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March 29, 1996  
Ord 96.1.8

GREG NICKELS  
Introduced by Kent Pullen  
Proposed No. 95-523

ORDINANCE NO. 12197

AN ORDINANCE authorizing the vacation of a portion of Division Street (91st Place Southwest); Department of Transportation, Road Services Division File No. V-2188  
Petitioners: Clifford and Eileen Freed, et al

STATEMENT OF FACTS

1. A petition has been filed requesting vacation of that portion of Division Street (91st Place Southwest) abutting lots 6, 7, 8, 10, 11, and the north half of the west 50 feet of lot 5, all in block 1, Avilion Tracts, according to Volume 20 of plats, page 52, records of King County, Washington.

2. The department of public works has notified the various utilities serving the area and has been advised that easements are not required.

3. The land use section of the department of development and environmental services has studied the proposed road vacation and finds that it would not conflict with the principles and purposes of the King County Comprehensive Plan. However, the land use section recommends that the petitioner convey right-of-way for the Piner Point Road in exchange for the vacation area.

4. Property services division assessed the exchange right-of-way and established the fair market value at \$17,850. The petitioner requests King County accept the exchange right-of-way in lieu of monetary compensation.

5. Division Street (91st Place Southwest) is classified "C-Class". In accordance with King County Code 14.40.020, the compensation due King County is based on fifty percent of the appraised value of the adjoining lands as determined from records of the department of assessments. King County is in receipt of \$15,645.13 from the petitioner.

6. The department of public works found no evidence that the vacation area has ever been open as a road. A search of the records indicates no public funds have been expended for its acquisition, improvement or maintenance. The department of public works considers the subject right-of-way useless as part of the county road system and believes the public would benefit by the return of this unused area to the public tax rolls.

7. The department of public works recommends King County accept the exchange right-of-way in lieu of monetary compensation with the exception of a \$200.00 administrative fee.

8. The facts and conclusions set forth in the March 12, 1996, corrected revised report and recommendation to the King County council by the King County hearing examiner are incorporated herein by this reference.

Due notice was given in the manner provided by law and hearings by the office of the hearing examiner commenced on August 23, 1995.

In consideration of the benefits to be derived from the subject vacation, the council has determined that it is in the best interest of the citizens of King County to grant said petition on the conditions set forth below.

1 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

2 SECTION 1: The council hereby vacates and abandons that  
3 portion of Division Street (91st Place Southwest described as  
4 follows:

5  
6 That portion of Southwest Division Street adjacent  
7 to Lot 11 and adjacent to the northerly 20.05 feet  
8 of Lot 10 of Avilion Tracts Division I.

9  
10 Pre-effective conditions:

11  
12 This ordinance shall become effective upon the conveyance  
13 of easements for utility purposes satisfactory to Vashon Sewer  
14 District and Dockton Water Association; and the dedication or  
15 conveyance to King County for right-of-way and utilities of a  
16 30-foot-wide unobstructed parcel which extends from the north  
17 line of Avilion Tracts, Division I, Lot 11, to the east margin  
18 of Division Street at the south line of Lot 10, Avilion Tracts,  
19 Division I, in an alignment generally as illustrated by Exhibit  
20 No. 105 (a portion of which is attached to the hearing  
21 examiner's March 12, 1996, report) in form acceptable to the  
22 King County Department of Transportation. (NOTE: Although the  
23 alignment shown in Exhibit No. 105 is 20 feet in width, the  
24 dedication or conveyance required as a condition of this  
25 vacation is 30 feet in width.)

26  
27 This ordinance shall become effective only upon the  
28 delivery and recording of the easements and dedication required  
29 by the preceding paragraph. The final date to meet these pre-  
30 effective conditions shall be December 31, 1996.

31  
32 INTRODUCED AND READ for the first time this 31<sup>st</sup> day of  
33 July, 1995.

34 PASSED by a vote of 12-0 this 1<sup>st</sup> day of April, 1996.

35  
36 KING COUNTY COUNCIL  
37 KING COUNTY, WASHINGTON

38  
39 James Hayes  
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41  
42 Chair

43  
44  
45 ATTEST:

46  
47 Paul A. Peterson  
48  
49 Clerk of the Council

50 APPROVED this 12<sup>th</sup> day of April, 1996.

51  
52 Ray Locke  
53  
54  
55 King County Executive

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



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KING COUNTY CO CORD 0.00  
PAGE 001 OF 003  
02/19/2002 10:23  
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 12197 AN ORDINANCE authorizing the vacation of a portion of Division Street (91st Place Southwest); Department of Transportation, Road Services Division File No. V-2188. Petitioners: Clifford and Eileen Freed, et al**

**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)

**That portion of Southwest Division Street adjacent to Lot 11 and adjacent to the northerly 20.05 feet.....**

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 021 9000628

1 March 29, 1996  
2 DR006.1.8

GREG NICKELS  
Introduced by Kent Pullen  
Proposed No. 95-523

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7 ORDINANCE NO.

**12197**

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12 Department of Transportation, Road Services Division  
13 File No. V-2188  
14 Petitioners: Clifford and Eileen Freed, et al  
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22 5, all in block 1, Avilion Tracts, according to Volume 20 of  
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57 7. The department of public works recommends King County  
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60 fee.  
61

62 8. The facts and conclusions set forth in the March 12,  
63 1996, corrected revised report and recommendation to the King  
64 County council by the King County hearing examiner are  
65 incorporated herein by this reference.  
66

67 Due notice was given in the manner provided by law and  
68 hearings by the office of the hearing examiner commenced on  
69 August 23, 1995.  
70

71 In consideration of the benefits to be derived from the  
72 subject vacation, the council has determined that it is in the  
73 best interest of the citizens of King County to grant said  
74 petition on the conditions set forth below.  
75

2002 021 9000629

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1: The council hereby vacates and abandons that portion of Division Street (91st Place Southwest described as follows:

That portion of Southwest Division Street adjacent to Lot 11 and adjacent to the northerly 20.05 feet of Lot 10 of Avilion Tracts Division I.

Pre-effective conditions:

This ordinance shall become effective upon the conveyance of easements for utility purposes satisfactory to Vashon Sewer District and Dockton Water Association; and the dedication or conveyance to King County for right-of-way and utilities of a 30-foot-wide unobstructed parcel which extends from the north line of Avilion Tracts, Division I, Lot 11, to the east margin of Division Street at the south line of Lot 10, Avilion Tracts, Division I, in an alignment generally as illustrated by Exhibit No. 105 (a portion of which is attached to the hearing examiner's March 12, 1996, report) in form acceptable to the King County Department of Transportation. (NOTE: Although the alignment shown in Exhibit No. 105 is 20 feet in width, the dedication or conveyance required as a condition of this vacation is 30 feet in width.)

This ordinance shall become effective only upon the delivery and recording of the easements and dedication required by the preceding paragraph. The final date to meet these pre-effective conditions shall be December 31, 1996.

INTRODUCED AND READ for the first time this 31st day of

July, 1995.

PASSED by a vote of 12-0 this 1st day of April, 1996.

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON

Chair (Signature)

ATTEST:

Clerk of the Council (Signature)

APPROVED this 12th day of April, 1996.

King County Executive (Signature)

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