Bank of California Building, 900 – 4th Avenue, Seattle, WA 98104, and closed at 10:15 a.m. Participants at the public hearing and the exhibits offered and entered are listed in the attached minutes. A verbatim recording of the hearing is available in the office of the King County Hearing Examiner.

FINDINGS, CONCLUSIONS & RECOMMENDATION: Having reviewed the record in this matter, the Examiner now makes and enters the following:

FINDINGS:

1. General Information:

Road name and location:	Portion of South 336 th Street between Military Road South and 45 th Avenue South
Right of way classification:	"C"
Area:	19,028 sq. ft.
Compensation:	\$8,468.38

2. Except as provided below, the Examiner adopts and incorporates herein by this reference the facts set forth in the Department of Transportation's report to the King County Hearing Examiner for the December 6, 2001, public hearing and the statement of facts contained in Proposed Ordinance No. 2001-0432. The Department's report will be attached to those copies of this report and recommendation that are submitted to the Metropolitan King County Council.

3. Maps showing the vicinity of the proposed vacation and the specific area to be vacated are Attachments 1 and 2 to this Report and Recommendation.

4. Vacation of the subject right-of-way would have no adverse effect on the provision of fire and emergency services to the subject property or surrounding area.

CONCLUSIONS:

1. The road subject to this petition is useless as part of the King County road system, and the public will be benefited by its vacation.

2. The Notice of Hearing on the report of the Department of Transportation was given as required by law, and a hearing on the report was conducted by the King County Hearing Examiner on behalf of the King County Council.

3. The compensation required by law to be paid as a condition precedent to the vacation of this road has been deposited with King County, and the easements, if any, necessary for the construction, repair and maintenance of public utilities and services have been provided in form satisfactory to the affected public utilities.

RECOMMENDATION:

APPROVE the proposed Ordinance No. 2001-0432 to vacate the subject road.

RECOMMENDED this 10th day of December, 2001.

Stafford L. Smith
King County Hearing Examiner

TRANSMITTED this 10th day of December, 2001, to the following parties and interested persons:

New Heart Worship Center
Anne Noris
Ronald J. Paananen
Puget Sound Energy
Jim Nies
Kristen Langley
Rod Matsuno

Julian Sayers
Joe Wilson
Lydia Reynolds-Jones
Charlie Sundberg
Rich Hudson
Dennis Gorley

Lakehaven Utility District
Susan Serdahl
Jeff Dixon
Quest Communications
Trish Gustafson
Neil DeGoojer

NOTICE OF RIGHT TO APPEAL
AND ADDITIONAL ACTION REQUIRED

In order to appeal the recommendation of the Examiner, written notice of appeal must be filed with the Clerk of the King County Council with a fee of \$125.00 (check payable to King County Office of Finance) on or before December 24, 2001. If a notice of appeal is filed, the original and 6 copies of a written appeal statement specifying the basis for the appeal and argument in support of the appeal must be filed with the Clerk of the King County Council on or before December 31, 2001.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Courthouse, prior to the close of business (4:30 p.m.) on the date due. Prior mailing is not sufficient if actual receipt by the Clerk does not occur within the applicable time period. The Examiner does not have authority to extend the time period unless the Office of the Clerk is not open on the specified closing date, in which event delivery prior to the close of business on the next business day is sufficient to meet the filing requirement.

If a written notice of appeal and filing fee are not filed within 14 days calendar days of the date of this report, or if a written appeal statement and argument are not filed within 21 calendar days of the date of this report, the Clerk of the Council shall place a proposed ordinance which implements the Examiner's recommended action on the agenda of the next available Council meeting. At that meeting, the Council may adopt the Examiner's recommendation, may defer action, may refer the matter to a Council committee, or may remand to the Examiner for further hearing or further consideration.

Action of the Council Final. The action of the Council on a recommendation of the Examiner shall be final and conclusive unless within twenty-one (21) days from the date of the action an aggrieved party or person applies for a writ of certiorari from the Superior Court in and for the County of King, State of Washington, for the purpose of review of the action taken.

MINUTES OF THE DECEMBER 6, 2001 PUBLIC HEARING ON KING COUNTY DEPARTMENT OF TRANSPORTATION FILE NO: V-2421, PROPOSED ORDINANCE NO. 2001-0432

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing and representing the Department was Dennis Gorley. Participating in the hearing and representing the Applicant was Julian Sayers. There were no other participants.

The following exhibits were offered and entered into the record:

- Exhibit No. 1 Department of Transportation, Road Service Division File No. V-2421
- Exhibit No. 2 Letter from New Heart Worship Center to Paul Toliver dated November 28, 2000
- Exhibit No. 3 Letter from Julian Sayers to Metropolitan King County Council dated November 24, 2000
- Exhibit No. 4 Petition for Vacation of a County Road
- Exhibit No. 5 Copy of check from New Heart Worship Center to King County dated November 16, 2000
- Exhibit No. 6 Aerial Photograph and Other Photographs of New Heart Worship Center Area
- Exhibit No. 7 Kroll Map of New Heart Worship Center
- Exhibit No. 8 Map of Site and area around New Heart Worship Center
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- Exhibit No. 12 Copy of Deed and Legal Description of New Heart Worship Center
- Exhibit No. 13 Copy of check from New Heart Worship Center to King County dated June 19, 2001
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- Exhibit No. 18 Proposed Ordinance No. 2001-0432 dated August 22, 2001
- Exhibit No. 19 Notice of Hearing from Clerk of the Council dated November 9, 2001
- Exhibit No. 20 Copy of Posting the Notice of Public Hearing dated November 13, 2001
- Exhibit No. 21 Affidavit of Publication from King County Clerk of the Council

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



20020201002092

KC CLERK OF CO CORD 0.00
PAGE 001 OF 008
02/01/2002 13:15
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 14281 AN ORDINANCE authorizing the vacation of a portion of South 336th Street File V-2421 Petitioner: New Heart Worship Center.

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)

Being that portion of said South 336th Street, lying Northerly of Tracts 2 and 5 of said ...

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 1002092

2002 APR 11 11:31
RECEIVED
KING COUNTY CLERK
KING COUNTY COUNCIL



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

January 15, 2002

Ordinance 14281

Proposed No. 2001-0432.2

Sponsors von Reichbauer

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6 **STATEMENT OF FACTS:**

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10 companies serving the area and has been advised that easements were not
11 required within the vacation area.
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2002 020 1002092

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 43 EXCEPTING THE West 150 feet of said Tract 5 thereof
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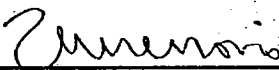
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 No: 0
 Excused: 1 - Mr. Phillips

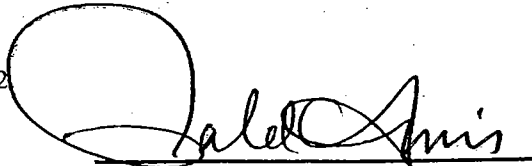
2002 020 1002092

KING COUNTY COUNCIL
 KING COUNTY, WASHINGTON


 Cynthia Sullivan, Chair

ATTEST:


 Anne Noris, Clerk of the Council

APPROVED this 24 day of January, 2002 
 Ron Sims, County Executive

Attachments A. Hearing Examiner report dated 12-10-01

14281

December 10, 2001

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON
850 Union Bank of California Building
900 Fourth Avenue
Seattle, Washington 98164
Telephone (206) 296-4660
Facsimile (206) 296-1654**

REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL

SUBJECT: King County Department of Transportation File No. V-2421
Proposed Ordinance No. 2001-0432

**NEW HEART WORSHIP CENTER
Road Vacation Petition**

Location: Portion of South 336th Street between Military Road South
And 45th Avenue South

Applicant: **New Heart Worship Center**
33415 Military Road South
Auburn, WA 98001-9603
Telephone: (253) 939-0553

King County: Department of Transportation, Road Services Division,
represented by Dennis Gorley
201 S. Jackson Street
Seattle, WA 98104-3858
Telephone: (206) 296-6522
Facsimile: (206) 296-0567

SUMMARY OF RECOMMENDATIONS:

Department's Preliminary:	Approve road vacation
Department's Final:	Approve road vacation
Examiner:	Approve road vacation

DEPARTMENT'S REPORT:

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FINDINGS:

1. General Information:

Road name and location:	Portion of South 336 th Street between Military Road South and 45 th Avenue South
Right of way classification:	"C"
Area:	19,028 sq. ft.
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2. Except as provided below, the Examiner adopts and incorporates herein by this reference the facts set forth in the Department of Transportation's report to the King County Hearing Examiner for the December 6, 2001, public hearing and the statement of facts contained in Proposed Ordinance No. 2001-0432. The Department's report will be attached to those copies of this report and recommendation that are submitted to the Metropolitan King County Council.

3. Maps showing the vicinity of the proposed vacation and the specific area to be vacated are Attachments 1 and 2 to this Report and Recommendation.

4. Vacation of the subject right-of-way would have no adverse effect on the provision of fire and emergency services to the subject property or surrounding area.

CONCLUSIONS:

1. The road subject to this petition is useless as part of the King County road system, and the public will be benefited by its vacation.

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2002 020 1002092

RECOMMENDATION:

APPROVE the proposed Ordinance No. 2001-0432 to vacate the subject road.

RECOMMENDED this 10th day of December, 2001.

Stafford L. Smith
King County Hearing Examiner

TRANSMITTED this 10th day of December, 2001, to the following parties and interested persons:

New Heart Worship Center
Anne Noris
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Puget Sound Energy
Jim Nies
Kristen Langley
Rod Matsuno

Julian Sayers
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Lydia Reynolds-Jones
Charlie Sundberg
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