

February 24, 1997

INTRODUCED BY JANE HAGUE

PROPOSED NO.

97-101

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ORDINANCE NO. **12716**

AN ORDINANCE authorizing the vacation of a portion of Des Moines Way South - V-2175
Petitioner: Blakley Enterprises

STATEMENT OF FACTS

1. A petition has been filed requesting vacation of that portion of Des Moines Way South hereinafter described.

2. The property adjacent to the vacation area is owned by Blakley Enterprises. McDonalds Corporation has obtained a lease of the land from Blakley Enterprises for the purpose of constructing a restaurant.

3. The McDonalds Corporation, as the leasee, has accepted the responsibility for negotiating with the department of transportation and the department of development and environmental services, land use services division to process and complete the conditions of the road vacation.

4. The department of transportation has notified the various utility companies serving the area and has been advised that easements are not required in the proposed vacation area.

5. The department of development and environmental services land use services division has reviewed the proposed road vacation and finds that it would not conflict with the principles and purposes of the King County Comprehensive Plan and the specific plans in the vicinity of this proposed vacation.

6. A review of the of the department of transportation records indicate that public funds have been expended for the acquisition, improvement, and/or maintenance of Des Moines Way South. Therefore, this portion of Des Moines Way South is classified as an "A-Class" road vacation.

1 7. The department of development and environmental services
2 records indicate that the McDonalds Corporation applied for a
3 building permit (#B93C0021) to construct a restaurant at the
4 intersection of Des Moines Way South and South 96th Street, on
5 the property abutting the proposed vacation area. At the time of
6 permit application the department of transportation was in the
7 process of making substantial modifications to that intersection.
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9 8. The McDonalds Corporation participated in the
10 construction of the improvements at the intersection of Des
11 Moines Way South and South 96th Street. Blakley Enterprises
12 dedicated sufficient property to increase the east half of Des
13 Moines Way South lying south of the intersection to a width of 42
14 feet.

15 9. The McDonalds Corporation has paid King County a total
16 of \$129,123.72 in mitigation fees for the improvement of the
17 intersection..

18 10. The improvements to the intersection have been
19 constructed and the project is completed. The department of
20 transportation considers that the proposed vacation area is no
21 longer required and believes the public would benefit by the
22 return of the vacation area to the public tax rolls.

23 11. In accordance with King County Code 14.40, compensation
24 in the amount of \$9,630.00 is due the County for that portion of
25 the road right-of-way to be vacated. The compensation is based
26 on 100% percent of the assessed value of the adjoining lands as
27 determined from the records of the department of assessments.

28 12. The assessed value of the dedicated area is \$9,333.80.
29 The difference between the compensation amount due the County for
30 the proposed vacation area and the assessed value of the
31 dedicated area is \$296.20. Because the McDonalds Corporation
32 participated financially in King County Capital Improvement
33 Project (#300390) that improved the intersection of Des Moines
34 Way South at South 96th Street, the department of transportation
35 recommends that the McDonalds Corporation pay the difference of
36 \$296.20 for vacating that portion of Des Moines Way South. King
37 County is in receipt of \$296.20 from the McDonalds Corporation.
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1 Due notice was given in the manner provided by law and a
2 hearing was held by the office of the hearing examiner on the
3 19th day of March, 1997.

4 In consideration of the benefits to be derived from the
5 subject vacation, the council has determined that it is in the
6 best interest of the citizens of King County to grant said
7 petition.

8 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

9 SECTION 1: The council, on the 21ST day of
10 April, 1997, hereby vacates and abandons that
11 portion of Des Moines Way South described in Attachment "A" .

12 INTRODUCED AND READ for the first time this 24TH day of
13 February, 1997.

14 PASSED by a vote of 11 to 0 this 21ST day of
15 April, 1997.

17 KING COUNTY COUNCIL
18 KING COUNTY, WASHINGTON

19 Louise Millu
20 VICE Chair

21 ATTEST:

22 Janet Masur
23 ACTING Clerk of the Council

24 APPROVED this 2 day of May, 1997.

25 Donald Ames
26 King County Executive

27 Attachment "A": Legal description of vacation area.

ATTACHMENT "A"

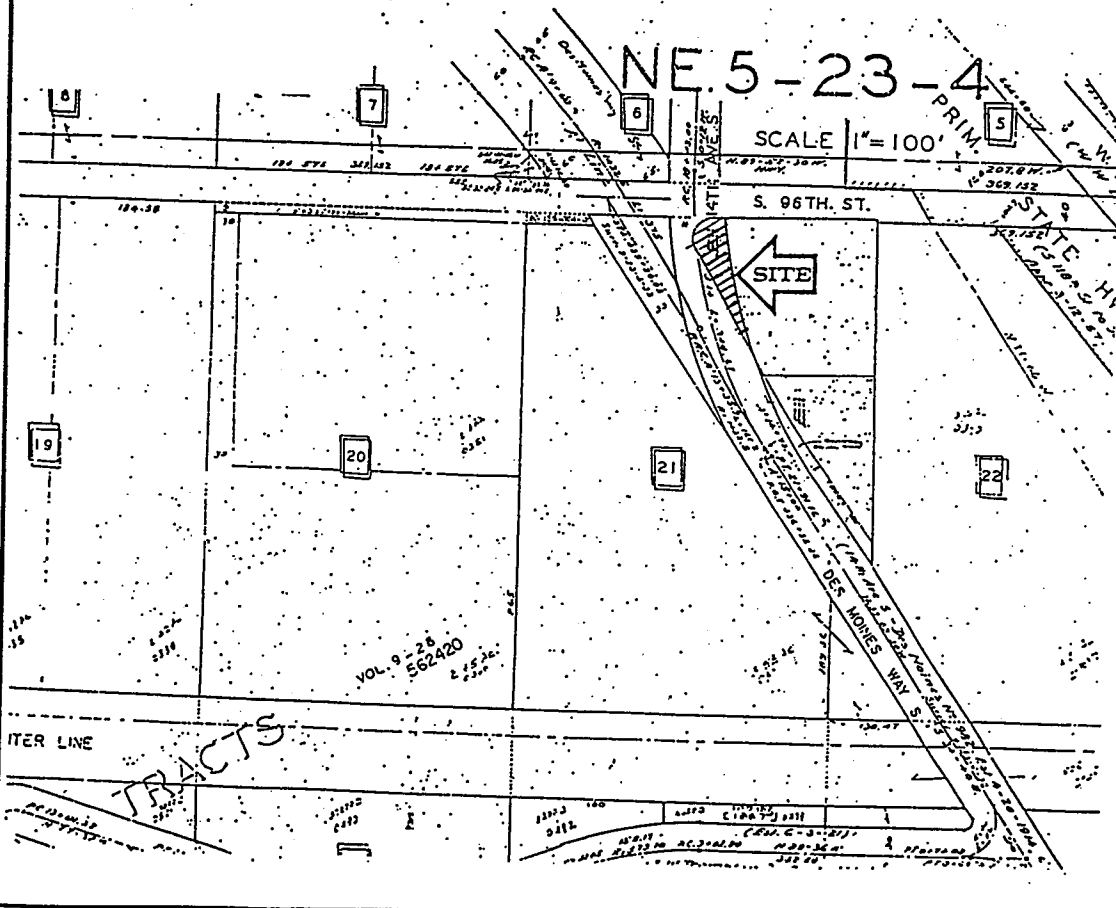
ATTACHMENT "A"

Description of Property to be Vacated:

THAT PORTION OF TRACT 21, MOORE'S FIVE ACRE TRACTS,
 ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 9 OF PLATS,
 PAGE 28, RECORDS OF KING COUNTY, WASHINGTON, DESCRIBED AS
 FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT 21; THENCE
 SOUTH 00°16'36" WEST ALONG THE EAST LINE OF SAID TRACT 21,
 THE BASIS OF BEARINGS FOR THIS LEGAL DESCRIPTION, A DISTANCE
 OF 330.02 FEET TO THE NORTHEASTERLY MARGIN OF DES MOINES WAY
 SOUTH (ALSO KNOWN AS COUNTY ROAD NO. 982); THENCE
 NORTH 00°16'36" EAST ALONG SAID EAST LINE OF TRACT 21 A
 DISTANCE OF 21.14 FEET TO A POINT OF INTERSECTION WITH A
 LINE DRAWN PARALLEL TO AND 12.00 FEET NORTHEASTERLY OF SAID
 NORTHEASTERLY MARGIN OF DES MOINES WAY SOUTH; THENCE
 NORTH 34°18'46" WEST ALONG SAID PARALLEL LINE 87.40 FEET TO
 A POINT OF CURVE; THENCE NORTHWESTERLY ALONG A CURVE TO THE
 RIGHT, HAVING A RADIUS OF 1390.50 FEET, A CENTRAL ANGLE OF
 05°04'55", THE CENTER OF WHICH BEARS NORTH 55°41'14" EAST,
 AN ARC DISTANCE OF 123.33 FEET TO THE NORTHEASTERLY MARGIN
 OF DES MOINES WAY SOUTH AND THE TRUE POINT OF BEGINNING;
 THENCE CONTINUING NORTHWESTERLY ALONG SAID CURVE TO THE
 RIGHT, HAVING A RADIUS OF 1390.50 FEET, A CENTRAL ANGLE OF
 01°17'50", AN ARC DISTANCE OF 31.48 FEET TO A POINT OF
 REVERSE CURVE; THENCE ALONG A CURVE TO THE LEFT, HAVING A
 RADIUS OF 1474.50 FEET, A CENTRAL ANGLE OF 03°20'03", THE
 CENTER OF WHICH BEARS SOUTH 62°03'59" WEST, AN ARC DISTANCE
 OF 85.21 FEET TO A POINT OF REVERSE CURVE; THENCE
 NORTHEASTERLY ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF
 20.00 FEET, A CENTRAL ANGLE OF 121°32'40", THE CENTER OF
 WHICH BEARS NORTH 58°43'56" EAST, AN ARC DISTANCE OF 42.43
 FEET TO A POINT OF TANGENCY ON THE NORTH LINE OF SAID TRACT
 21; THENCE SOUTH 89°43'24" EAST ALONG SAID NORTH LINE 10.71
 FEET TO THE EASTERLY MARGIN OF DES MOINES WAY SOUTH; THENCE
 SOUTHERLY ALONG SAID EASTERLY MARGIN, ON A CURVE TO THE
 LEFT, HAVING A RADIUS OF 543.14 FEET, A CENTRAL ANGLE OF
 14°21'56", THE CENTER OF WHICH BEARS NORTH 84°37'20" EAST,
 AN ARC DISTANCE OF 136.18 FEET TO THE TRUE POINT OF
 BEGINNING.

SITUATE IN THE COUNTY OF KING, STATE OF WASHINGTON





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

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 <u>must</u> be filled in) 1. Ordinance 12716 AN ORDINANCE authorizing the vacation of a portion of Des Moines Way South - V-2175. Petitioner: Blakley Enterprises | |
| 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. | RECEIVED 2002 APR -5 AM 11:22 CLERK KING COUNTY COUNCIL |
| 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 Tract 21, Moore's Five Acre Tracts, according to the plat thereof recorded in Volume 9 Additional legal is on page _____ of document. | |
| Assessor's Property Tax Parcel/Account Number <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. | |

2002 020 8002092

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

February 24, 1997

INTRODUCED BY JANE HAGUE

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18 KING COUNTY, WASHINGTON

19 Louise Miller
20 VICE Chair

21 ATTEST:

22 Janet Mason
23 ACTING Clerk of the Council

24 APPROVED this 2 day of May, 1997.

25 Donald Ames
26 King County Executive

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