

CITY COUNCIL AGENDA TOPIC

Resolution determining that a portion of a public utility easement located at 707 96th Ave NE 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.

Jamie Robinson, Assistant Director, 452-6843
Loren Matlick, Real Property Manager, 452-6458
Niki Peng, Real Property Agent, 452-6842
Finance & Asset Management Department

Dwight Smith, Utilities Development Review Manager 452-4127
Utilities Department

EXECUTIVE SUMMARY**ACTION**

Resolution determining that a portion of a public utility easement located at 707 96th Ave NE 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.

RECOMMENDATION

Move to adopt Resolution No. 10548.

BACKGROUND/ANALYSIS

On December 8, 1959, the City Council adopted Ordinance No. 338 vacating portions of SE 6th Street, SE 7th Street, and NE 7th Street and reserving an easement for public utilities within the vacant portions of each street. Shortly following the street vacation, one of the property owners burdened by the reserved easement requested that the City reduce the width of the easement because it interfered with development of their property. On May 24, 1960, the City Council adopted Ordinance No. 386 amending Ordinance No. 338 to reduce the width of the reserved easement within a portion of NE 7th Street.

This action involves declaring a portion of the public utility easement (located at 707 96th Ave NE) reserved under Ordinance No. 338 and amended under Ordinance 386 as surplus to the City's needs and no longer required for providing continued public utility service. The developer 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 located within 707 96th Ave NE.

Utilities Department staff have reviewed the release request and confirmed that there's no public utility lines existing within the easement area located at 707 96th Ave NE. Therefore, staff recommend declaring a portion of the existing public utility easement as surplus.

If the Council adopts the recommended resolution declaring this easement surplus, staff propose to return on December 2, to assist the Council in holding a public hearing. At this hearing, the public will be able to comment on the proposed easement release and ordinance amendment. Following the hearing, staff will request Council action on a proposed ordinance authorizing the release of this easement.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code

Under Bellevue City Code 4.32.060, the City can dispose of real property interests, including the release of permanent transportation easements, upon approval by the Council.

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.

OPTIONS

1. Adopt the Resolution determining that a portion of a public utility easement located at 707 96th Ave NE 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. 10548

AVAILABLE IN COUNCIL LIBRARY