

**CITY OF BURIEN
AGENDA BILL**

Agenda Subject: Report on the Request from Shorewood Property Owners Adjacent to Public Right-of-Way (ROW) to Have the Property Vacated as authorized under RCW 35.79		Meeting Date: April 25 th , 2011
Department: Public Works	Attachments: Public Works Staff Report for the Proposed Vacation including map	Fund Source: Property Owners share the Cost Activity Cost: \$ Not known yet Amount Budgeted: None to Date \$0 Unencumbered Budget Authority: N/A
Contact: Larry R. Blanchard, Director		
Telephone: (206) 248-5515		
Adopted Initiative: Yes No X	Initiative Description: N/A	
PURPOSE/REQUIRED ACTION:		
<p>Owners of property adjacent to the existing ROW owned by the City of Burien as shown on the attached map have asked that a portion of this ROW be vacated back to these properties utilizing the Petition Method of the ROW Vacation Request.</p> <p>BACKGROUND (Include prior Council action & discussion):</p> <p>In January 2011, the Public Works Department received a petition signed by property owners along a portion of Shorewood Drive asking the City to vacate that portion of Shorewood Drive described in the petition. Public Works Staff proceeded under Chapter 35.79 of the Revised Code of Washington (RCW) to prepare a staff report identifying the conditions by which the City would agree to said vacation.</p> <p>Upon further investigation, the Public Works Department determined that there are too many utilities in this section of Public Right-of-Way. Remaining property, after the necessary easements were granted back to the utility owners, would be too small to be of use by the petitioners, and the cost of said vacation quite high for such a small remnant property.</p> <p>OPTIONS (Including fiscal impacts):</p> <ol style="list-style-type: none"> 1) Continue with the petition vacation process and authorize the City Clerk to establish a date and time for a Public Hearing to obtain comments from those that support and those that oppose the ROW vacation. 2) Accept Public Works Staff Report recommending the City do not vacate this piece of property. 3) Include Option 2 and work with the petitioners to landscape this area in a manner acceptable by both the petitioners and the City, and create a maintenance program for this area that reduces the impact of City maintenance staff. 		
Administrative Recommendation: Option 3) not vacate the Public Right-of-Way, but work with the petitioners to landscape the area and provide for maintenance in a joint effort by the Shorewood neighborhood and the City.		
Committee Recommendation: N/A		
Advisory Board Recommendation: N/A		
Suggested Motion: None required.		
Submitted by: Larry Blanchard	Mike Martin	
Administration	City Manager	
Today's Date: April 20 th , 2011	File Code: R:/CC/AgendaBill 2011/042511 VacationShorewood	



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April 20, 2011

Larry Blanchard
Public Works Director
City of Burien

Re: Staff Report for Shorewood Vacating Public Right-of-Way

The following is intended to provide information about vacating public right-of-way on the south side of Shorewood Drive SW in the Shoreview subdivision within the neighborhood of Shorewood on the Sound.

Description

Six property owners along Shorewood Drive SW and SW Shorewood Lane submitted a petition to vacate public right-of-way and 100% of the affected property owners border the area of interest.

Boundary

Please refer to Exhibit A which shows the current lot lines with the area to be vacated and in contrast, the proposed lot lines once the area is vacated. Also refer to Exhibit B for the Metes and Bounds description provided by Duncanson Company, Inc.

Findings

The known utilities which intersect the area to be vacated are PSE (gas and electric), Southwest Suburban Sewer, Seattle City Light (power), Seattle Public Utilities (water), Qwest, Comcast and City of Burien Storm-water. Multiple utility easements will need to be dedicated to the different utility districts leaving less than a quarter of the lot available for vacation or private property. Please refer to Exhibit C which shows the approximate locations of the known utilities and resulting easements.

Recommendations

Due to several utility crossings and, therefore, many easement acquisitions, it is not recommended to vacate the public right-of-way.

Malissa Phok, EIT
Right-of-Way Inspector
City of Burien

EXHIBIT "A"



Current lot lines with the area to be vacated bordered in red.



New lot lines after area is vacated.

Shorewood Legal Description

Tax Parcels 7779200105, 7779200110, 7779200115,
7779200120, 7779200130, 7779200135

That portion of Block B of Shoreview, according to the plat thereof recorded in Volume 43 of Plats, Page 46, records of King County, Washington and located in Section 12, Township 23 North, Range 3 East, W.M., more particularly described as follows:

Beginning at the northwest corner of Lot 6 of said Block B of Shoreview;
Thence along the west line thereof, South 29°44'50" West 150.00 feet to the southwest corner thereof;
Thence along the southerly line of Lots 6 through 9 of said Block B of Shoreview, South 60°15'10" East 240.00 feet to the southeast corner of said Lot 9;
Thence along the easterly line of said Lot 9 for the next three courses, North 29°44'50" East 129.05 feet;
Thence South 77°35'50" East 59.35 feet;
Thence North 12°24'10" East 20.00 feet to the northeast corner of said Lot 9;
Thence along the north line of said Lot 9, North 77°35'50" West 53.10 feet to the southerly most corner of Lot 11 of said Block B of Shoreview;
Thence along the easterly line of Lots 11 and 12 of said Block B of Shoreview, North 37°46'00" East 145.27 feet to the easterly most corner of said Lot 12;
Thence along the northeasterly line of said Lot 12, North 19°53'10" West 120.00 feet to the northerly most corner thereof;
Thence along the northwesterly line thereof, South 70°06'50" West 46.44 to the beginning of a curve to the left, concave southeasterly, having a radius of 80.00 feet;
Thence along the westerly line of said Lots 11 and 12 and along said curve 101.55 feet through a central angle of 72°43'40" to a point of reverse curve to the right, concave northwesterly, having a radius of 115.00 feet;
Thence along said curve, 64.96 feet through a central angle of 32°21'50" to the northwest corner of said Lot 9;
Thence along the westerly line thereof, South 29°45'00" West 30.00 feet to an angle point on the northerly line of Lot 8 of said Block B of Shoreview;
Thence along the northerly line of Lots 6 through 8 of said Block B of Shoreview, North 60°15'00" West 150.00 feet to the Point of Beginning;

(Being all of Lots 6, 7, 8, 9, 11 and 12, Block B of Shoreview, according to the plat thereof recorded in Volume 43 of Plats, Page 46, records of King County, Washington).



