

**CITY COUNCIL AGENDA TOPIC**

Resolution authorizing execution of all documents necessary to release an existing Slope Easement and a Temporary Construction Easement on private property located at 200 112<sup>th</sup> Ave NE.

Jamie Robinson, Assistant Director, 452-6843  
Loren Matlick, Real Property Manager, 452-6458  
Natasha Platin, Sr. Real Property Agent, 229-6613  
*Finance and Asset Management Department*

Tyler Moore, Development Review Manager, 452-6933  
*Transportation Department*

**EXECUTIVE SUMMARY**

<b>ACTION</b>	Resolution authorizing the release of an existing slope easement and a temporary construction easement located at 200 112 <sup>th</sup> Ave NE which is no longer necessary for providing continued public service.
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**RECOMMENDATION**

Move to adopt Resolution No. 10586

**BACKGROUND/ANALYSIS**

The City of Bellevue acquired a slope easement and a temporary construction easement at 200 112<sup>th</sup> Ave NE as part of a Transportation project in July of 2000. The easements were recorded under King County Recording Number 20000714000521.

The property is currently being redeveloped, and the slope easement will no longer be needed as the developer will construct improvements within the slope easement area that will support the adjacent sidewalk and roadway, eliminating the need for the slope. The city compensated the property owner for the slope easement based on fair market value when it was acquired. Consistent with our procedures for releasing easements, staff recommend that Council require compensation for the release of the slope easement, which is currently valued at \$97,200.

Transportation Department staff have reviewed this request and confirmed that the city will have no need for slope easement once the developer improvements are constructed. As such, staff recommend approving the release of this easement. This release will be executed and recorded upon the following conditions being met: 1) issuance of the building permit for the proposed development on the side, and 2) payment being made to the city for the release of the slope easement. If these conditions are met within two years of Council's approval of this Resolution, the payment required shall be \$97,200; otherwise, the amount shall be set based on the then-current appraised value of the easement. If both conditions are not met within five years, the Resolution shall be deemed null and void and any future request to release these easements will require Council approval.

The temporary construction easement is no longer needed, as it was temporary and used solely for

construction of the project and its purpose has been fulfilled.

## **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**

Relinquishing this easement will result in the city receiving \$97,200, or such other amount reflected in a future appraisal as described above. Once received, the funds will be deposited into the Land Purchase Revolving Fund.

## **OPTIONS**

1. Adopt the Resolution authorizing execution of all documents necessary to release an existing Slope Easement and a Temporary Construction Easement on private property located at 200 112<sup>th</sup> Ave NE.
2. Do not adopt the Resolution and provide alternative direction to staff.

## **ATTACHMENTS**

- A. Easement Exhibit Map
  - B. Vicinity Map
- Proposed Resolution No. 10586

## **AVAILABLE IN COUNCIL LIBRARY**

Copy of the proposed release of easements