

CITY COUNCIL AGENDA TOPIC

Resolution determining that an existing sidewalk and utility easement located at 16035 Northup Way is surplus to the city's needs and is no longer required for providing service; and setting a time and place for a public hearing to consider the release of this easement.

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EXECUTIVE SUMMARY

ACTION

This Resolution determines that an existing sidewalk and utility easement located at 16035 Northup Way is surplus to the city's needs and is no longer required for providing continued service at this location and sets a time and place for a public hearing. The easement consists of a pedestrian portion and a sidewalk portion that includes utilities. The sidewalk portion of the easement will be replaced by Right-of-Way Dedication and the city will obtain a new public access (pedestrian) easement.

RECOMMENDATION

Move to adopt Resolution No. 10608

BACKGROUND/ANALYSIS

This action involves declaring an existing sidewalk and utility easement located at 16035 Northup Way as surplus. This easement was granted to the City of Bellevue by the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter- Day Saints under recording number 8909280449, in King County, Washington; on September 28, 1989.

The subject property is owned by KL Propco4 Shared LLC. The owner is redeveloping the site into a complex with 15 single family units. As a part of their development, the owner has requested that the city release this existing easement. The development plans include structures over the existing trail that will necessitate that the trail access and route be relocated to the west edge of the property. The current trail will remain open while the new one is constructed.

Additionally, the existing 2ft- wide sidewalk and utility easement will be released. Per development requirements, a larger, 2.5ft-wide right-of-way dedication will be dedicated to the city in order to accommodate the new sidewalk entirely within the right-of-way.

Utilities and Transportation Department staff have reviewed the release request and confirmed that the easement is no longer needed. Therefore, staff recommends declaring the existing sidewalk and utility easement bearing recording number 8909280449 surplus.

This release will be executed and recorded upon the following conditions being met: 1) The new trail construction has concluded, and 2) Right-of-Way Dedication along Northup way is recorded in the new plat. If both conditions are not met within five years, the resolution authorizing the release shall be deemed null and void and any future request to release these easements will require City Council approval.

If the council adopts the recommended resolution declaring the easement surplus, staff propose to return on May 19 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 the easement.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code

Under Bellevue City Code 4.32 and RCW 35.94.040, the city can dispose of its 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 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.

OPTIONS

1. Adopt the Resolution determining that an existing sidewalk and utility easement located at 16035 Northup Way is surplus to the city's needs and is no longer required for providing 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. Vicinity Map
 - B. Easement Exhibit Map
- Proposed Resolution No. 10608

AVAILABLE IN COUNCIL LIBRARY

Draft of the proposed easement release