

**CITY COUNCIL REGULAR SESSION**

Resolution determining that an existing water easement located at 1525 132nd Avenue 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.

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**EXECUTIVE SUMMARY**

This Resolution determines that a water easement located at 1525 132<sup>nd</sup> Avenue NE is surplus to the City's needs and is no longer required for providing continued public utility service.

**RECOMMENDATION**

Move to adopt Resolution No. 10102

**BACKGROUND/ANALYSIS**

This action involves declaring a water easement located at 1525 132<sup>nd</sup> Avenue NE as surplus. The existing water easement was granted on December 13, 1983 and filed under King County Recording Number 8409170547. The property is currently being redeveloped as a multi-use building by REEP-LP Bellevue Station JV LLC. The Developer will be constructing new water facilities within the City's right of way. The Developer has requested that the City release the water easement so they can move forward with their redevelopment plans.

Utilities Department staff have reviewed the release request and confirmed that the existing water easement will no longer be needed as the City's facilities will be relocated to be entirely within the City's right of way. Therefore, staff recommends declaring the existing water easement bearing King County Recording Number 8409170547 as surplus.

If Council adopts the recommended Resolution declaring the water easement as surplus, staff proposes to return on July 18 to assist the Council in holding a public hearing. At this hearing the public will be able to comment on the proposed water easement release. Following the hearing, staff will request Council action on a proposed Resolution authorizing the release of this water 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. Adopt the Resolution determining that an existing water easement located at 1525 132nd Avenue 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 & AVAILABLE DOCUMENTS**

- A. Easement Exhibit Map
  - B. Vicinity Map
- Proposed Resolution No. 10102

### **AVAILABLE IN COUNCIL LIBRARY**

Copy of proposed release of easement document