



RIGHT-OF-WAY VACATION STAFF REPORT

Right-of-Way (ROW) Vacation Number V2-19

Applicant: Auburn School District

Property Location: Rights-of-Way of 130th Avenue SE between SE 304th Street and SE 302nd Place.

Description of right-of-way:

This ROW proposed for vacation consists the unopened 30 foot right-of-way of 130th Avenue SE between SE 304th Street and SE 302nd Place. The ROW is adjacent to Parcel No. 0421059063 and 8946700210 on the west side and Parcel No. 0421059015 on the east side. The Auburn School District owns Parcel No. 0421059063 and 0421059015 and is in the process of acquiring Parcel No. 8946700210. It is bordered on the north and south by right-of-way. The total area of ROW proposed for vacation is 12,490 (+/-) square feet.

The unopened 30 foot ROW of 130th Avenue SE was dedicated to the City for street purposes by the plat of Vintage Hills Division V on May 8, 2001 and recorded in Vol 199 of Plats, Page 94-98, Recording No. 20010508001335 records of King County.

See Exhibits "A" and "B" for legal description and map.

Proposal:

The Applicant proposes to vacate the above described rights-of-way and incorporate it into development of the adjacent parcels for construction of a new school.

Applicable Policies & Regulations:

- RCW's applicable to this situation - meets requirements of RCW 35.79.
- MUTCD standards - not affected by this proposal.
- City Code or Ordinances - meets requirements of ACC 12.48.
- Comprehensive Plan Policy - not affected.
- City Zoning Code - not affected.

Public Benefit:

- The street vacation decreases the right-of-way maintenance obligation of the City.
- The vacated area may be subject to property taxes.

Discussion:

The vacation application was circulated to Puget Sound Energy (PSE), Comcast, CenturyLink, and City staff.

1. Puget Sound Energy (PSE) – PSE currently has overhead electric facilities in the proposed vacation area. Please reserve easements for PSE in the vacation ordinance.
2. Comcast – Comcast has no objection to the proposed vacation.
3. CenturyLink – No Comments received.
4. Water – The City has an 8" water main in that location. The School District will need to replace this line with a larger one and the location will likely change, but an easement will be required for the existing line until such time as a new line and new easements are in place.
5. Sewer – Sewer does not have any facilities in the vacation area.
6. Storm –No comments.
7. Transportation – No comments.
8. Planning – No comments.
9. Fire – No comments.

10. Police – No comments.
11. Streets – No comments.
12. Construction –No comments.
13. Innovation and Technology – No comments.

Assessed Value:

ACC 12.48 states “The city council may require as a condition of the ordinance that the city be compensated for the vacated right-of-way in an amount which does not exceed one-half the value of the right-of-way so vacated, except in the event the subject property or portions thereof were acquired at public expense or have been part of a dedicated public right-of-way for 25 years or more, compensation may be required in an amount equal to the full value of the right-of-way being vacated. The city engineer shall estimate the value of the right-of-way to be vacated based on the assessed values of comparable properties in the vicinity. If the value of the right-of-way is determined by the city engineer to be greater than \$2,000, the applicant will be required to provide the city with an appraisal by an MAI appraiser approved by the city engineer, at the expense of the applicant. The city reserves the right to have a second appraisal performed at the city’s expense.” Note: The city engineer has not required an appraisal for the value of this right-of-way since the right-of-way was originally acquired through dedication of a Plat at no cost to the City and the ROW has never been opened for public use.

Recommendation:

Staff recommends that the street vacation be granted subject to the following conditions:

1. A public utility easement shall be reserved for Puget Sound Energy electrical facilities along the entire length and width of the vacated ROW.
2. A public utility easement shall be reserved for City of Auburn water facilities along the entire length and width of the vacated ROW.
3. Staff recommends that compensation for the value of the right-of-way not be required since the right-of-way was originally acquired through dedication of a Plat at no cost to the City and it has never been opened for public or street use or maintained by the City.