

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 9433

A RESOLUTION authorizing execution of documents necessary to release portions of two sewer easements and one water easement, as well as the entirety of one sewer easement and three water easements, all located at 13351 SE 32nd Street (Factoria Recycling Transfer Station), that have been declared surplus to the City's needs and are no longer required for providing continued public utility service; the granting and recording of such partial releases and full releases being deemed in the best interest of the public.

WHEREAS, RCW 35.94.040 and Bellevue City Code (BCC) 4.32.070 provide that whenever a city determines by resolution of its legislative authority, that any lands, property, or equipment originally acquired for public utility purposes is surplus to the city's needs and is not required for providing continued public utility service, then such legislative authority by resolution and after a public hearing may cause such lands, property, or equipment to be leased, sold, or conveyed; and

WHEREAS, pursuant to BCC 4.32.070, such resolution shall state the fair market value and such other terms and conditions for such disposition as the Council deems to be in the best public interest; and

WHEREAS, the fair market value of said easement is estimated to be \$176,763; and

WHEREAS, replacement easements will be conveyed to the City which provide a public benefit equivalent to or better than the original easements; and

WHEREAS, on June 4, 2018, by Resolution No. 9414, Council declared portions of two sewer easements and one water easement, as well as the entirety of one sewer easement and three water easements (as legally described in Attachment A) as surplus to the City's needs and no longer required for providing continued public utility service; and

WHEREAS, Council held a public hearing on July 9, 2018, as the required prerequisite to authorizing relinquishment of the utility easements; and

WHEREAS, Council finds that the relinquishment of portions of two sewer easements and one water easement, as well as the entirety of one sewer easement and three water easements all located at 13351 SE 32nd Street (Factoria Recycling Transfer Station) in Bellevue, Washington, bearing King County Recording Numbers

5499059, 5545542, 9612311739, 7605130536, 7605130539, 7605130541 and 7609030497, as legally described in Attachment A, in consideration for the granting and recording of replacement easements, is in the best interest of the public; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Manager or his designee is hereby authorized to execute documents necessary to relinquish portions of two sewer easements and one water easement, as well as the entirety of one sewer easement and three water easements, all located at 13351 SE 32nd Street (Factoria Recycling Transfer Station) in Bellevue, Washington, bearing King County Recording Numbers 5499059, 5545542, 9612311739, 7605130536, 7605130539, 7605130541 and 7609030497, as legally described in Attachment A.

Passed by the City Council this _____ day of _____, 2018, and signed in authentication of its passage this _____ day of _____, 2018.

(SEAL)

John Chelminiak, Mayor

Attest:

Kyle Stannert, City Clerk

ATTACHMENT A

SEWER EASEMENTS

(King County Recording Number 5499059) Southerly 10 feet of the Easterly 140 feet of Tract 32 of Mercer Slough Garden Tracts as recorded in Plat, Volume 8 Page 91, records of King County Washington;

AND

All that portion of the Sewer Easement recorded under King County Recording Number 5545542 lying within Parcel A of City of Bellevue Boundary Line Adjustment Number 11-114500-LW, recorded under King County Recording Number 20120323900003, records of King County, Washington;

AND

All that portion of the Sewer Easement recorded under King County Recording Number 9612311739 lying east within the east 599.75 feet of Parcel A of City of Bellevue Boundary Line Adjustment Number 11-114500-LW, recorded under King County Recording Number 20120323900003.

WATER LINE EASEMENTS

All that portion of the Easement for Water Line recorded under King County Recording Numbers 7605130536, 7605130539, 7605130541, and 7609030497 lying within Parcel A of City of Bellevue Boundary Line Adjustment Number 11-114500-LW, recorded under King County Recording Number 20120323900003.