

**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**July 24, 2001**

**Ordinance 14180**

**Proposed No.** 2001-0220.2

**Sponsors** von Reichbauer

1 AN ORDINANCE authorizing the vacation of a portion of  
2 Krain-Veasie Road (County Road 459) File V-2415.  
3 Petitioners: William G. and Lois D. Burleson.  
4  
5

6 **STATEMENT OF FACTS:**

- 7 1. A petition has been filed requesting vacation of that portion of Krain-  
8 Veasie Road (County Road 459) hereinafter described.  
9 2. The department of transportation has notified the various utilities  
10 serving the area and has been advised that easements are not required.  
11 3. The land use section of the department of development and  
12 environmental services has studied the proposed road vacation and finds  
13 that it would not conflict with the principals and purposes of the King  
14 County comprehensive plan and the specific plans in the vicinity of this  
15 proposed vacation.  
16 4. The department of transportation found that on October 22, 1888, by  
17 order of establishment of county roads the subject right-of-way was

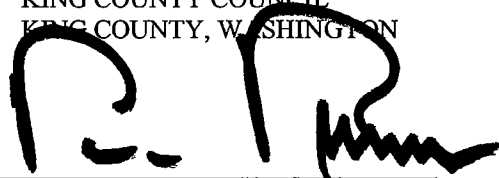
Ordinance 14180 was introduced on 4/16/01 and passed by the Metropolitan King County Council on 7/23/01, by the following vote:

Yes: 11 - Mr. von Reichbauer, Ms. Miller, Ms. Fimia, Mr. Pelz, Mr. McKenna, Ms. Sullivan, Mr. Nickels, Mr. Pullen, Ms. Hague, Mr. Thomas and Mr. Irons

No: 0


Excused: 2 - Mr. Phillips and Mr. Gossett

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



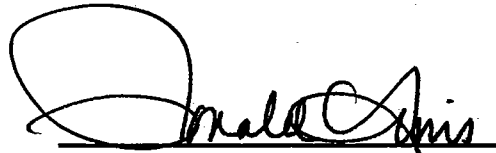
Pete von Reichbauer, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 30 day of July, 2001.



Ron Sims, County Executive

**Attachments**      A. Legal Description and Map, B. Hearing Examiner report 6-4-2001

14180

June 4, 2001

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON  
850 Union Bank of California Building  
900 Fourth Avenue  
Seattle, Washington 98164  
Telephone (206) 296-4660  
Facsimile (206) 296-1654**

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

**SUBJECT:** King county Department of Transportation File No. V-2415  
Proposed Ordinance No. 2001-0220

**WILLIAM AND LOIS BURLESON  
Petition for Road Vacation**

Road: A portion of Krain-Veasie Road

**Petitioners: William and Lois Burleson  
29320 SE 384<sup>th</sup> Street  
Enumclaw, WA 98022**

**SUMMARY OF RECOMMENDATIONS:**

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

**DEPARTMENT'S REPORT:**

The Department of Transportation's written report to the King County Hearing Examiner for Item No. V-2415 was received by the Examiner on May 11, 2000.

**PUBLIC HEARING:**

After reviewing the Department of Transportation's Report and examining available information on file with the petition, the Examiner conducted a public hearing on the subject as follows:

RECOMMENDATION:

APPROVE proposed Ordinance No. 2001-0220 to vacate the subject road.

RECOMMENDED this 4th day of June, 2001.

---

Stafford L. Smith  
King County Hearing Examiner

TRANSMITTED this 4th day of June, 2001, to the following parties and interested persons:

William and Lois Burleson  
29320 SE 384th Street  
Enumclaw WA 98022

City of Enumclaw Gas Company  
2041 Railroad Street  
Enumclaw WA 98022

Don Dauphiny  
Qwest Communications  
14808 SE 16th Street  
Bellevue WA 98007

City of Enumclaw  
Water District  
1309 Myrtle Avenue  
Enumclaw WA 98022

Ken Humbert  
A T & T Cable Services  
4020 Auburn Way North  
Auburn WA 98002

Puget Sound Energy, Inc  
Real Estate Dept. OBC-11N  
PO Box 97034  
Bellevue WA 98009-9734

Greg Borba  
DDES/LUSD  
MS OAK-DE-0100

Tommy Burdette  
King County Dept Transportation  
Engineering Services Division  
MS KSC-TR-0231

Thomas Eksten  
KC Office of Open Space  
MS LBP-PR-0100

David Gaultieri  
KCDOT  
Comp Long Range Planning  
MS KSC-TR-0813

Dennis Gorley  
Dept of Transportation  
Road Services Division  
MS KSC-TR-0231

Kristen Langley  
KCDOT  
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Roderick E. Matsuno  
KC Dept. of Transportation  
Road Maintenance Section  
MS RSD-TR-0100

Anne Noris  
Clerk of Council  
Metropolitan King County Council  
MS KCC-CC-1025

Ronald J. Paananen  
KCDOT Road Svcs Div  
County Road Engineer  
MS KSC-TR-0231

Dave Preugschat  
KC Property Services Division  
MS ADM-CF-0500

Lydia Reynolds-Jones  
King County Dept Transportation  
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MS KSC-TR-0231

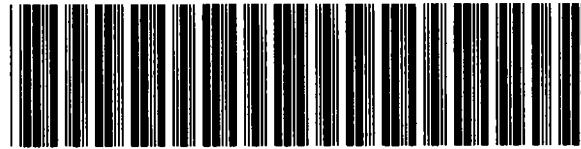
Faith Roland  
METRO Environ Planning  
Real Estate  
MS KSC-NR-0600

Charlie Sundberg  
Office of Cultural Resources  
Landmarks & Heritage Program  
MS STR-CR-0200

Joe Wilson  
King County Parks & Cultural Resources  
Project Manager  
MS LBP-PR-0100

- Exhibit No. 9 Quit Claim Deed Recording Number 5001346
- Exhibit No. 10 copies of 1936, 1970 and 1985 Aerial photographs
- Exhibit No. 11 Memorandum dated August 2, 1993 from Engineering Services Section to the Prosecuting Attorney's Office.
- Exhibit No. 12 Memorandum dated October 6, 1993 regarding the facts and issues of the road classification
- Exhibit No. 13 Memorandum dated October 19, 1993 from the Prosecuting Attorney's Office to Road Services Division (formerly Engineering Services Section) with legal opinion
- Exhibit No. 14 Letter dated March 30, 2000 from the Department of Transportation, Road Services Division to petitioner explaining the road vacation process and requested approval of a revised legal description (Exhibit "A")
- Exhibit No. 15 Signed approval of revised legal description (Exhibit "A")
- Exhibit No. 16 Letter dated February 9, 2001 from the Department of Transportation, Road Services Division, to the Clerk of King County Council
- Exhibit No. 17 Letter dated February 16, 2001 to the petitioner from Road Services Division identify compensation
- Exhibit No. 18 Note transmitting administrative cost of \$200
- Exhibit No. 19 Letter dated April 3, 2001 from King County Executive to Council member von Reichbauer, with proposed ordinance attached
- Exhibit No. 20 Proposed Ordinance 2001-0220
- Exhibit No. 21 Notice of hearing with map attached
- Exhibit No. 22 Affidavit of posting, with notice of hearing and map attached.
- Exhibit No. 23 Affidavit of publication

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



20020201002095

KC CLERK OF CO CORD 0.00  
PAGE 001 OF 010  
02/01/2002 13:15  
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 14180 AN ORDINANCE authorizing the vacation of a portion of Krain-Veasie Road (County Road 459) File V-2415. Petitioners: William G. and Lois D. Burleson.**

**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 the Krain-Veasie Road (County Road Number 459 lying within the ...**

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 020 1002095

RECEIVED  
2002 APR -2 AM 11:32  
CLERK  
KING COUNTY COUNCIL



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**July 24, 2001**

**Ordinance 14180**

**Proposed No. 2001-0220.2**

**Sponsors von Reichbauer**

1 AN ORDINANCE authorizing the vacation of a portion of

2 Krain-Veasie Road (County Road 459) File V-2415.

3 Petitioners: William G. and Lois D. Burleson.

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6 **STATEMENT OF FACTS:**

7 1. A petition has been filed requesting vacation of that portion of Krain-  
8 Veasie Road (County Road 459) hereinafter described.

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

11 3. The land use section of the department of development and  
12 environmental services has studied the proposed road vacation and finds  
13 that it would not conflict with the principals and purposes of the King  
14 County comprehensive plan and the specific plans in the vicinity of this  
15 proposed vacation.

16 4. The department of transportation found that on October 22, 1888, by  
17 order of establishment of county roads the subject right-of-way was

2002 020 1002095

18 established as Peter Veronick Road at 40 feet in width. On October 7,  
19 1957, King County established the Krain-Veasie Road, Survey Number 1-  
20 20-6-4 (S.H. No 5. to Enumclaw-Selleck Road) over the proposed  
21 vacation area also known as that portion of old county road 459. No deeds  
22 of record conveying interest to King County for the right-of-way were  
23 found.

24 5. A search of the records indicates no public funds have been expended  
25 for its acquisition, improvement or maintenance. The department of  
26 transportation considers the subject right-of-way useless as part of the  
27 county road system and believes the public would benefit by the return of  
28 this unused area to the public tax rolls.

29 6. The right-of-way is classified as D Class in accordance with K.C.C.  
30 14.40.060D. King County is in receipt of the \$200.00 administrative fee  
31 from the petitioner.

32 Due notice was given in the manner provided by law and a hearing was  
33 held by the office of the zoning and subdivision examiner on the 25th day  
34 of May, 2001.

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

38 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

39 SECTION 1. The council, on the 23rd day of July, 2001, hereby vacates and  
40 abandons that portion of Krain-Veasie Road (County Road 459) described as follows:

2002 020 1002095



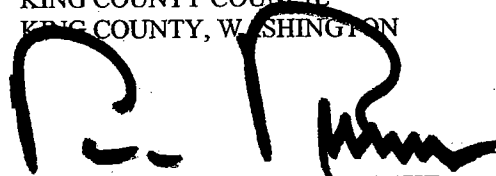
Ordinance 14180 was introduced on 4/16/01 and passed by the Metropolitan King County Council on 7/23/01, by the following vote:

Yes: 11 - Mr. von Reichbauer, Ms. Miller, Ms. Fimia, Mr. Pelz, Mr. McKenna, Ms. Sullivan, Mr. Nickels, Mr. Pullen, Ms. Hague, Mr. Thomas and Mr. Irons

No: 0

Excused: 2 - Mr. Phillips and Mr. Gossett

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



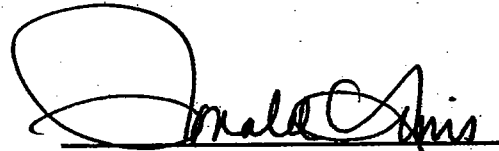
Pete von Reichbauer, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 30 day of July, 2001.



Ron Sims, County Executive

Attachments

A. Legal Description and Map, B. Hearing Examiner report 6-4-2001

2002 020 1002095

March 29, 2000

14180

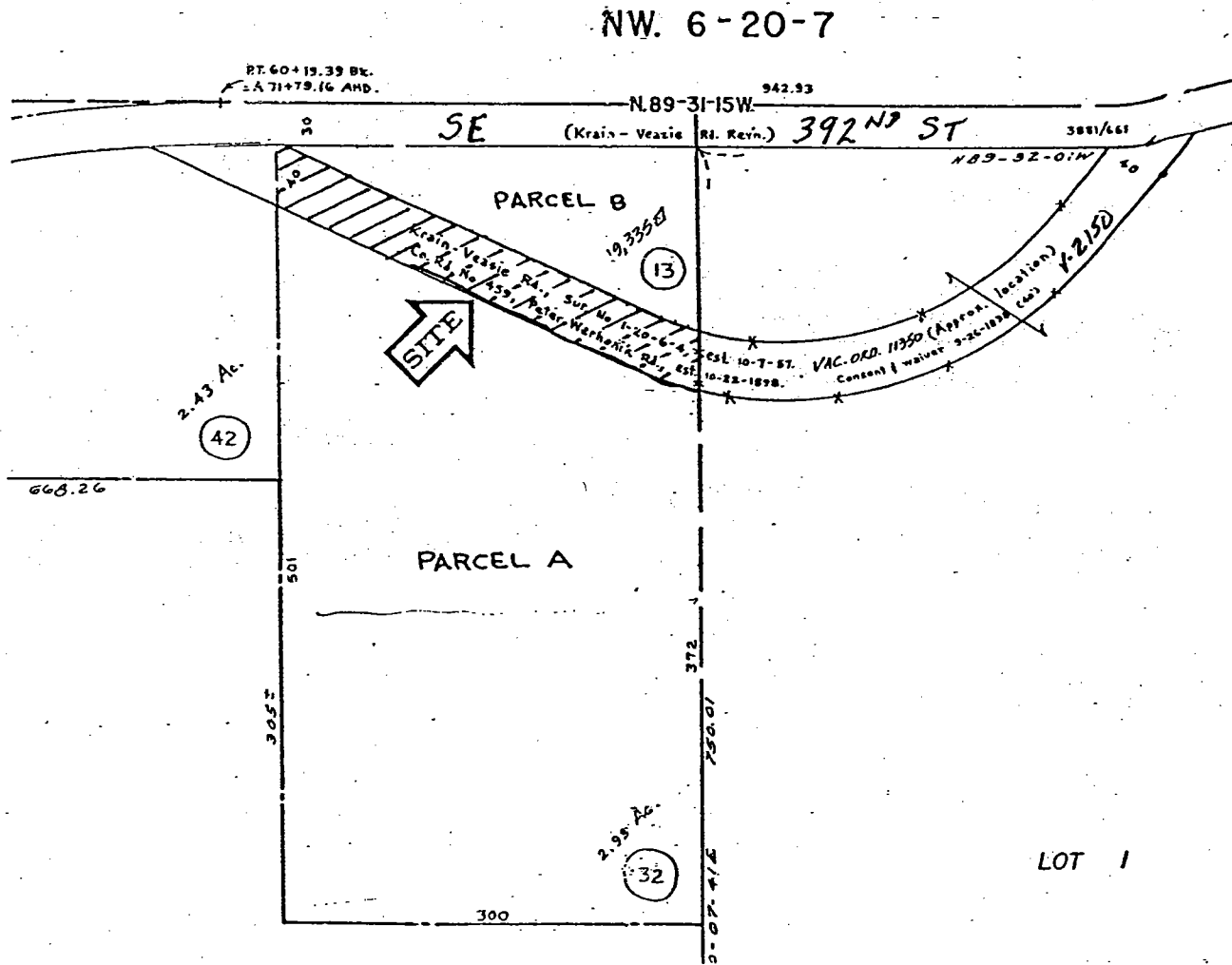
2001 220

EXHIBIT "A"

Legal Description of Vacation Area

That portion of the Krain-Veasie Road (County Road Number 459 lying within the East 300 feet of Government Lot 6, Section 6, Township 20 North, Range 7 East, W.M., in King County, Washington.

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SE 400TH WY



14180

June 4, 2001

**OFFICE OF THE HEARING EXAMINER  
KING COUNTY, WASHINGTON**  
850 Union Bank of California Building  
900 Fourth Avenue  
Seattle, Washington 98164  
Telephone (206) 296-4660  
Facsimile (206) 296-1654

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

**SUBJECT:** King county Department of Transportation File No. V-2415  
Proposed Ordinance No. 2001-0220

**WILLIAM AND LOIS BURLESON**  
Petition for Road Vacation

Road: A portion of Krain-Veasie Road

Petitioners: **William and Lois Burleson**  
29320 SE 384<sup>th</sup> Street  
Enumclaw, WA 98022

**SUMMARY OF RECOMMENDATIONS:**

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

**DEPARTMENT'S REPORT:**

The Department of Transportation's written report to the King County Hearing Examiner for Item No. V-2415 was received by the Examiner on May 11, 2000.

**PUBLIC HEARING:**

After reviewing the Department of Transportation's Report and examining available information on file with the petition, the Examiner conducted a public hearing on the subject as follows:

2002 020 1002095

The hearing on Item No. V-2415 was opened by the Examiner at 9:30 a.m., May 25, 2001, in the Board of Appeals Conference Room No. 510, King County Administration Building, 500 4<sup>th</sup> Avenue, Seattle, Washington, and closed at 9:40 p.m. 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 King County 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:	A portion of Krain-Veasie Road located west of 278 <sup>th</sup> Way Southeast near Southeast 392 <sup>nd</sup> Street and north of the City of Enumclaw.
Right of way classification:	"D" Class
Area:	Approximately 12,000 square feet
Compensation:	\$200 Administration fee

2. Except as provided below, the Examiner adopts and incorporates herein by this reference the facts set forth in the Department of Transportation's report to the King County Hearing Examiner for the May 25, 2001 public hearing and the statement of facts contained in Proposed Ordinance No. 2001-0220. The Department's report will be attached to those copies of this report and recommendation that are submitted to the Metropolitan King County Council.
3. Maps showing the vicinity of the proposed vacation and the specific area to be vacated is Attachment 4 to this Report and Recommendation.
4. Vacation of the subject right-of-way would have no adverse effect on the provision of fire and emergency services to the subject property or surrounding area.

CONCLUSIONS:

1. The road subject to this petition is useless as part of the King County road system, and the public will be benefited by its vacation
2. The notice of Hearing on the report of the Department of Transportation was given as required by law, and hearing on the report was conducted by the King County Hearing Examiner on behalf of the King County Council.
3. The compensation required by law to be paid as a condition precedent to the vacation of this road has been deposited with King County, and the easements, if any, necessary for the construction, repair and maintenance of public utilities and services have been provided in form satisfactory to the affected public utilities.

2002 020 1002095

14180

V-2415-William and Lois Burleson

RECOMMENDATION:

APPROVE proposed Ordinance No. 2001-0220 to vacate the subject road.

RECOMMENDED this 4th day of June, 2001.

\_\_\_\_\_  
Stafford L. Smith  
King County Hearing Examiner

TRANSMITTED this 4th day of June, 2001, to the following parties and interested persons:

2002 020 1002095

William and Lois Burleson  
29320 SE 384th Street  
Enumclaw WA 98022

City of Enumclaw Gas Company  
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Qwest Communications  
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Charlie Sundberg  
Office of Cultural Resources  
Landmarks & Heritage Program  
MS STR-CR-0200

Joe Wilson  
King County Parks & Cultural Resources  
Project Manager  
MS LBP-PR-0100

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 \$125.00 (check payable to King County Office of Finance) on or before June 19, 2001. If a notice of appeal is filed, the original and 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 June 26, 2001. Appeal statements may refer only to facts contained in the hearing record; new facts may not be presented on appeal.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Courthouse, 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 May 25, 2001 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO: V-2415 PETITION FOR ROAD VACATION.

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing and representing the Department of Transportation was Tommy Burdette. There were no other participants in this hearing.

The following exhibits were offered and entered into the record:

- Exhibit No. 1 Report to the Hearing Examiner dated May 10, 2001 which has 15 attachments
- Exhibit No. 2 Petition transmittal letter dated February 22, 2000 to the Department of Transportation from Clerk of Council.
- Exhibit No. 3 Letter of explanation dated February 17, 2000
- Exhibit No. 4 Petition for vacation
- Exhibit No. 5 Copy of check for non-refundable deposit
- Exhibit No. 6 Map depicting vacation area
- Exhibit No. 7 Vicinity map
- Exhibit No. 8 Surveyor's Report for County Road 459

2002 020 1002095

V-2415-William and Lois Burleson

- Exhibit No. 9 Quit Claim Deed Recording Number 5001346
- Exhibit No. 10 copies of 1936, 1970 and 1985 Aerial photographs
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SLS:sla  
vacations/V-2415 RPT  
Attachments

2002 020 1002095