



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**March 31, 2008**

**Ordinance 16047**

**Proposed No. 2008-0005.2**

**Sponsors Patterson**

1 AN ORDINANCE authorizing the vacation of portions of  
2 SW 282nd Street, SW 283rd Street, and alleys in the Spring  
3 Beach Plat, File V-2597; Petitioners: Ed Swaya and  
4 Gregory Hampel.

5

6 STATEMENT OF FACTS:

7 1. A petition has been filed requesting vacation of portions of the SW  
8 282nd Street, SW 283rd Street, and alley rights-of-way in the Spring  
9 Beach Plat hereinafter described.

10 2. The department of transportation notified the various utility companies  
11 serving the area and has been advised that easements have either been  
12 obtained or are not required within the vacation area.

13 3. The department of transportation records indicates that King County  
14 has not been maintaining those portions of the SW 282nd Street, SW  
15 283rd Street, and alley rights-of-way. The records indicate that no public  
16 funds have been expended for their acquisition.

17 4. The department of transportation considers the subject portions of the  
18 rights-of-way useless as part of the county road system and believes the  
19 public would benefit by the return of these unused areas to the public tax  
20 rolls.

21 5. The petitioners, Ed Swaya and Gregory Hampel, have deeded alternate  
22 right-of-way to King County, over the existing road that is currently used  
23 to access the southerly lots in the plat. This deed is recorded under  
24 recording number 20071008000792, records of King County, Washington.

25 6. The rights-of-way are classified as "C-Class" and, in accordance with  
26 K.C.C. 14.40.020, the compensation due King County is based on fifty  
27 percent of the assessed value of the subject rights-of-way, which was  
28 determined from records of the department of assessments. King County  
29 is in receipt of \$7,521.17 from the petitioners. The petitioner shall be  
30 partially refunded from compensation currently held, to offset the land  
31 costs of the newly deeded right-of-way. This was determined on a per  
32 square-foot bases, assuming the vacated and newly deeded right-of-way  
33 area would have the same value. The refund amount was determined to be  
34 \$3,096.05 for the 19,975 square-feet.

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 20th day of February,  
37 2008.

38 In consideration of the benefits to be derived from the subject vacation the  
39 council has determined that it is in the best interest of the citizens of King  
40 County to grant said petition.

41 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

42 SECTION 1. The council, on the effective date of this ordinance, hereby vacates  
43 and abandons those portions of the SW 282nd Street, SW 283rd Street, and alley rights-  
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51 abutting and adjacent to Lots 1 through 16, and Lot 22, of  
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53 The north half of Southwest 282nd Street, abutting and  
54 adjacent to the south line of Lots 1 through 7, of said plat.

55 Together with the south half of Southwest 282nd Street,  
56 abutting and adjacent to the north lines of Lots 8 through  
57 12, Lot 22, and the north line of the alley between lots 11  
58 and 12, all within said plat.

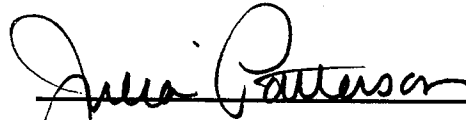
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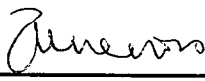
Ordinance 16047 was introduced on 1/14/2008 and passed by the Metropolitan King County Council on 3/31/2008, by the following vote:

Yes: 8 - Ms. Patterson, Mr. Dunn, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Gossett, Mr. Phillips and Ms. Hague  
 No: 0  
 Excused: 1 - Mr. Constantine

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

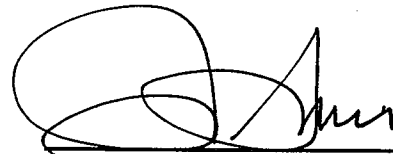
  
 Julia Patterson, Chair

ATTEST:

  
 Anne Noris, Clerk of the Council

RECEIVED  
 2008 APR 10 AM 9:52  
 CLERK  
 KING COUNTY COUNCIL

APPROVED this 8 day of April, 2008.

  
 Ron Sims, County Executive

Attachments A. Hearing Examiner Report dated March 10, 2008

March 10, 2008

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**

400 Yesler Way, Room 404  
Seattle, Washington 98104  
Telephone (206) 296-4660  
Facsimile (206) 296-1654  
Email: [hearex@metrokc.gov](mailto:hearex@metrokc.gov)

**REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL**

SUBJECT: Department of Transportation file no. V-2597  
Proposed Ordinance no. 2008-0005  
Parcel no. 793000-0005

**ED SWAYA & GREGORY HAMPEL**  
Road Vacation Petition

Location: Portions of Southwest 282nd Street, Southwest 283rd Street and alleys

Petitioners: **Ed Swaya & Gregory Hampel**  
5933 34th Avenue Southwest  
Seattle, Washington 98126  
Telephone: (206) 355-5799

King County: Department of Transportation (DOT), Road Services Division  
*represented by Nicole Keller*  
201 S. Jackson Street  
Seattle, Washington 98104-3856  
Telephone: (206) 296-3731  
Facsimile: (206) 296-0567

SUMMARY OF RECOMMENDATIONS:

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

DEPARTMENT'S REPORT:

The Department of Transportation's written report to the King County Hearing Examiner for Item No. V-2597 was received by the Examiner on January 24, 2008.

PUBLIC HEARING:

After reviewing the Department'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-2597 was opened by the Examiner on February 20, 2008, in the Hearing Examiner's Conference Room, 400 Yesler Way, Seattle, WA 98104 and continued administratively for receipt of an affidavit of the required Notice of Hearing, which was received March 4, 2008. 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 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:	Southwest 282nd Street, Southwest 283rd Street, and alleys on Vashon Island, in unincorporated King County
Right of way classification:	C
Area:	48,079 square feet
Compensation:	\$7,452.17
2. Notice of hearing on the Department's report was given as required by law, and a hearing on the report was conducted by the Examiner on behalf of the Metropolitan King County Council.
3. Except as provided below, the Examiner adopts and incorporates herein by this reference the facts set forth in the Department's report to the Examiner for the February 20, 2008, public hearing and the statement of facts contained in Proposed Ordinance No. 2008-0005. The Department's report will be attached to those copies of this report and recommendation that are submitted to the County Council.
4. Maps showing the vicinity of the proposed vacation and the specific area to be vacated appear in the hearing record as exhibit nos. 7, 8 and 9.
5. The subject right-of-way segment is not currently opened, constructed or maintained for public use, and is not known to be used informally for access to any property.
6. Vacation of the right-of-way would have no adverse effect on the provision of access and fire and emergency services to the abutting subject property and surrounding area.
7. The right-of-way is not necessary for the present or future public road system for travel or utilities purposes.
8. No easements are necessary to be retained for the construction, repair and maintenance of public utilities and services.
9. The compensation required by law to be paid as a condition precedent to vacation of this road has been deposited with King County.

CONCLUSION:

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

RECOMMENDATION:

APPROVE proposed Ordinance No. 2008-0005 to vacate the subject road right-of-way.

RECOMMENDED March 10, 2008.

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Stafford L. Smith  
King County Hearing Examiner *pro tem*

**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 \$250.00 (check payable to King County Office of Finance) *on or before March 24, 2008*. If a notice of appeal is filed, the original and six (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 March 31, 2008*.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Courthouse, 516 3<sup>rd</sup> 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 FEBRUARY 20, 2008 PUBLIC HEARING ON DEPARTMENT OF  
TRANSPORTATION, ROAD SERVICES DIVISION FILE NO. V-2597.

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing were Nicole Keller, representing the Department.

The following exhibits were offered and entered into the record:

- Exhibit No. 1 Report to the Hearing Examiner for the February 20, 2008 hearing, with 15 attachments.
- Exhibit No. 2 Petition transmittal letter, dated May 2, 2007 to KC Department of Transportation, from Clerk of the Council.
- Exhibit No. 3 Petitioner's cover letter for vacation of a County road.
- Exhibit No. 4 Petition for vacation of a County road including legal descriptions of petitioners' properties.
- Exhibit No. 5 Copy of filing fee, check no. 1246 in the amount of \$100.
- Exhibit No. 6 Receipt #00836 for filing fee.
- Exhibit No. 7 Vicinity map.
- Exhibit No. 8 King County Plat Map of Spring Beach.
- Exhibit No. 9 Map depicting vacation area.
- Exhibit No. 10 Final Agency Notice, sent July 9, 2007, deadline to reply August 15, 2007
- Exhibit No. 11 Letter of explanation, dated May 10, 2007.
- Exhibit No. 12 Letter requesting merging of tax parcels, from Petitioner to KC Department of Assessments, dated May 22, 2007.
- Exhibit No. 13 Real Property Merger Change Order No. A01972, dated May 23, 2007.
- Exhibit No. 14 Recommendation and request for compensation letter, dated September 17, 2007
- Exhibit No. 15 Compensation Worksheet
- Exhibit No. 16 Copy of compensation payment, check no. 503578119 in the amount of \$7452.17.
- Exhibit No. 17 Receipt for compensation payment.
- Exhibit No. 18 Memorandum requesting review and approval of Quit Claim Deed.
- Exhibit No. 19 Quit Claim Deed, recorded October 8, 2007.
- Exhibit No. 20 Compensation Refund Worksheet.
- Exhibit No. 21 KCDOT recommendation letter to KC Council.
- Exhibit No. 22 Proposed Ordinance transmittal letter.
- Exhibit No. 23 Proposed Ordinance 2008-0005.
- Exhibit No. 24 Fiscal Note.
- Exhibit No. 25 Affidavit of Posting, dated January 23, 2008.
- Exhibit No. 26a & b Affidavits of Publication, dated March 2, 2008



**Return Address:**  
**Clerk of the Council**  
**Metropolitan King County Council**  
**Mail stop KCC-CC 1039**



**20080418000013**

KING COUNTY CO ORD 0.00  
 PAGE 001 OF 009  
 04/18/2008 08:48  
 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 16047 AN ORDINANCE authorizing the vacation of portions of SW 282nd Street, SW 283<sup>rd</sup> Street, and alleys in the Spring Beach Plat, File V-2597; Petitioner: Ed Swaya and Gregory Hampel.**

**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. King County, Washington

2. \_\_\_\_\_, \_\_\_\_\_

Additional names on page \_\_\_\_\_ of document.

**Legal description** (abbreviated: i.e. lot, block, plat or section, township, range)

Those portions of Alpine Avenue, also known as Southwest 282<sup>nd</sup> Street and Southwest 283<sup>rd</sup> Street, and ...

Additional legal is on page \_\_\_\_\_ of document.

**Assessor's Property Tax Parcel/Account Number**

793000-0005

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

RECEIVED  
 2008 MAY 13 AM 9:21  
 KING COUNTY COUNCIL  
 CLERK



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**March 31, 2008**

**Ordinance 16047**

**Proposed No.** 2008-0005.2

**Sponsors** Patterson

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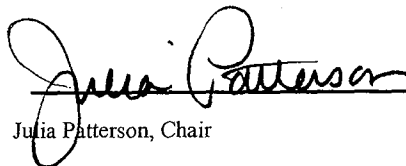
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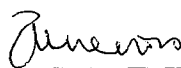
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No: 0  
Excused: 1 - Mr. Constantine

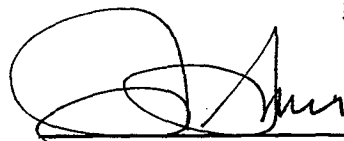
KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

  
Julia Patterson, Chair

ATTEST:

  
Anne Noris, Clerk of the Council

APPROVED this 8 day of April, 2008.

  
Ron Sims, County Executive

RECEIVED  
2008 APR 10 AM 9:52  
CLERK  
KING COUNTY COUNCIL

Attachments A. Hearing Examiner Report dated March 10, 2008

16047

March 10, 2008

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**

400 Yesler Way, Room 404  
Seattle, Washington 98104  
Telephone (206) 296-4660  
Facsimile (206) 296-1654  
Email: [hearex@metrokc.gov](mailto:hearex@metrokc.gov)

**REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL**

SUBJECT: Department of Transportation file no. V-2597  
Proposed Ordinance no. **2008-0005**  
Parcel no. **793000-0005**

**ED SWAYA & GREGORY HAMPEL**  
Road Vacation Petition

Location: Portions of Southwest 282nd Street, Southwest 283rd Street and alleys

Petitioners: **Ed Swaya & Gregory Hampel**  
5933 34th Avenue Southwest  
Seattle, Washington 98126  
Telephone: (206) 355-5799

King County: Department of Transportation (DOT), Road Services Division  
*represented by Nicole Keller*  
201 S. Jackson Street  
Seattle, Washington 98104-3856  
Telephone: (206) 296-3731  
Facsimile: (206) 296-0567

SUMMARY OF RECOMMENDATIONS:

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

DEPARTMENT'S REPORT:

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PUBLIC HEARING:

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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:	Southwest 282nd Street, Southwest 283rd Street, and alleys on Vashon Island, in unincorporated King County
Right of way classification:	C
Area:	48,079 square feet
Compensation:	\$7,452.17

2. Notice of hearing on the Department's report was given as required by law, and a hearing on the report was conducted by the Examiner on behalf of the Metropolitan King County Council.
3. Except as provided below, the Examiner adopts and incorporates herein by this reference the facts set forth in the Department's report to the Examiner for the February 20, 2008, public hearing and the statement of facts contained in Proposed Ordinance No. 2008-0005. The Department's report will be attached to those copies of this report and recommendation that are submitted to the County Council.
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6. Vacation of the right-of-way would have no adverse effect on the provision of access and fire and emergency services to the abutting subject property and surrounding area.
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8. No easements are necessary to be retained for the construction, repair and maintenance of public utilities and services.
9. The compensation required by law to be paid as a condition precedent to vacation of this road has been deposited with King County.

CONCLUSION:

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

RECOMMENDATION:

APPROVE proposed Ordinance No. 2008-0005 to vacate the subject road right-of-way.

RECOMMENDED March 10, 2008.

---

Stafford L. Smith  
King County Hearing Examiner *pro tem*

**NOTICE OF RIGHT TO APPEAL  
AND ADDITIONAL ACTION REQUIRED**

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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 FEBRUARY 20, 2008 PUBLIC HEARING ON DEPARTMENT OF  
TRANSPORTATION, ROAD SERVICES DIVISION FILE NO. V-2597.

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing were Nicole Keller, representing the Department.

The following exhibits were offered and entered into the record:

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| Exhibit No. 20      | Compensation Refund Worksheet.   |
| Exhibit No. 21      | KCDOT recommendation letter to KC Council.   |
| Exhibit No. 22      | Proposed Ordinance transmittal letter.   |
| Exhibit No. 23      | Proposed Ordinance 2008-0005.  |
| Exhibit No. 24      | Fiscal Note.   |
| Exhibit No. 25      | Affidavit of Posting, dated January 23, 2008.  |
| Exhibit No. 26a & b | Affidavits of Publication, dated March 2, 2008   |