



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 7, 2003

Ordinance 14704

Proposed No. 2003-0181.2

Sponsors Sullivan

1 AN ORDINANCE authorizing the vacation of a portion of
2 168th Avenue SE, File V-2448. Petitioners: Gerald and
3 Janice Severance.

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STATEMENT OF FACTS

7

1. A petition has been filed requesting vacation of that portion of 168th
8 Avenue SE hereinafter described.

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2. The department of transportation notified the various utility companies
10 serving the area and has been advised that easements were not required
11 within the vacation area.

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3. The department of transportation records indicates that King County
13 has not been maintaining 168th Avenue SE. The records indicate that no
14 public funds have been expended for its acquisition.

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15

4. The department of transportation considers the subject portion of the
16 right-of-way useless as part of the county road system and believes the

16

17 public would benefit by the return of this unused area to the public tax
18 rolls.

19 5. The right-of-way is classified as "C-Class" and, in accordance with
20 K.C.C 14.40.020, the compensation due King County is based on fifty
21 percent of the assessed value of the subject right-of-way which was
22 determined from records of the department of assessments. King County
23 is in receipt of \$3,994.65 from the petitioners.

24 Due notice was given in the manner provided by law and a hearing was
25 held by the office of the hearing examiner on the 4th day of June, 2003.

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

29 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

30 SECTION 1. The council, on the 7th day of July, 2003, hereby vacates and
31 abandons that portion of 168th Avenue SE as conveyed to King County by in the plat of
32 Renton Suburban Tracts Division 2 as recorded in Volume 58 of Plats, Pages 97 through
33 98, records of King County, Washington described as follows:

34 A portion of the Southwest Quarter of Section 13,
35 Township 23 North, Range 5 East, W.M., King County,
36 Washington described as follows: That portion of the 30
37 foot wide right-of-way lying westerly of and adjacent to
38 Lot 5, Block 1, Plat of Renton Suburban Tracts Division

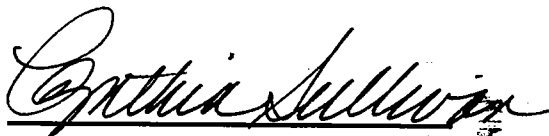
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Number 2 as recorded in Volume 58, Pages 97 through 98,
records of King County, Washington.

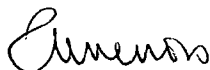
Ordinance 14704 was introduced on 4/28/2003 and passed by the Metropolitan King
County Council on 7/7/2003, by the following vote:

Yes: 10 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Mr. Phillips, Mr.
Pelz, Mr. Constantine, Mr. Hammond, Mr. Gossett, Mr. Irons and Ms.
Patterson
No: 0
Excused: 3 - Ms. Lambert, Mr. McKenna and Ms. Hague

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Cynthia Sullivan, Chair

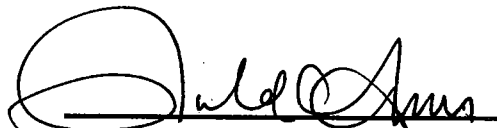
ATTEST:



Anne Noris, Clerk of the Council

RECEIVED
2003 JUL 17 PM 3:49
CLERK
KING COUNTY COUNCIL

APPROVED this 17 day of July, 2003.


Ron Sims, County Executive

Attachments

A. Hearing Examiner Report dated July 11, 2003 and Notice of Correction dated June
18, 2003

14704

June 18, 2003

**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

NOTICE OF CORRECTION

SUBJECT: King County Department of Transportation File No. V-2448
Proposed Ordinance No. 2003-0181

GERALD & JANICE SEVERANCE
Road Vacation Petition

Location: Portion of 168th Avenue Southeast between Southeast 136th Street and
Southeast 138th Street

Petitioners: **Gerald & Janice Severance**
13643 169th Avenue Southeast
Renton, WA 98059
Telephone: (425) 228-2186

King County: Department of Transportation,
Road Services Division, *represented by*
Jodi Simmons
201 S. Jackson St.
Seattle, WA 98104-3856
Telephone: (206) 296-3731
Facsimile: (206) 296-0567

The report and recommendation on the above-noted file indicated a date of July 11, 2003, at the top of page one. The correct date for this report is June 11, 2003.

ORDERED this 18th day of June, 2003.

Stafford L. Smith
King County Hearing Examiner

TRANSMITTED this 18th day of June, 2003, to the following parties and interested persons:

Don Dauphiny
Terry Davis
Mary Lamping
Lester Piele
Gerald & Janice Severance
Jodi Simmons
Neil Watts

Greg Borba
Curt Crawford
Neil DeGoojer
Pam Elardo
Nancy Gordon
Dennis Gorley
David Gualtieri

Roderick E. Matsuno
Paulette Norman
Robert Nunnenkamp
Lydia Reynolds-Jones
Gary Samek
Charlie Sundberg
Caroline Thompson

SLS:ms
V-2448 NOT2

14704

July 11, 2003

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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-2448
Proposed Ordinance No. 2003-0181

**GERALD & JANICE SEVERANCE
Road Vacation Petition**

Location: Portion of 168th Avenue Southeast between Southeast 136th Street and
Southeast 138th Street

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Seattle, WA 98104-3856
Telephone: (206) 296-3731
Facsimile: (206) 296-0567

SUMMARY OF RECOMMENDATIONS:

Department's Preliminary:
Department's Final:
Examiner:

Approve road vacation
Approve road vacation
Approve road vacation

DEPARTMENT'S REPORT:

The Department of Transportation's written report to the King County Hearing Examiner for Item no. V-2448 was received by the Examiner on May 5, 2003.

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-2448 was opened by the Examiner at 3:12 p.m. on June 4, 2003, in the Union Bank of California fifth-floor conference room, 900 4th Avenue, Seattle, Washington, and closed at 3:20 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:	Portion of 168th Avenue Southeast between Southeast 136th Street and Southeast 138th Street
Right of way classification:	"C"
Area:	2,970 square feet
Compensation:	\$3,994.65

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 4, 2003, public hearing and the statement of facts contained in Proposed Ordinance no. 2003-0181. 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 Attachments 1 and 2 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. 2003-0181 to vacate the subject road.

RECOMMENDED this 11th day of June, 2003.

Stafford L. Smith
King County Hearing Examiner

TRANSMITTED this 11th day of June, 2003, to the following parties and interested persons:

- | | | |
|---------------------------|-----------------|----------------------|
| Don Dauphiny | Greg Borba | Roderick E. Matsuno |
| Terry Davis | Curt Crawford | Paulette Norman |
| Mary Lamping | Neil DeGoojer | Robert Nunnenkamp |
| Lester Piele | Pam Elardo | Lydia Reynolds-Jones |
| Gerald & Janice Severance | Nancy Gordon | Gary Samek |
| Jodi Simmons | Dennis Gorley | Charlie Sundberg |
| Neil Watts | David Gualtieri | Caroline Thompson |

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 \$250.00 (check payable to King County Office of Finance) *on or before June 25, 2003*. 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 2, 2003*.

Filing requires actual delivery to the Office of the Clerk of the Council, Room 1025, King County Courthouse, 516 3rd Avenue, Seattle, Washington 98104, 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 4, 2003 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. V-2448

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing was Jodi Simmons, representing the Department.

The following exhibits were offered and entered into the record:

- Exhibit No. 1 DOT Report to the Hearing Examiner dated June 4, 2003 with 16 attachments
- Exhibit No. 2 Petition transmittal letter dated 03/01/02 to Dept. of Transportation from Clerk of the Council
- Exhibit No. 3 Petition for Vacation of a County Road (received 3/01/02) including legal descriptions of Petitioner's property and map of vacation area
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- Exhibit No. 9 Letter to Petitioners dated 12/09/02 identifying amount of compensation with attached Road Vacation Compensation Worksheet
- Exhibit No. 10 Vacation compensation payment – Check #2031 from Gerald and Janice Severance
- Exhibit No. 11 Ordinance transmittal letter dated 04/14/03 from King County Executive to Council Chair Cynthia Sullivan
- Exhibit No. 12 Proposed Ordinance 2003-0181
- Exhibit No. 13 Notice of hearing from Council Clerk dated 5/02/03
- Exhibit No. 14 Affidavit of May 2, 2003, Posting for hearing
- Exhibit No. 15 Affidavit of Publication for date of hearing (*to be submitted post-hearing, upon receipt*)

SLS:ms
V-2448 RPT

Attachments

Return Address:
Clerk of the Council
Metropolitan King County Council
Mail stop KCC-CC 1025



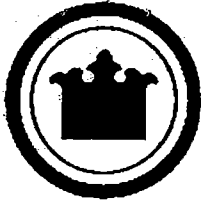
Please print or type information **WASHINGTON STATE RECORDER'S Cover Sheet** (RCW 65.04)

Document Title(s) (or transactions contained therein): (all areas applicable to your document <u>must</u> be filled in) 1. Ordinance 14704 AN ORDINANCE authorizing the vacation of a portion of 168th Avenue SE, File V-2448. Petitioners: Gerald and Janice Severance.
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) A portion of the Southwest Quarter of Section 13, Township 23 North, Range 5 East, W.M., King County, 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.

RECEIVED
2003 SEP 10 PM 12:51
KING COUNTY CLERK COUNCIL

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



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

July 7, 2003

Ordinance 14704

Proposed No. 2003-0181.2

Sponsors Sullivan

1 AN ORDINANCE authorizing the vacation of a portion of
2 168th Avenue SE, File V-2448. Petitioners: Gerald and
3 Janice Severance.
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6 **STATEMENT OF FACTS**

- 7 1. A petition has been filed requesting vacation of that portion of 168th
8 Avenue SE hereinafter described.
9 2. The department of transportation notified the various utility companies
10 serving the area and has been advised that easements were not required
11 within the vacation area.
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13 has not been maintaining 168th Avenue SE. The records indicate that no
14 public funds have been expended for its acquisition.
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16 right-of-way useless as part of the county road system and believes the

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19 5. The right-of-way is classified as "C-Class" and, in accordance with
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21 percent of the assessed value of the subject right-of-way which was
22 determined from records of the department of assessments. King County
23 is in receipt of \$3,994.65 from the petitioners.

24 Due notice was given in the manner provided by law and a hearing was
25 held by the office of the hearing examiner on the 4th day of June, 2003.

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

29 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

30 SECTION 1. The council, on the 7th day of July, 2003, hereby vacates and
31 abandons that portion of 168th Avenue SE as conveyed to King County by in the plat of
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35 Township 23 North, Range 5 East, W.M., King County,
36 Washington described as follows: That portion of the 30
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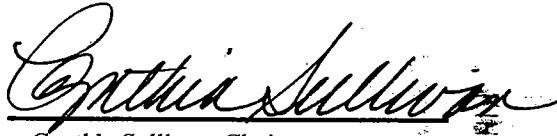
Ordinance 14704

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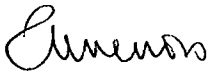
Ordinance 14704 was introduced on 4/28/2003 and passed by the Metropolitan King County Council on 7/7/2003, by the following vote:

Yes: 10 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Mr. Phillips, Mr. Pelz, Mr. Constantine, Mr. Hammond, Mr. Gossett, Mr. Irons and Ms. Patterson
No: 0
Excused: 3 - Ms. Lambert, Mr. McKenna and Ms. Hague

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Cynthia Sullivan, Chair

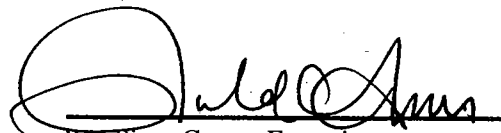
ATTEST:



Anne Noris, Clerk of the Council

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2003 JUL 17 PM 3:49
CLERK
KING COUNTY COUNCIL

APPROVED this 17 day of July, 2003.


Ron Sims, County Executive

Attachments A. Hearing Examiner Report dated July 11, 2003 and Notice of Correction dated June 18, 2003

14704

June 18, 2003

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KING COUNTY, WASHINGTON
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Telephone (206) 296-4660
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NOTICE OF CORRECTION

**SUBJECT: King County Department of Transportation File No. V-2448
Proposed Ordinance No. 2003-0181**

**GERALD & JANICE SEVERANCE
Road Vacation Petition**

**Location: Portion of 168th Avenue Southeast between Southeast 136th Street and
Southeast 138th Street**

**Petitioners: Gerald & Janice Severance
13643 169th Avenue Southeast
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Telephone: (425) 228-2186**

**King County: Department of Transportation,
Road Services Division, *represented by*
Jodi Simmons
201 S. Jackson St.
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Telephone: (206) 296-3731
Facsimile: (206) 296-0567**

The report and recommendation on the above-noted file indicated a date of July 11, 2003, at the top of page one. The correct date for this report is June 11, 2003.

ORDERED this 18th day of June, 2003.

Stafford L. Smith
King County Hearing Examiner

TRANSMITTED this 18th day of June, 2003, to the following parties and interested persons:

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SLS:ms
V-2448 NOT2

14704

July 11, 2003

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Seattle, Washington 98164
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REPORT AND RECOMMENDATION TO THE METROPOLITAN KING COUNTY COUNCIL

SUBJECT: King County Department of Transportation File No. V-2448
Proposed Ordinance No. 2003-0181

**GERALD & JANICE SEVERANCE
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201 S. Jackson St.
Seattle, WA 98104-3856
Telephone: (206) 296-3731
Facsimile: (206) 296-0567

SUMMARY OF RECOMMENDATIONS:

Department's Preliminary:
Department's Final:
Examiner:

Approve road vacation
Approve road vacation
Approve road vacation

DEPARTMENT'S REPORT:

The Department of Transportation's written report to the King County Hearing Examiner for Item no. V-2448 was received by the Examiner on May 5, 2003.

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-2448 was opened by the Examiner at 3:12 p.m. on June 4, 2003, in the Union Bank of California fifth-floor conference room, 900 4th Avenue, Seattle, Washington, and closed at 3:20 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:	Portion of 168th Avenue Southeast between Southeast 136th Street and Southeast 138th Street
Right of way classification:	"C"
Area:	2,970 square feet
Compensation:	\$3,994.65

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 4, 2003, public hearing and the statement of facts contained in Proposed Ordinance no. 2003-0181. 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 Attachments 1 and 2 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. 2003-0181 to vacate the subject road.

RECOMMENDED this 11th day of June, 2003.

Stafford L. Smith
King County Hearing Examiner

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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 4, 2003 PUBLIC HEARING ON DEPARTMENT OF DEVELOPMENT AND ENVIRONMENTAL SERVICES FILE NO. V-2448

Stafford L. Smith was the Hearing Examiner in this matter. Participating in the hearing was Jodi Simmons, representing the Department.

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SLS:ms
V-2448 RPT

Attachments