

CITY COUNCIL AGENDA TOPIC

Resolution determining that a portion of an existing sewer easement located at 3002 139th Ave SE is surplus to the City's needs and is no longer required for providing continued sewer service; and setting a time and place for a public hearing to consider the partial release of this easement.

John Resha, Director, 452-2567

Ira McDaniel, Assistant Director, 452-4182

Loren Matlick, Real Property Manager, 452-6458

Niki Peng, Real Property Agent, 452-6842

Finance and Asset Management Department

Dwight Smith, Utilities Development Review Manager, 452-4127

Utilities

EXECUTIVE SUMMARY**ACTION**

This Resolution determines that a portion of a sewer easement located at 3002 139th Ave SE is surplus to the City's needs and are no longer required for providing continued sewer service.

RECOMMENDATION

Move to adopt Resolution No. 10313.

BACKGROUND/ANALYSIS

This action involves declaring a portion of an existing sewer easement located at 3002 139th Ave SE surplus. The sewer easement was granted to the City by R. R. Lee. Sr. Land Company; Seattle University; Forest Ridge; St. Joseph's Carmelite Monastery; Sisters of Providence -- Pariscau Association; Our Lady of Perpetual Help Church; Mt. St. Vincent Nursing Center; Sacred Heart Church; and St. Edward's Seminary on April 27, 1994, under King County Auditor's file No. 9405311221.

The subject property is now owned by MMP LOT 10, LLC. The owner is developing its currently unimproved property to a multifamily building consisting of 392 units. The project will relocate a section of sewer line within the property to facilitate construction of the new building. As a condition of development, the owner has requested that the City release a portion of the sewer easement.

Utilities Department staff have reviewed the release request and confirmed that this portion of the existing sewer easement is no longer needed as it will be replaced with a new easement to be granted to the City for the realigned sewer line.

If the Council adopts the recommended resolution declaring the easements surplus, staff proposes to return on December 11, to assist the Council in holding a public hearing. At this hearing, the public will be able to comment on the proposed partial easement release. Following the hearing, staff will request Council action on a proposed resolution authorizing the release of the easements.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code

Under Bellevue City Code 4.32.060, the City can dispose of real property interests, including the release of permanent transportation easements, upon approval by the Council.

City Procedure

The City has a procedure in place for releasing or modifying easements. An easement may be released, upon approval by the Council, if the easement is no longer needed, there is no foreseeable future need for the easement and, if applicable, the City has obtained any needed replacement easements.

Fiscal Impact

Declaring this easement surplus has no fiscal impact to the City because this easement was provided to the City at no cost. Per the guidance laid out in the City's Easement Release Procedure, no compensation is required for the release of an easement that was obtained at no cost.

OPTIONS

1. Adopt the Resolution determining that a portion of an existing sewer easement located at 3002 139th Ave SE is surplus to the City's needs and is no longer required for providing continued sewer service; and setting a time and place for a public hearing to consider the partial release of this easement.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

- A. Easement Exhibit Map
 - B. Vicinity Map
- Proposed Resolution No. 10313

AVAILABLE IN COUNCIL LIBRARY

Copy of the proposed partial release of easement