

**CITY COUNCIL AGENDA TOPIC**

Resolution determining that a portion of an existing water easement located at 12835 NE Bellevue Redmond Road 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.

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**EXECUTIVE SUMMARY****ACTION**

This Resolution determines that a portion of a water easement located at 12835 NE Bellevue Redmond Road is surplus to the city's needs and is no longer required for providing continued water service.

**RECOMMENDATION**

Move to adopt Resolution No. 10598

**BACKGROUND/ANALYSIS**

This action involves declaring a portion of an existing water easement located at 12835 NE Bellevue Redmond Road surplus. The water easement was granted to the city by Executive Plaza on July 16, 1975, under King County Auditor's file No. 7507160555.

The subject property is currently owned by E-P Development LLC, which is in the process of developing the site into a 31-unit market-rate townhome community. As part of the development, the existing water line serving the property has been rerouted to accommodate the new site layout. A portion of the existing waterline has been removed, and a newly constructed water line is now installed, inspected, and in service. The rerouting was necessary because the former alignment was designed to avoid a building that has since been demolished and was previously encroaching into a wetland and its buffer area. The new alignment has been designed to minimize impacts to the wetland and its buffer to the greatest extent practicable while continuing to provide adequate water service to the new townhome community. Downstream users connected to the system were notified in advance of the service switchover. A new easement will be recorded during the construction process to reflect the revised alignment.

As a part of redevelopment, the property owner has requested that the city release a portion of the existing water easement. Utilities Department staff have reviewed this request and determined that the identified portion is no longer needed, as it will be replaced by a new easement granted to the city for the relocated water line. Therefore, staff recommends declaring a portion of the existing water easement located at 12835 NE Bellevue Redmond Road as surplus.

If the City Council adopts the recommended resolution declaring the easement surplus, staff proposes to return on May 5, 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 partial release of this 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 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 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. Additionally, the city will acquire replacement easements acceptable to the Utilities Department in exchange for the recommended partial release.

## **OPTIONS**

1. Adopt the Resolution determining that a portion of an existing water easement located at 12835 NE Bellevue Redmond Road 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.
2. Do not adopt the Resolution and provide alternative direction to staff.

## **ATTACHMENTS**

- A. Easement Exhibit Map
  - B. Vicinity Map
- Proposed Resolution No. 10598

## **AVAILABLE IN COUNCIL LIBRARY**

Copies of the proposed partial release of easement