



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**July 24, 2001**

**Ordinance 14181**

**Proposed No.** 2001-0263.2

**Sponsors** Miller

1 AN ORDINANCE authorizing the vacation of a portion of  
2 C. L. Morris Road (County Road 964) File V-2414.  
3 Petitioner: James E. Plute and Others.  
4  
5

6 **STATEMENT OF FACTS:**

7 1. A petition has been filed requesting vacation of that portion of C. L.  
8 Morris Road (County Road 964) hereinafter described.

9 2. The department of transportation notified the various utilities  
10 companies serving the area and has been advised that Puget Sound Energy  
11 has secured an easement within the vacation area. No other easements  
12 were required.

13 3. The department of transportation, traffic engineering section,  
14 recommends that King County retain a 45-foot radius curve tangent to the  
15 south right-of-way line of Northeast 124th Street and tangent to the west  
16 margin line of 156th Avenue Northeast (SR 202) for construction of future  
17 curbs.

- 18           4. King County records indicate that C. L. Morris Road (County Road  
19           964) was established on October 14, 1913. C. D. Stimson deeded the  
20           right-of-way as a 60-foot strip of land right-of-way on March 18, 1914.  
21           King County paid the Stimsons \$375 in consideration for the public road  
22           through their property. Therefore this portion of C. L. Morris Road  
23           (County Road 964) is classified as an "A" Class road vacation.
- 24           5. The original petition requested King County to vacate the southeast 30  
25           feet of the C. L. Morris Road (County Road 964).
- 26           6. In the road services division investigation of the petition, it was found  
27           that there is a public need for the northwesterly 30 feet of the right-of-way  
28           which abuts two parcels of land. One parcel of land is currently in the  
29           farmland preservation program. The second parcel of land is owned by  
30           King County, which was acquired in 1994 under Recording Number  
31           9412010369, records of King County, Washington. The purpose of that  
32           acquisition was for the construction of new stream channel in conjunction  
33           with the Northeast 124th Street road-widening project.
- 34           7. The farmland preservation office recommended that the property  
35           owners of the farmland parcel become a party to the petition and that the  
36           development rights be reserved in the road vacation. It was also  
37           recommended that the portion of the northwesterly 30 feet C. L. Morris  
38           Road (County Road 964) that abuts the King County parcel be included in  
39           the road vacation.

40 8. The records indicate that King County has not maintained the subject  
41 portion of the C. L. Morris Road (County Road 964).

42 9. The department of transportation considers the subject portion of the  
43 right-of-way useless as part of the county road system and believes the  
44 public would benefit by the return of this unused area to the public tax  
45 rolls.

46 10. In accordance with K.C.C. 14.40.020, the compensation due King  
47 County for vacating an "A" Class road is based on 100 percent of the  
48 assessed value of the subject right-of-way which was determined from  
49 records of the department of assessments. King County is in receipt of  
50 \$32,426.97 from the petitioners.

51 11. The road services division recommends that the council waive the  
52 compensation for that portion of the subject road that attaches to the parcel  
53 of land that is owned by King County, road services division. "A" class  
54 compensation is paid to the road services division.

55 12. Due notice was given in the manner provided by law and a hearing  
56 was held by the office of the hearing examiner on the 21st day of June,  
57 2001.

58 13. In consideration of the benefits to be derived from the subject  
59 vacation, the council has determined that it is in the best interest of the  
60 citizens of King County to grant said petition.

61 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

62            SECTION 1. The council, on the 23rd day of July, 2001, hereby in accordance with  
63 K.C.C. 14.40.020 waives the compensation due for vacating that portion of C. L. Morris  
64 Road (County Road 964) which attaches by operation of law to that parcel of land which  
65 was purchased by King County in conjunction with the Northeast 124th Street widening  
66 project, said parcel is described as follows:

67            The North 18 acres of the Southwest quarter of Section 26, Township 26  
68            North, Range 5 East, W.M., lying Westerly of the C. L. Morris Road  
69            (County Road 964).

70            SECTION 2. The county hereby retains the development rights, as defined under  
71 Deed of and Agreement Relating to Developments recorded under Auditor's File No.  
72 20000106001176, records of King County, Washington. The retained rights are on the  
73 portion of the westerly half of said C. L. Morris Road (County Road 964) which attaches  
74 by operation of law to Farmland Preservation Program Farm ASM-206A. Said farm being  
75 described as follows:

76            That portion of the North half of the Southwest quarter of Section 26,  
77            Township 26 North, Range 5 East, W.M., lying Westerly of County Road  
78            No. 964 (154th Place N.E.) as established by deed recorded under  
79            Recording No. 921227;

80            EXCEPT the North 18 acres thereof, the South line of said 18 acres being  
81            parallel with the North line of said subdivision;

82            AND EXCEPT that portion thereof as conveyed to King County for road  
83            (154th Place N.E.; Redmond-Avondale Road Revision) by deed recorded  
84            under Recording No. 750127-0073;

85 AND EXCEPT that portion of the remainder condemned for taking by  
86 King County Superior Court Cause No. 741685;  
87 AND EXCEPT any portion subsequently deeded to King County for road;  
88 Situated in County of King, State of Washington.

89 SECTION 3. The council hereby vacates and abandons that portion of C. L. Morris  
90 Road (County Road 964) as conveyed to King County by Quit-Deed recorded under  
91 Recording Number 921227, in Volume 681 of Deeds, Page 323, records of King County,  
92 Washington described as follows:

93 That portion of the C. L. Morris Road (County Road 964) as conveyed to  
94 King County under Recording Number 921227, records of King County,  
95 Washington, lying easterly of the N. E. 124th – N. E. 128th (Redmond-  
96 Avondale Road) as conveyed to King County by deed recorded under  
97 Recording Number 7509040536, records of King County, Washington,  
98 situated in the Northeast quarter of the Southwest quarter of Section 26,  
99 Township 26 North, Range 5 East, W. M., in King County, Washington.

100 EXCEPTING THEREFROM that portion lying Northeasterly of an arc of  
101 a curve have a radius 45 feet which is tangent to the south right-of-way  
102 line of Northeast 124th Street and tangent to the west margin line of 156th

Ordinance 14181

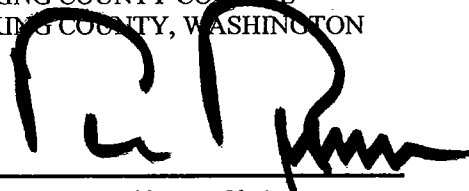
---

- 103 Avenue Northeast (SR 202).
- 104 Contains approximately 28,101 square feet more or less.
- 105

Ordinance 14181 was introduced on 5/7/01 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



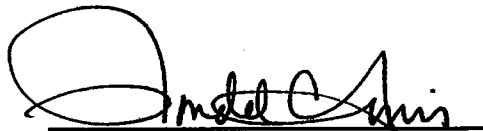
Pete von Reichbauer, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 30 day of July, 2001.



Ron Sims, County Executive

Attachments A. Hearing Examiner Report 6-25-2001

14181

June 25, 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-2414  
Proposed Ordinance No. 2001-0263

**JAMES E. PLUTE, et al**  
Road Vacation Petition

**Location:** Portions of C. L. Morris road (County Road 964) located in the  
unincorporated King County area north of the City of Redmond

**Applicant:** **James E. Plute** , et al  
18602 Marine View Drive Southwest  
Seattle, WA 98166

**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-2414 was received by the Examiner on June 4, 2001.

**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:

The hearing on Item No. V-2414 was opened by the Examiner at 1:28 p.m., June 21, 2001, in the 5<sup>th</sup> Floor Conference Room, Union Bank of California Building, 900 – 4<sup>th</sup> Avenue, Seattle, Washington, and closed at 1:35 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:      | Portions of C. L. Morris Road (County Road 964) located in the unincorporated King County area north of the City of Redmond. |
| Right of way classification: | “A” Class  |
| Area:                        | 43,560 square feet   |
| Compensation:                | \$32, 426.97   |
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 June 21, 2001 public hearing and the statement of facts contained in Proposed Ordinance No. 2001-0263. 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 are Exhibit 19 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 a 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.



RECOMMENDATION:

APPROVE proposed Ordinance No. 2001-0263 to vacate the subject road.

RECOMMENDED this 25th day of June, 2001.

---

Stafford L. Smith  
King County Hearing Examiner

TRANSMITTED this 25th day of June, 2001, to the following parties and interested persons:

Verizon NW Communications  
2312 W. Casino Rd #C  
Everett WA 98204-1440

Puget Sound Energy  
Steve Botts M/S OBC-11N  
PO Box 97034  
Bellevue WA 98009

Rick E. Johnson  
James E. Plute  
18602 Mrne Vw Dr SW  
Seattle WA 98166

Gary & Peggy Piesik  
12025 154th PL NE  
Redmond WA 98052

City of Redmond  
15670 NE 185th St.  
Redmond WA 98052

AT&T Cable Services  
Ken Humbert  
400 Auburn Way N  
Auburn WA 98002

Woodinville Water & Sewer  
PO Box 1390  
Woodinville WA 98072

Greg Borba  
DDES/LUSD  
MS OAK-DE-0100

Clerk of the Council  
MS KCC-CC-1025

K C Parks Division  
MS LBP-PR-0100  
ATTN: Joe Wilson, Proj Mgr  
MS LBP-PR-0100

Judy Herring  
Farmland Preservation Program  
KSC-NR-0600

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

METRO-Estate Planning  
Faith Roland  
KSC-NR-0600

Dave Preugschat  
KC Property Services Div  
MS-ADMCF-0500

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 **July 9, 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 **July 16, 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 JUNE 25, 2001 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO: V-2414 PETITION FOR ROAD VACATION.**

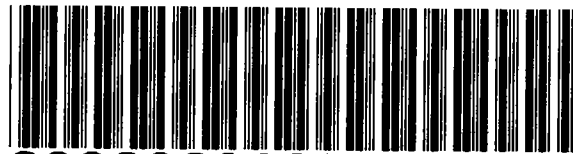
Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing and representing the Department of Transportation was Tommy Burdette. There were no other participants in this hearing.

The following exhibits were offered and entered into the record:

- |               |   |
|---------------|---|
| Exhibit No. 1 | Report to the Hearing Examiner dated June 4, 2001 with 29 attachments.                                    |
| Exhibit No. 2 | Petition transmittal letter dated February 17, 2000 to Transportation from Clerk of Council.              |
| Exhibit No. 3 | Letter of explanation dated February 4, 2000 from original petitioner Rick E. Johnson and James E. Plute. |
| Exhibit No. 4 | Petition for Vacation of a County Road including legal descriptions of Petitioners properties.            |
| Exhibit No. 5 | Copy of Filing Fee - Check #4082  |
| Exhibit No. 6 | Copy of conveyance deed to King County Recording Number 921227.   |

- Exhibit No. 7 Copy of conveyance deed to King County for the Northeast 124<sup>th</sup> Street widening Recording Number 7509040536.
- Exhibit No. 8 Copy of conveyance deed to King County for the Northeast 124<sup>th</sup> Street-Northeast 128<sup>th</sup> Street (Redmond-Avondale Road re-alignment Recording Number 7507270073).
- Exhibit No. 9 Copy of conveyance deed to King County for the Piesik's development rights Recording Number 20000106001176.
- Exhibit No. 10 Map depicting original vacation area.
- Exhibit No. 11 Vicinity Map Thomas Bro. Map page 507
- Exhibit No. 12 Copy of letter dated February 28, 2000 to original petitioner, Plute, explaining the road vacation process.
- Exhibit No. 13 Copy of letter dated February 28, 2000 to original petitioner's agent explaining the road vacation process.
- Exhibit No. 14 Copy of letter dated March 16, 2000 from DNR to the Piesiks regarding their inclusion in the revised petition.
- Exhibit No. 15 Letter dated April 6, 2000 from the Piesiks agreeing to be included as a petitioner in the revised petition.
- Exhibit No. 16 Letter dated April 10, 2000 from RSD to the Piesiks explaining the road vacation process, with map and revised legal description.
- Exhibit No. 17 Email dated November 3, 2000 from King County Property Services Division reporting that the added Northeast 124<sup>th</sup> Street parcel was purchased for the Road Services Division.
- Exhibit No. 18 Digital database GIS map that calculates the total square footage of revised vacation area.
- Exhibit No. 19 Map of revised vacation area including the 45-foot radius
- Exhibit No. 20 Digital database GIS map that calculates the total square footage of revised vacation area excluding the area outside the 45-foot radius. Exhibit no.
- Exhibit No. 21 Road Vacation Worksheet V-2414.XLS dated November 2, 2000.
- Exhibit No. 22 Letter dated February 7, 2001 from the Department of Transportation, Road Services Division to the Clerk of King County Council.
- Exhibit No. 23 Letter dated February 16, 2001 to Rick E. Johnson, agent for James E. Plute from the Road Services Division identifying amount of compensation.
- Exhibit No. 24 Letter dated February 23, 2001 to Gary and Peggy Piesik from the Road Services Division identifying amount of compensation.
- Exhibit No. 25 Note (not dated) from petitioner with check # 12000 for compensation.
- Exhibit No. 26 Letter dated March 14, 2001 from the Piesiks transmitting check #4110 for compensation.
- Exhibit No. 27 Letter dated May 1, 2001 from King County Executive to Councilmember Pete von Reichbauer.
- Exhibit No. 28 Proposed Ordinance 2001-0263
- Exhibit No. 29 Notice of Hearing.
- Exhibit No. 30 Affidavit of posting with Notice of Hearing attached
- Exhibit No. 31 Affidavit of posting.

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



20020201002094

KC CLERK OF CO CORD 0.00  
PAGE 001 OF 012  
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 14181 AN ORDINANCE authorizing the vacation of a portion of G. L. Morris Road (County Road 964) File V-2414. Petitioner: James E. Plute and Others.**

**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)

**The North 18 acres of the Southwest quarter of Section 26, Township 26 ...**

Additional legal is on page \_\_\_\_\_ of document.

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 1002094

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



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**July 24, 2001**

**Ordinance 14181**

**Proposed No. 2001-0263.2**

**Sponsors Miller**

1 AN ORDINANCE authorizing the vacation of a portion of  
2 C. L. Morris Road (County Road 964) File V-2414.  
3 Petitioner: James E. Plute and Others.

2002 020 1002094

4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

**STATEMENT OF FACTS:**

1. A petition has been filed requesting vacation of that portion of C. L. Morris Road (County Road 964) hereinafter described.
2. The department of transportation notified the various utilities companies serving the area and has been advised that Puget Sound Energy has secured an easement within the vacation area. No other easements were required.
3. The department of transportation, traffic engineering section, recommends that King County retain a 45-foot radius curve tangent to the south right-of-way line of Northeast 124th Street and tangent to the west margin line of 156th Avenue Northeast (SR 202) for construction of future curbs.

2002 020 1002094

- 18           4. King County records indicate that C. L. Morris Road (County Road  
19           964) was established on October 14, 1913. C. D. Stimson deeded the  
20           right-of-way as a 60-foot strip of land right-of-way on March 18, 1914.  
21           King County paid the Stimsons \$375 in consideration for the public road  
22           through their property. Therefore this portion of C. L. Morris Road  
23           (County Road 964) is classified as an "A" Class road vacation.
- 24           5. The original petition requested King County to vacate the southeast 30  
25           feet of the C. L. Morris Road (County Road 964).
- 26           6. In the road services division investigation of the petition, it was found  
27           that there is a public need for the northwesterly 30 feet of the right-of-way  
28           which abuts two parcels of land. One parcel of land is currently in the  
29           farmland preservation program. The second parcel of land is owned by  
30           King County, which was acquired in 1994 under Recording Number  
31           9412010369, records of King County, Washington. The purpose of that  
32           acquisition was for the construction of new stream channel in conjunction  
33           with the Northeast 124th Street road-widening project.
- 34           7. The farmland preservation office recommended that the property  
35           owners of the farmland parcel become a party to the petition and that the  
36           development rights be reserved in the road vacation. It was also  
37           recommended that the portion of the northwesterly 30 feet C. L. Morris  
38           Road (County Road 964) that abuts the King County parcel be included in  
39           the road vacation.

40 8. The records indicate that King County has not maintained the subject  
41 portion of the C. L. Morris Road (County Road 964).

42 9. The department of transportation considers the subject portion of the  
43 right-of-way useless as part of the county road system and believes the  
44 public would benefit by the return of this unused area to the public tax  
45 rolls.

46 10. In accordance with K.C.C. 14.40.020, the compensation due King  
47 County for vacating an "A" Class road is based on 100 percent of the  
48 assessed value of the subject right-of-way which was determined from  
49 records of the department of assessments. King County is in receipt of  
50 \$32,426.97 from the petitioners.

51 11. The road services division recommends that the council waive the  
52 compensation for that portion of the subject road that attaches to the parcel  
53 of land that is owned by King County, road services division. "A" class  
54 compensation is paid to the road services division.

55 12. Due notice was given in the manner provided by law and a hearing  
56 was held by the office of the hearing examiner on the 21st day of June,  
57 2001.

58 13. In consideration of the benefits to be derived from the subject  
59 vacation, the council has determined that it is in the best interest of the  
60 citizens of King County to grant said petition.

61 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

2002 020 1002094

62            SECTION 1. The council, on the 23rd day of July, 2001, hereby in accordance with  
63 K.C.C. 14.40.020 waives the compensation due for vacating that portion of C. L. Morris  
64 Road (County Road 964) which attaches by operation of law to that parcel of land which  
65 was purchased by King County in conjunction with the Northeast 124th Street widening  
66 project, said parcel is described as follows:

67            The North 18 acres of the Southwest quarter of Section 26, Township 26  
68            North, Range 5 East, W.M., lying Westerly of the C. L. Morris Road  
69            (County Road 964).

70            SECTION 2. The county hereby retains the development rights, as defined under  
71 Deed of and Agreement Relating to Developments recorded under Auditor's File No.  
72 20000106001176, records of King County, Washington. The retained rights are on the  
73 portion of the westerly half of said C. L. Morris Road (County Road 964) which attaches  
74 by operation of law to Farmland Preservation Program Farm ASM-206A. Said farm being  
75 described as follows:

76            That portion of the North half of the Southwest quarter of Section 26,  
77            Township 26 North, Range 5 East, W.M., lying Westerly of County Road  
78            No. 964 (154th Place N.E.) as established by deed recorded under  
79            Recording No. 921227;  
80            EXCEPT the North 18 acres thereof, the South line of said 18 acres being  
81            parallel with the North line of said subdivision;  
82            AND EXCEPT that portion thereof as conveyed to King County for road  
83            (154th Place N.E.; Redmond-Avondale Road Revision) by deed recorded  
84            under Recording No. 750127-0073;

2002 020 1002094



85 AND EXCEPT that portion of the remainder condemned for taking by  
86 King County Superior Court Cause No. 741685;  
87 AND EXCEPT any portion subsequently deeded to King County for road;  
88 Situated in County of King, State of Washington.

89 SECTION 3. The council hereby vacates and abandons that portion of C. L. Morris  
90 Road (County Road 964) as conveyed to King County by Quit-Deed recorded under  
91 Recording Number 921227, in Volume 681 of Deeds, Page 323, records of King County,  
92 Washington described as follows:

93 That portion of the C. L. Morris Road (County Road 964) as conveyed to  
94 King County under Recording Number 921227, records of King County,  
95 Washington, lying easterly of the N. E. 124th – N. E. 128th (Redmond-  
96 Avondale Road) as conveyed to King County by deed recorded under  
97 Recording Number 7509040536, records of King County, Washington,  
98 situated in the Northeast quarter of the Southwest quarter of Section 26,  
99 Township 26 North, Range 5 East, W. M., in King County, Washington.

100 EXCEPTING THEREFROM that portion lying Northeasterly of an arc of  
101 a curve have a radius 45 feet which is tangent to the south right-of-way  
102 line of Northeast 124th Street and tangent to the west margin line of 156th

2602 020 1002094

Ordinance 14181

---

103 Avenue Northeast (SR 202).

104 Contains approximately 28,101 square feet more or less.

105

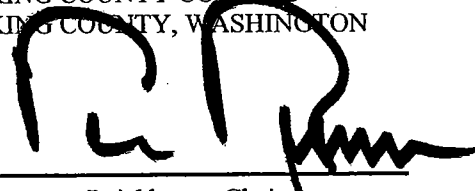
Ordinance 14181 was introduced on 5/7/01 and passed by the Metropolitan King County Council on 7/23/01, by the following vote:

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



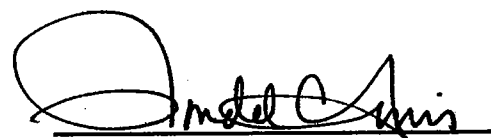
Pete von Reichbauer, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 30 day of July, 2001.



Ron Sims, County Executive

Attachments A. Hearing Examiner Report 6-25-2001

2002 020 1002094

14181

June 25, 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-2414  
 Proposed Ordinance No. 2001-0263

**JAMES E. PLUTE, et al  
 Road Vacation Petition**

**Location:** Portions of C. L. Morris road (County Road 964) located in the  
 unincorporated King County area north of the City of Redmond

**Applicant:** **James E. Plute , et al**  
 18602 Marine View Drive Southwest  
 Seattle, WA 98166

**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-2414 was received by the Examiner on June 4, 2001.

**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 1002094

The hearing on Item No. V-2414 was opened by the Examiner at 1:28 p.m., June 21, 2001, in the 5<sup>th</sup> Floor Conference Room, Union Bank of California Building, 900 – 4<sup>th</sup> Avenue, Seattle, Washington, and closed at 1:35 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:      | Portions of C. L. Morris Road (County Road 964) located in the unincorporated King County area north of the City of Redmond. |
| Right of way classification: | "A" Class  |
| Area:                        | 43,560 square feet   |
| Compensation:                | \$32,426.97  |

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 June 21, 2001 public hearing and the statement of facts contained in Proposed Ordinance No. 2001-0263. 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 are Exhibit 19 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 a 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 1002094

RECOMMENDATION:

APPROVE proposed Ordinance No. 2001-0263 to vacate the subject road.

RECOMMENDED this 25th day of June, 2001.

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

TRANSMITTED this 25th day of June, 2001, to the following parties and interested persons:

Verizon NW Communications  
2312 W. Casino Rd #C  
Everett WA 98204-1440

Puget Sound Energy  
Steve Botts M/S OBC-11N  
PO Box 97034  
Bellevue WA 98009

Rick E. Johnson  
James E. Plute  
18602 Mrne Vw Dr SW  
Seattle WA 98166

Gary & Peggy Piesik  
12025 154th PL NE  
Redmond WA 98052

City of Redmond  
15670 NE 185th St.  
Redmond WA 98052

AT&T Cable Services  
Ken Humbert  
400 Auburn Way N  
Auburn WA 98002

Woodinville Water & Sewer  
PO Box 1390  
Woodinville WA 98072

Greg Borba  
DDES/LUSD  
MS OAK-DE-0100

Clerk of the Council  
MS KCC-CC-1025

K C Parks Division  
MS LBP-PR-0100  
ATTN: Joe Wilson, Proj Mgr  
MS LBP-PR-0100

Judy Herring  
Farmland Preservation Program  
KSC-NR-0600

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

METRO-Estate Planning  
Faith Roland  
KSC-NR-0600

Dave Preugschat  
KC Property Services Div  
MS-ADMCF-0500

2002 020 1002094

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 **July 9, 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 **July 16, 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 JUNE 25, 2001 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO: V-2414 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 June 4, 2001 with 29 attachments.                                    |
| Exhibit No. 2 | Petition transmittal letter dated February 17, 2000 to Transportation from Clerk of Council.              |
| Exhibit No. 3 | Letter of explanation dated February 4, 2000 from original petitioner Rick E. Johnson and James E. Plute. |
| Exhibit No. 4 | Petition for Vacation of a County Road including legal descriptions of Petitioners properties.            |
| Exhibit No. 5 | Copy of Filing Fee - Check #4082  |
| Exhibit No. 6 | Copy of conveyance deed to King County Recording Number 921227.   |

- Exhibit No. 7 Copy of conveyance deed to King County for the Northeast 124<sup>th</sup> Street widening Recording Number 7509040536.
- Exhibit No. 8 Copy of conveyance deed to King County for the Northeast 124<sup>th</sup> Street-Northeast 128<sup>th</sup> Street (Redmond-Avondale Road re-alignment Recording Number 7507270073).
- Exhibit No. 9 Copy of conveyance deed to King County for the Piesik's development rights Recording Number 20000106001176.
- Exhibit No. 10 Map depicting original vacation area.
- Exhibit No. 11 Vicinity Map Thomas Bro. Map page 507
- Exhibit No. 12 Copy of letter dated February 28, 2000 to original petitioner, Plute, explaining the road vacation process.
- Exhibit No. 13 Copy of letter dated February 28, 2000 to original petitioner's agent explaining the road vacation process.
- Exhibit No. 14 Copy of letter dated March 16, 2000 from DNR to the Piesiks regarding their inclusion in the revised petition.
- Exhibit No. 15 Letter dated April 6, 2000 from the Piesiks agreeing to be included as a petitioner in the revised petition.
- Exhibit No. 16 Letter dated April 10, 2000 from RSD to the Piesiks explaining the road vacation process, with map and revised legal description.
- Exhibit No. 17 Email dated November 3, 2000 from King County Property Services Division reporting that the added Northeast 124<sup>th</sup> Street parcel was purchased for the Road Services Division.
- Exhibit No. 18 Digital database GIS map that calculates the total square footage of revised vacation area.
- Exhibit No. 19 Map of revised vacation area including the 45-foot radius
- Exhibit No. 20 Digital database GIS map that calculates the total square footage of revised vacation area excluding the area outside the 45-foot radius. Exhibit no.
- Exhibit No. 21 Road Vacation Worksheet V-2414.XLS dated November 2, 2000.
- Exhibit No. 22 Letter dated February 7, 2001 from the Department of Transportation, Road Services Division to the Clerk of King County Council.
- Exhibit No. 23 Letter dated February 16, 2001 to Rick E. Johnson, agent for James E. Plute from the Road Services Division identifying amount of compensation.
- Exhibit No. 24 Letter dated February 23, 2001 to Gary and Peggy Piesik from the Road Services Division identifying amount of compensation.
- Exhibit No. 25 Note (not dated) from petitioner with check # 12000 for compensation.
- Exhibit No. 26 Letter dated March 14, 2001 from the Piesiks transmitting check #4110 for compensation.
- Exhibit No. 27 Letter dated May 1, 2001 from King County Executive to Councilmember Pete von Reichbauer.
- Exhibit No. 28 Proposed Ordinance 2001-0263
- Exhibit No. 29 Notice of Hearing.
- Exhibit No. 30 Affidavit of posting with Notice of Hearing attached
- Exhibit No. 31 Affidavit of posting.