

## CITY COUNCIL REGULAR SESSION

Resolution determining that three utility easements are surplus to the City's needs and are no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the release or partial release of these easements. The easements lie within the properties located at 1111 102nd Avenue NE and 10112 NE 10th Street.

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## EXECUTIVE SUMMARY

This Resolution determines that three utility easements are surplus to the City's needs and are no longer required for providing continued public utility service.

## RECOMMENDATION

Move to adopt Resolution No. 10100

## BACKGROUND/ANALYSIS

This action involves declaring three easements (one sewer easement and two water line easements) as surplus. The owner of the subject properties is Pinnacle Bellevue Development LLC. The owner proposes redeveloping the site, which requires the abandonment of the City's existing sewer and water main facility. The Developer's Property includes 1111 102<sup>nd</sup> Avenue NE as well as 10112 NE 10<sup>th</sup> Street.

The Developer will be constructing new sewer and water facilities within the Developer's Property; therefore, the sewer easement & two water line easements will no longer be needed by the City of Bellevue. The Developer has requested that the City release these easements so they can move forward with their redevelopment plans.

### Sewer Easement:

5121463 Sewer easement, King County Recording Number 5121463, was granted to Bellevue Sewer District in 1958. In the early 1970s, the City of Bellevue assumed Bellevue Sewer District including all assets, real property and easements. This easement is located at 1111 102<sup>nd</sup> Avenue NE. These sewer facilities have been abandoned, and no new facilities will be installed here. Staff is proposing the full release of this easement.

## Water Easements:

8011130340 Water easement, King County Recording Number 8011130340, was granted to the City of Bellevue in 1980. This easement is located at 10112 NE 10<sup>th</sup> Street. This water facility has been abandoned, and no new facilities will be installed here. Staff is proposing the full release of this easement.

8011130341 Water easement, King County Recording Number 8011130341, was granted to the City of Bellevue in 1980. This easement is located at 10112 NE 10<sup>th</sup> Street. This water facility has been abandoned, and no new facilities will be installed here. Staff is proposing the full release of this easement.

Utilities Department staff have reviewed the release requests and confirmed that these easement areas are no longer needed and confirmed that the City will have no need for replacement easements once the developer's improvements are constructed. Therefore, staff recommends declaring these three utility easements as surplus.

If Council adopts the recommended Resolution declaring these easements as surplus, staff proposes to return on July 25, to assist the Council in holding a public hearing. At this hearing the public will be able to comment on the proposed easement releases. Following the hearing, staff will request Council action on a proposed Resolution authorizing the release of these easements.

## **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 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

### **Fiscal Impact**

Declaring these easements surplus has no fiscal impact to the City because these easements were 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 three utility easements are surplus to the City's needs and are no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the release or partial release of these easements. The easements lie within the properties located at 1111 102nd Avenue NE and 10112 NE 10th Street.

2. Do not adopt the Resolution and provide alternative direction to staff.

## **ATTACHMENTS**

- A. Easement Exhibit Maps
  - B. Vicinity Map
- Proposed Resolution No. 10100

## **AVAILABLE IN COUNCIL LIBRARY**

Proposed release of easement document (5121463)

Proposed release of easement document (8011130340 & 8011130341)