

CITY COUNCIL AGENDA TOPIC

Public Hearing and action on Resolution authorizing the execution of documents necessary to release a portion of a sidewalk, utilities, lighting and landscaping easement located at 633 110th Ave NE and 640 108th Ave which has been declared surplus to the City's needs and is no longer required for providing continued public service.

Jamie Robinson, Assistant Director
Loren Matlick, Real Property Manager
Marge Bailey, Sr. Real Property Agent
Finance & Asset Management Department

Tyler Moore, Development Review Manager
Transportation Department

Dwight Smith, Development Review Manager
Utilities Department

EXECUTIVE SUMMARY**ACTION**

Public Hearing to solicit input on the proposed release of a portion of an existing sidewalk, utilities, lighting and landscaping easement located at 633 110th Ave NE and 640 108th Ave. If approved, the Resolution would authorize execution of the release document.

RECOMMENDATION

Hold the public hearing and move to adopt Resolution No. 10594

BACKGROUND/ANALYSIS

On February 10, the City Council approved Resolution No.10583 declaring an existing sidewalk, utilities, lighting and landscaping easement located at 633 110th Ave NE and 640 108th Ave as surplus. The next step in this process is for the council to hold a public hearing. This hearing is an opportunity for the public to comment on the proposed release. Following the hearing, staff requests council action on the proposed Resolution authorizing the release of the subject easement.

The existing easement was granted to Sound Transit on March 10, 2008, under King County Recording No. 20080410001325 and assigned to the city by Quit Claim Deed on August 14, 2008, under King County Recording No. 20080917001198.

Utilities Department staff and Transportation Department staff have both reviewed the release request and confirmed that the easement is no longer needed.

Franchise utilities including Comcast, CenturyLink, PSE and Verizon have all confirmed that they have no facilities located within the easement reservation on this property and have no future need for the portion of the existing sidewalk, utilities, lighting, and landscape easement and located within 633 110th Ave NE and 640 108th Ave.

This public hearing was advertised in the newspaper of record and notices were sent to property owners within a 500-foot radius of the property with the subject easement.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code

Under Bellevue City Code 4.32.070 and RCW 35.94.040, the city can dispose of Utilities-owned real property interests, including the release of permanent utility easements, upon a determination by resolution that the property in question is surplus to the city's needs and is not required for providing continued public utility service. Under the same provisions, at a separate city council meeting, the council can approve the release following a public hearing.

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. Hold the Public Hearing and adopt the Resolution authorizing the execution of documents necessary to release a portion of a sidewalk, utilities, lighting and landscaping easement located at 633 110th Ave NE and 640 108th Ave which has been declared surplus to the City's needs and is no longer required for providing continued public service.
2. Hold the Public Hearing, do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

- A. Easement Exhibit Map
 - B. Vicinity Map
- Proposed Resolution No. 10594

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed partial release of easement