

**CITY COUNCIL AGENDA TOPIC**

Resolution determining that a portion of an existing water easement located at 3245 158<sup>th</sup> Ave SE is surplus to the City's needs and is no longer required for providing continued water service; and setting a time and place for a public hearing to consider the partial release of this easement.

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**EXECUTIVE SUMMARY****ACTION**

This Resolution determines that a portion of a water easement located at 3245 158<sup>th</sup> Ave SE is surplus to the City's needs and are no longer required for providing continued water service.

**RECOMMENDATION**

Move to adopt Resolution No. 10515

**BACKGROUND/ANALYSIS**

This action involves declaring a portion of an existing water easement located at 3245 158<sup>th</sup> Ave SE surplus. The water easement was granted to the City by Puget Sound Air Service, Inc. on March 7, 1977, under King County Auditor's file No. 7703070606; then first amended on March 25, 1985, under King County Auditor's file No. 8503250638; second amended on February 25, 1987, under King County Auditor's file No. 8702250744; third amended on June 9, 1988, under King County Auditor's file No. 8806091114, forth amended on August 19, 1988, under King County Auditor's file No. 8808191022.

The subject property is currently owned by I-90 Bellevue Investments LLC, which is in the process of developing the site into a 77-unit market-rate townhome community. As part of the project, the existing water line which currently serves only the subject parcel will be rerouted to accommodate the new development. While the existing line remains in service for now, plans for its relocation are under review by Utility Department staff. A new easement will be recorded during the construction process to reflect the revised alignment.

As a part of its development, the property owner has requested that the City release a portion of the existing water easement as the development plan necessitates relocating service. A new easement will be granted to the City for the relocated water line to provide service to the new building. Utilities Department staff have reviewed this request and determined that the identified portion of the existing easement is no longer needed, and the proposed new easement is acceptable.

As such, staff recommend approving the release of this easement. This release will be executed and recorded following construction of the developer's improvements and recording of the replacement easement. If the Council adopts the recommended resolution declaring the easements surplus, staff proposes to return on July 15, 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 on 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 water easement located at 3245 158<sup>th</sup> Ave SE is surplus to the City's needs and is no longer required for providing continued water 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. 10515

## **AVAILABLE IN COUNCIL LIBRARY**

Copies of the proposed release of interest in 1 easement