

**CITY COUNCIL REGULAR SESSION**

Public Hearing and action on Resolution authorizing the execution of documents necessary to release an existing water easement located at 12835 NE Bellevue Redmond Road, which has been declared surplus to the City's needs and is no longer required for providing continued water service; the granting and recording of such release being deemed in the best interest of the public.

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**EXECUTIVE SUMMARY****ACTION**

Public Hearing to solicit input on the proposed partial release of a water easement located at 12835 NE Bellevue Redmond Road. If approved, the resolution would authorize execution of the release document.

**RECOMMENDATION**

Hold the public hearing and move to adopt Resolution No. 10630

**BACKGROUND/ANALYSIS**

On March 24, the City Council approved Resolution No.10598 declaring that a portion of an existing water easement is surplus to the city's needs and is no longer required for providing continued water service. The next step in this process is for the council to hold a public hearing. This hearing is an opportunity for the public to comment on the proposed release. Following the hearing, staff requests council action on the proposed resolution authorizing the release of the subject easement.

The water easement was granted to the City of Bellevue on July 16, 1975, under King County Recording 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. The previous water line, which served only the subject parcel, has been removed, and the 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 development, 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.

This public hearing was advertised in the newspaper of record and notices were sent to property owners within a 500-foot radius of the property with the subject easement.

## **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 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. Hold the Public Hearing and adopt the Resolution authorizing the execution of documents necessary to release an existing water easement located at 12835 NE Bellevue Redmond Road, which has been declared surplus to the City's needs and is no longer required for providing continued water service; the granting and recording of such release being deemed in the best interest of the public.
2. Hold the Public Hearing, do not adopt the Resolution, and provide alternative direction to staff.

## **ATTACHMENTS**

- A. Easement Exhibit Map
  - B. Vicinity Map
- Proposed Resolution No. 10630

## **AVAILABLE IN COUNCIL LIBRARY**

Copies of the proposed partial release of easement