

MOTION NO. **0004428**

A MOTION denying the petition by Lela B. Smith and Others for the vacation of a portion of 109th Avenue S.E., concurring with the recommendation of the Department of Public Works and the Real Property Division V-1526

WHEREAS, Lela B. Smith and Others have submitted a petition for the vacation of a portion of 109th Avenue S.E.; and

WHEREAS, the Department of Public Works investigated the petition and records disclosed the proposed vacation area had been maintained by the County for over 25 years. Right of way, therefore, would be classified "B Class" in accordance with County Ordinance No. 2759, and

WHEREAS, the Department of Public Works recommended approval of the vacation request contingent upon payment for the area in accordance with said Ordinance, and

WHEREAS, on May 12, 1978, the Real Property Division advised the petitioners of the assessed value of the adjoining land and requested compensation be paid to King County within ninety days pursuant to said Ordinance, and

WHEREAS, over a year has passed without financial considerations having been satisfied, therefore, the Department of Public Works and the Real Property Division recommend that the petition for vacation be denied.

NOW THEREFORE, BE IT MOVED by the Council of King County:

The King County Council concurs with the recommendations of the Department of Public Works and the Real Property Division and hereby denies the petition of Lela B. Smith and Others for the vacation of a portion of 109th Avenue S. E. (V-1526).

PASSED this 13<sup>th</sup> day of August, 19 79.

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON

Ruby Chow  
Chairman

ATTEST:

[Signature]  
Clerk of the Council