

ORDINANCE NO. 5859

AN ORDINANCE relating to the vacation of a portion of Fell Road  
Petitioner: King County Department of Public Works - V-1735

STATEMENT OF FACTS

1. A petition has been filed requesting vacation of a portion of  
Fell Road, hereinafter described.

2. The Department of Public Works has notified the various utilities  
serving the area and has been advised that easements were not required.

3. The Division of Building and Land Development has studied the subject  
proposed road vacation and finds that it would not be in conflict with the  
principles and purposes of the King County Comprehensive Plan and the specific  
plans in the vicinity of this proposed vacation.

4. The Department of Public Works requests the vacation of a portion of  
Joseph Fell Road. This county road, deeded to King County around the year 1919  
has become a matter of recent dispute. The center of the section referred to in  
the Quit Claim Deed is not the same center of the section from which the road  
and the property lines are laid out.

It is not uncommon but a recognized fact that in some early section layouts  
(as in this case) the center of the section in the field differs from the  
center of the section established by the manual or government method. The  
disputed alignment of this county road was brought to the attention of our  
Survey personnel who had confirmed that the discrepancy exists.

The Department of Public Works has requested correction of this discrepancy  
by the procedure utilized in the vacation process.

5. The vacation area is a portion of the Joseph Fell Road, also known as  
the Joseph Guland Road. Guland deeded to the County this specific portion of  
the road recorded under AF 1342688 (Vol. 1066 of Deeds, Page 590) on September  
8, 1919 utilizing the location of the center of the section known as the  
government method described above, which is not the existing or occupational  
center of the section. We found no evidence that a road ever existed as  
described in the Quit Claim Deed of 1919. The Deed did specify that a  
"consideration of Ten Dollars and also of benefits" was tendered for the  
deeded road, therefore, the road would be classified "A" Class in accordance  
with County Ordinance No. 2759. However, it is our recommendation that the

1 compensation required by King County Ordinance No. 3088 be waived as this  
2 action will correct the results of a survey error made over 100 years ago.

3 6. The Department of Public Works considers the remaining subject right  
4 of way useless as part of the County road system and believes the public would  
5 be benefited by the return of this unused area to the public tax rolls.

6 Due notice was given in the manner provided by law and a hearing was held  
7 by the King County Council on the 25th day of January, 1982.

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

11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

12 SECTION 1. The Council on the 25th day of January, 1982,  
13 hereby vacates and abandons the portion of Fell Road, described as follows:

14 Vacate that portion of the 60-foot right-of-way of SE 472nd Street, also  
15 known as Joseph Fell Road, also known as Joseph Gulan Road, located in  
16 the northwest 1/4 of Section 32, Township 20 North, Range 7 East, W.M.,  
17 King County, Washington, and lying easterly and southerly of the  
18 following described property:

19 Beginning at the Southeast corner of C. Eaton property as shown under  
20 King County Recording Number 3489387, (Vol. 2363 of Deeds, Page 552);  
21 thence North a distance of 519.9 feet; thence South 69°00'00" West a  
22 distance of 635.7 feet; thence South 38°00'00" West a distance of 351.6  
23 feet; thence East to the point of beginning.

24 Vacation area contains approximately 48,000 square feet.

25 INTRODUCED AND READ for the first time this 30th day of November,  
26 1981.

27 PASSED on this 25th day of January, 1982.

28 KING COUNTY COUNCIL  
29 KING COUNTY, WASHINGTON

30 Lois North  
31 Chairman

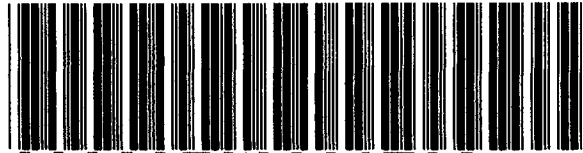
32 ATTEST:

33 Dorothy M. Owens  
DEPUTY Clerk of the Council

APPROVED on this 2nd day of February, 1982.

Randy Revelle  
King County Executive

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



**20020506001708**

KING COUNTY CO CORD 0.00  
 PAGE 001 OF 003  
 05/06/2002 13:26  
 KING COUNTY, WA

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

2002 050 6001708

<b>Document Title(s)</b> (or transactions contained therein): (all areas applicable to your document <u>must</u> be filled in)	
1. <b>ORDINANCE 5859 AN ORDINANCE relating to the vacation of a portion of Fell Road Petitioner: King County Department of Public Works - V-1735. (Grantee)</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)	
1. <b>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>Vacate that portion of the 60-foot right-of-way of SE 472nd Street, also...</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  
 2002 JUL 25 AM 11:23  
 KING COUNTY COUNCIL  
 CLERK

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

ORDINANCE NO. 5859

AN ORDINANCE relating to the vacation of a portion of Fell Road  
Petitioner: King County Department of Public Works - V-1735

STATEMENT OF FACTS

1. A petition has been filed requesting vacation of a portion of  
Fell Road, hereinafter described.

2. The Department of Public Works has notified the various utilities  
serving the area and has been advised that easements were not required.

3. The Division of Building and Land Development has studied the subject  
proposed road vacation and finds that it would not be in conflict with the  
principles and purposes of the King County Comprehensive Plan and the specific  
plans in the vicinity of this proposed vacation.

4. The Department of Public Works requests the vacation of a portion of  
Joseph Fell Road. This county road, deeded to King County around the year 1919  
has become a matter of recent dispute. The center of the section referred to in  
the Quit Claim Deed is not the same center of the section from which the road  
and the property lines are laid out.

It is not uncommon but a recognized fact that in some early section layouts  
(as in this case) the center of the section in the field differs from the  
center of the section established by the manual or government method. The  
disputed alignment of this county road was brought to the attention of our  
Survey personnel who had confirmed that the discrepancy exists.

The Department of Public Works has requested correction of this discrepancy  
by the procedure utilized in the vacation process.

5. The vacation area is a portion of the Joseph Fell Road, also known as  
the Joseph Guland Road. Guland deeded to the County this specific portion of  
the road recorded under AF 1342688 (Vol. 1066 of Deeds, Page 590) on September  
8, 1919 utilizing the location of the center of the section known as the  
government method described above, which is not the existing or occupational  
center of the section. We found no evidence that a road ever existed as  
described in the Quit Claim Deed of 1919. The Deed did specify that a  
"consideration of Ten Dollars and also of benefits" was tendered for the  
deeded road, therefore, the road would be classified "A" Class in accordance  
with County Ordinance No. 2759. However, it is our recommendation that the

2002 U5U 6001708

1 compensation required by King County Ordinance No. 3088 be waived as this  
2 action will correct the results of a survey error made over 100 years ago.

3 6. The Department of Public Works considers the remaining subject right  
4 of way useless as part of the County road system and believes the public would  
5 be benefited by the return of this unused area to the public tax rolls.

6 Due notice was given in the manner provided by law and a hearing was held  
7 by the King County Council on the 25th day of January, 19 82.

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

11 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

12 SECTION 1. The Council on the 25th day of January, 19 82,  
13 hereby vacates and abandons the portion of Fell Road, described as follows:

14 Vacate that portion of the 60-foot right-of-way of SE 472nd Street, also  
15 known as Joseph Fell Road, also known as Joseph Gulan Road, located in  
16 the northwest 1/4 of Section 32, Township 20 North, Range 7 East, W.M.,  
King County, Washington, and lying easterly and southerly of the  
following described property:

17 Beginning at the Southeast corner of C. Eaton property as shown under  
18 King County Recording Number 3489387, (Vol. 2363 of Deeds, Page 552);  
19 thence North a distance of 519.9 feet; thence South 69°00'00" West a  
distance of 635.7 feet; thence South 38°00'00" West a distance of 351.6  
feet; thence East to the point of beginning.

20 Vacation area contains approximately 48,000 square feet.

21 INTRODUCED AND READ for the first time this 30th day of November,  
22 19 81.

23 PASSED on this 25th day of January, 19 82.

24 KING COUNTY COUNCIL  
25 KING COUNTY, WASHINGTON

26 Lois North  
27 Chairman

28 ATTEST:

29  
30  
31 Dorothy M. Anderson  
32 DEPUTY Clerk of the Council

33 APPROVED on this 2nd day of February, 19 82.

Randy Revelle  
King County Executive

2002 050 6001733