

**CITY COUNCIL REGULAR SESSION**

Resolution determining that a portion of a public utility easement located at 14121 NE 20<sup>th</sup> Street is surplus to the City's needs and is no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the release of this easement.

Laurie Leland, Interim Director, 452-4366  
Ira McDaniel, Assistant Director, 452-4182  
Loren Matlick, Real Property Manager, 452-6458  
Cynthia Paro, Real Property Agent, 452-5269  
*Finance and Asset Management Department*

Sean Wells, Development Review Manager, 452-4855  
*Utilities*

**EXECUTIVE SUMMARY**

This Resolution determines that a portion of a public utility easement, which was reserved in Ordinance 828 and is located at 14121 NE 20<sup>th</sup> Street, is surplus to the City's needs and is no longer required for providing continued public utility service.

**RECOMMENDATION**

Move to adopt Resolution No. 10250

**BACKGROUND/ANALYSIS**

This action involves declaring a portion of a public utility easement as surplus. The easement was reserved as part of a street vacation approved in 1965 through Ordinance 828. The Ordinance was filed under King County Recording Number 5971918. The subject property, located at 14121 NE 20<sup>th</sup> Street, is currently being redeveloped and the owner has asked the City to release the easement so they may move forward with their redevelopment plans.

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 that portion of the public utility easement that lies within the subject property.

Utilities Department staff has reviewed the release request and confirmed that this portion of the existing public utilities easement is no longer needed because any of the existing utilities that are needed on this property have been, or will be relocated within a right of way dedication for 143<sup>rd</sup> Street as a condition of the development permit. Therefore, staff recommends declaring said portion of the existing public utility easement bearing King County Recording Number 5971918 as surplus.

If Council adopts the recommended resolution declaring this easement surplus, staff proposes to return on May 22, to assist the Council in holding a public hearing. At the hearing, the public will be able to comment on the proposed easement release. Following the hearing, staff will request Council action on a proposed ordinance amending the prior Ordinance 828 to release that portion of the public

utility easement lying within the subject property.

## **POLICY & FISCAL IMPACTS**

### **Policy Impact**

#### Bellevue City Code/State Law:

Under BCC 4.32.070 and RCW 35.94.040, the City can dispose of Utilities-owned real property interests, including release of permanent easements, determining 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 City 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 portion of an easement surplus has no fiscal impact to the City because the 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 a public utility easement located at 14121 NE 20<sup>th</sup> Street is surplus to the City's needs and is no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the 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. 10250

## **AVAILABLE IN COUNCIL LIBRARY**

N/A