



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**August 18, 2003**

**Ordinance 14735**

**Proposed No. 2003-0277.2**

**Sponsors Sullivan**

1 AN ORDINANCE authorizing the vacation of a portion of  
2 South 124th Street and 64th Avenue South File V-2435.  
3 Petitioner: Renton School District.  
4  
5

6 **STATEMENT OF FACTS:**

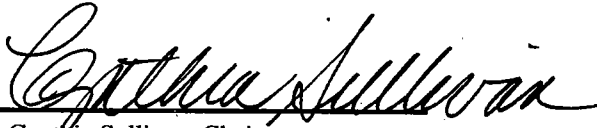
- 7 1. A petition has been filed requesting vacation of those portions of South  
8 124th Street and 64th Avenue South hereinafter described.  
9 2. The department of transportation notified the various utility companies  
10 serving the area and has been advised that all required easements have  
11 been acquired within the vacation area.  
12 3. The department of transportation records indicates that King County  
13 has not been maintaining those portions of South 124th Street and 64th  
14 Avenue South. The records indicate that no public funds have been  
15 expended for its acquisition.  
16 4. The department of transportation considers the subject portion of the  
17 right-of-way useless as part of the county road system and believes the

56 Washington, and north of the northerly margin of Beacon  
57 Avenue South.  
58

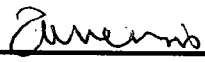
Ordinance 14735 was introduced on 6/23/2003 and passed by the Metropolitan King County Council on 8/18/2003, by the following vote:

Yes: 11 - Ms. Sullivan, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Hammond, Mr. Gossett, Ms. Hague and Ms. Patterson  
No: 0  
Excused: 2 - Ms. Edmonds and Mr. Irons

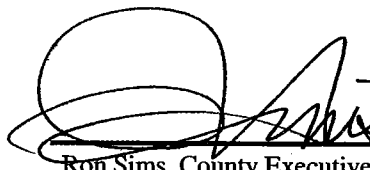
KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Cynthia Sullivan, Chair

ATTEST:

  
Anne Noris, Clerk of the Council

APPROVED this 29 day of August, 2003.

  
Ron Sims, County Executive

RECEIVED  
2003 AUG 28 PM 4:05  
KING COUNTY CLERK  
KING COUNTY COUNCIL

Attachments A. Hearing Examiner Report dated July 24, 2003

14735  
July 24, 2003

**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-2435  
Proposed Ordinance No. 2003-0277

**RENTON SCHOOL DISTRICT #403**  
Road Vacation Application

**Location:** Portion of South 124<sup>th</sup> Street and 64<sup>th</sup> Avenue South northeast of  
Beacon Avenue South

**Petitioner:** Renton School District #403, *represented by*  
**Tia Heim**  
Perkins Coie LLP  
1201 – 3<sup>rd</sup> Avenue, 40<sup>th</sup> Floor  
Seattle, WA 98101

**King County:** Department of Transportation, *represented by*  
**Jodi Simmons**  
201 S. Jackson St.  
Seattle, WA 98104-3856  
Telephone: (206) 296-3731  
Facsimile: (206) 296-0567

**SUMMARY OF RECOMMENDATIONS:**

Department's Preliminary:  
Department's Final:  
Examiner:

Approve road vacation  
Approve road vacation  
Approve road vacation

**DEPARTMENT'S REPORT:**

The Department of Transportation's written report to the King County Hearing Examiner for Item No. V-2435 was received by the Examiner on July 10, 2003.

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-2435 opened by the Examiner at 1:40 p.m., July 23, 2003, in the Fifth Floor Conference Room of the Union Bank of California Building, 900 – 4<sup>th</sup> Avenue, Seattle, WA 98164, and closed at 1:46 p.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 124<sup>th</sup> Street and 64<sup>th</sup> Avenue South northeast of Beacon Avenue South

Right of way classification: "C" Class

Area: .054 miles

Compensation: None (Waived)

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 July 23, 2003 public hearing and the statement of facts contained in Proposed Ordinance No. 2003-0277. 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 waived by 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 proposed Ordinance No. 2003-0277 to vacate the subject road.

RECOMMENDED this 24th day of July, 2003.

---

Stafford L. Smith  
King County Hearing Examiner

TRANSMITTED this 24th day of July, 2003, to the following parties and interested persons:

Don Dauphiny  
Qwest Communications  
1200 12th Ave. NW  
Issaquah WA 98027

Terry Davis  
Comcast, Inc.  
410 Valley Ave. NW  
Puyallup WA 98371

Tia Heim  
Perkins Coie LLP  
1201 - 3rd Ave., 40th Fl.  
Seattle WA 98101

Mary Lamping  
Puget Sound Energy  
411 - 108th Ave. NE  
Bellevue WA 98009-9734

Renton School, District #403  
300 SW 7th St.  
Renton WA 98055-2307

Cheryl Scheuerman  
Bryn Mawr-Lakeridge Water & Sewer  
11909 Renton Ave. S.  
Seattle WA 98178

Seattle City Light Co  
700 Fifth Avenue #3300  
Seattle WA 98104-5031

Jodi Simmons  
Engineer II  
DOT/Road Services  
MS KSC-TR-0231 WA

Mike Torgerson  
Renton School District  
1220 N. 4th St.  
Renton WA 98055

Greg Borba  
DDES/LUSD  
MS OAK-DE-0100

Clerk of the Council  
MS KCC-CC-1025

Curt Crawford  
KC DNR  
Water & Land Res. Div.  
MS KSC-NR-0600

Neil DeGoojer  
KC Office of Open Space  
MS KSC-NR-600

Pam Elardo  
KC DNR&P  
Wastewater Treatment Div.  
MS KSC-NR-0503

Nancy Gordon  
King County DOT  
Transit/D&C  
MS KSC-TR-0431

Dennis Gorley  
Dept of Transportation  
Road Services Division  
MS KSC-TR-0231

David Gualtieri  
KCDOT  
CIP & Planning Sec.  
MS KSC-TR-0317

Denise Hauck  
KC Dept. of Exec. Svcs.  
MS ADM-ES-0500

Fatin Kara  
KC DOT/Rd. Svcs. Div.  
MS KSC-TR-0222

Roderick E. Matsuno  
KC DOT  
Road Maint. Section  
MS RSD-TR-0100

Paulette Norman  
KCDOT  
Roads Division  
MS KSC-TR-0231

Robert Nunnenkamp  
KC Parks and Recreation  
MS LBP-PR-0100

Lydia Reynolds-Jones  
KC DOT  
Project Support Serv.  
MS KSC-TR-0231

Charlie Sundberg  
Office of Cultural Res.  
Landmarks & Heritage Prog.  
MS STR-CR-0200

NOTICE OF RIGHT TO APPEAL

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 \$250.00 (check payable to King County Office of Finance) *on or before August 7, 2003*. 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 August 14, 2003*.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Courthouse, 516 – 3rd Avenue, Seattle, Washington 98104, 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 JULY 23, 2003, PUBLIC HEARING ON KING COUNTY DEPARTMENT OF TRANSPORTATION FILE NO. V-2435.

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing was Jodi Simmons, representing the Department, and Mike Torgerson, on behalf of the Petitioner.

The following exhibits were offered and entered into the hearing record:

- Exhibit No. 1 DOT Report to the Hearing Examiner dated 8/9/03 with 15 attachments
- Exhibit No. 2 Petition transmittal letter dated 6/15/01 to the Department of Transportation from The Clerk of the Council
- Exhibit No. 3 6/11/01 Letter of explanation and Petition for Vacation of a County Road including Legal descriptions of Petitioner's property
- Exhibit No. 4 Copy of filing fee – Check #1031 from petitioners
- Exhibit No. 5 7/13/01 letter to petitioner explaining process

- Exhibit No. 6 Vicinity Map
- Exhibit No. 7 Map depicting vacation area
- Exhibit No. 8 Quit Claim Deed Volume 3545, Page 454 conveying right-of-way
- Exhibit No. 9 Map depicting revised vacation area per Traffic Engineering recommendation
- Exhibit No. 10 Email dated 9/23/02 from Perkins Coie LLP accepting revised vacation area
- Exhibit No. 11 4/21/03 transmittal letter to Council providing recommendation of KCDOT and County Road Engineer to approve road vacation and waive compensation
- Exhibit No. 12 Ordinance transmittal letter of 6/09/03 from King County Executive to Councilmember Cynthia Sullivan
- Exhibit No. 13 Proposed Ordinance 2003-0277
- Exhibit No. 14 Notice of hearing
- Exhibit No. 15 Affidavit of posting for hearing
- Exhibit No. 16 Affidavit of publication for date of hearing

SLS:gao

V-2435

Attachments

Return Address:  
Clerk of the Council  
Metropolitan King County Council  
Mail stop KCC-CC 1025



20030909000223

CLERKS OFFICE CORD 0.00  
PAGE 001 OF 010  
09/09/2003 09:21  
KING COUNTY, WA

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

<b>Document Title(s)</b> (or transactions contained therein): (all areas applicable to your document <u>must</u> be filled in) <b>1. Ordinance 14735 AN ORDINANCE authorizing the vacation of a portion of South 124<sup>th</sup> Street and 64<sup>th</sup> Avenue South, File V-2435. Petitioners: Renton School District</b>
<b>Reference Number(s) of Documents assigned or released:</b> Additional reference #'s on page _____ of document
<b>Grantor(s)</b> (Last name, first name, initials) <b>1. King County, Washington</b> Additional names on page _____ of document.
<b>Grantee(s)</b> (Last name first, then first name and initials) 1. _____ 2. _____ Additional names on page _____ of document.
<b>Legal description</b> (abbreviated: i.e. lot, block, plat or section, township, range) <b>Those portions of South 124<sup>th</sup> Street and 64<sup>th</sup> Avenue South as deeded to King County by Quit Claim</b> Additional legal is on page _____ of document.
<b>Assessor's Property Tax Parcel/Account Number</b> <input type="checkbox"/> 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.

RECEIVED  
2003 OCT 28 AM 11:45  
CLERK  
KING COUNTY COUNCIL

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





**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**August 18, 2003**

**Ordinance 14735**

**Proposed No.** 2003-0277.2

**Sponsors** Sullivan

1 AN ORDINANCE authorizing the vacation of a portion of  
2 South 124th Street and 64th Avenue South File V-2435.  
3 Petitioner: Renton School District.  
4  
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6 **STATEMENT OF FACTS:**

- 7 1. A petition has been filed requesting vacation of those portions of South  
8 124th Street and 64th Avenue South hereinafter described.  
9 2. The department of transportation notified the various utility companies  
10 serving the area and has been advised that all required easements have  
11 been acquired within the vacation area.  
12 3. The department of transportation records indicates that King County  
13 has not been maintaining those portions of South 124th Street and 64th  
14 Avenue South. The records indicate that no public funds have been  
15 expended for its acquisition.  
16 4. The department of transportation considers the subject portion of the  
17 right-of-way useless as part of the county road system and believes the

18 public would benefit by the return of this unused area to the school  
19 district.

20 5. The right-of-way is classified as "C-Class" and, in accordance with  
21 K.C.C. 14.40.020, compensation is due King County. The Renton School  
22 District is the owner of the abutting properties, which the department of  
23 assessments records lists as tax-exempt. Determining a compensation  
24 amount would require an appraisal of the property at the petitioner's  
25 expense. The Renton School District did not provided an appraisal.  
26 Should the council decide not to waive the compensation, then an  
27 appraisal of the land will be required and the compensation calculated  
28 accordingly. In accordance with K.C.C. 14.40.020 D, "(w)hen a road is  
29 vacated for a governmental agency, compensation shall be in accordance  
30 with the classification of the road, except that some or all of the  
31 compensation may be waived at the discretion of the council." The road  
32 services division recommends that the compensation be waived. The  
33 waiver is justified by the services and benefits, which are provided to King  
34 County and its citizens by the Renton School District.

35 Due notice was given in the manner provided by law and a hearing was  
36 held by the office of the hearing examiner on the 23rd day of July, 2003.  
37 In consideration of the benefits to be derived from the subject vacation,  
38 the council has determined that it is in the best interest of the citizens of  
39 King County to grant said petition.

40 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

41            SECTION 1. The council, on the 18th day of August, 2003, hereby vacates and  
42 abandons those portions of South 124th Street and 64th Avenue South described as  
43 follows:

44            Those portions of South 124th Street and 64th Avenue  
45 South as deeded to King County by Quit Claim Deed  
46 recorded in Volume 3545 of Deeds, Page 454, records of  
47 King County, Washington lying westerly of the  
48 northwesterly margin of 64th Place South and east of the  
49 east line of the west 20 feet of the Northeast quarter of the  
50 Southeast quarter of Section 11, Township 23 North, Range  
51 4 East, Willamette Meridian, King County, Washington.  
52 Together with, that portion of 64th Avenue South lying  
53 south of the south margin of South 124th Street as  
54 dedicated in East Riverton Garden Tracts Second Addition,  
55 Volume 12 of Plats, Page 79, records of King County,

56 Washington, and north of the northerly margin of Beacon  
57 Avenue South.

58


Ordinance 14735 was introduced on 6/23/2003 and passed by the Metropolitan King County Council on 8/18/2003, by the following vote:

Yes: 11 - Ms. Sullivan, Mr. von Reichbauer, Ms. Lambert, Mr. Phillips, Mr. Pelz, Mr. McKenna, Mr. Constantine, Mr. Hammond, Mr. Gossett, Ms. Hague and Ms. Patterson  
No: 0  
Excused: 2 - Ms. Edmonds and Mr. Irons

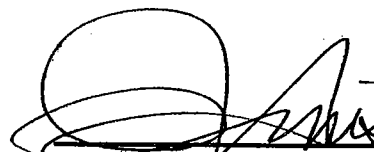
KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Cynthia Sullivan, Chair

ATTEST:

  
Anne Noris, Clerk of the Council

APPROVED this 29 day of August, 2003.

  
Ron Sims, County Executive

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Attachments A. Hearing Examiner Report dated July 24, 2003

**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-2435  
Proposed Ordinance No. 2003-0277

**RENTON SCHOOL DISTRICT #403  
Road Vacation Application**

**Location:** Portion of South 124<sup>th</sup> Street and 64<sup>th</sup> Avenue South northeast of  
Beacon Avenue South

**Petitioner:** Renton School District #403, *represented by*  
**Tia Heim**  
Perkins Coie LLP  
1201 – 3<sup>rd</sup> Avenue, 40<sup>th</sup> Floor  
Seattle, WA 98101

**King County:** Department of Transportation, *represented by*  
**Jodi Simmons**  
201 S. Jackson St.  
Seattle, WA 98104-3856  
Telephone: (206) 296-3731  
Facsimile: (206) 296-0567

**SUMMARY OF RECOMMENDATIONS:**

Department's Preliminary:  
Department's Final:  
Examiner:

Approve road vacation  
Approve road vacation  
Approve road vacation

**DEPARTMENT'S REPORT:**

The Department of Transportation's written report to the King County Hearing Examiner for Item No. V-2435 was received by the Examiner on July 10, 2003.

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-2435 opened by the Examiner at 1:40 p.m., July 23, 2003, in the Fifth Floor Conference Room of the Union Bank of California Building, 900 – 4<sup>th</sup> Avenue, Seattle, WA 98164, and closed at 1:46 p.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 124 <sup>th</sup> Street and 64 <sup>th</sup> Avenue South northeast of Beacon Avenue South
Right of way classification:	"C" Class
Area:	.054 miles
Compensation:	None (Waived)

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 July 23, 2003 public hearing and the statement of facts contained in Proposed Ordinance No. 2003-0277. 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 waived by 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 proposed Ordinance No. 2003-0277 to vacate the subject road.

RECOMMENDED this 24th day of July, 2003.

---

Stafford L. Smith  
King County Hearing Examiner

TRANSMITTED this 24th day of July, 2003, to the following parties and interested persons:

Don Dauphiny  
Qwest Communications  
1200 12th Ave. NW  
Issaquah WA 98027

Terry Davis  
Comcast, Inc.  
410 Valley Ave. NW  
Puyallup WA 98371

Tia Heim  
Perkins Coie LLP  
1201 - 3rd Ave., 40th Fl.  
Seattle WA 98101

Mary Lamping  
Puget Sound Energy  
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Renton School, District #403  
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Renton WA 98055-2307

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Nancy Gordon  
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Dennis Gorley  
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Denise Hauck  
KC Dept. of Exec. Svcs.  
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Fatin Kara  
KC DOT/Rd. Svcs. Div.  
MS KSC-TR-0222

Roderick E. Matsuno  
KC DOT  
Road Maint. Section  
MS RSD-TR-0100

Paulette Norman  
KCDOT  
Roads Division  
MS KSC-TR-0231

Robert Nunnenkamp  
KC Parks and Recreation  
MS LBP-PR-0100

Lydia Reynolds-Jones  
KC DOT  
Project Support Serv.  
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Charlie Sundberg  
Office of Cultural Res.  
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NOTICE OF RIGHT TO APPEAL

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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 JULY 23, 2003, PUBLIC HEARING ON KING COUNTY DEPARTMENT OF TRANSPORTATION FILE NO. V-2435.

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing was Jodi Simmons, representing the Department, and Mike Torgerson, on behalf of the Petitioner.

The following exhibits were offered and entered into the hearing record:

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- Exhibit No. 15 Affidavit of posting for hearing
- Exhibit No. 16 Affidavit of publication for date of hearing

SLS:gao

V-2435

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