

## CITY COUNCIL REGULAR SESSION

Public Hearing and action on Resolution authorizing the execution of documents necessary to release an existing water easement located at 1525 132<sup>nd</sup> Avenue NE, which has been declared surplus to the City's needs and is no longer required for providing continued public utility service; the granting and recording of such release being deemed in the best interest of public.

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## EXECUTIVE SUMMARY

The purpose of the public hearing is to solicit input on the proposed release of the water easement located at 1525 132<sup>nd</sup> Avenue NE. If approved, the Resolution would authorize execution of the release document.

## RECOMMENDATION

Move to adopt Resolution No. 10123

## BACKGROUND/ANALYSIS

On June 6, the City Council approved Resolution No. 10102 declaring that an existing water easement is surplus to the City's needs and is no longer required for providing continued public utility service. The next step in this process is for the Council to hold a public hearing. This hearing is a public comment opportunity regarding the proposed release. Following the hearing, staff requests Council action on the proposed Resolution authorizing the release of the subject easement.

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 is no longer needed as the City's facilities will be relocated to be entirely within the City's right of way. Therefore, staff recommends authorizing the release of the water easement bearing King County Recording Number 8409170547. 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 1525 132<sup>nd</sup> Avenue NE, which has been declared surplus to the City's needs and is no longer required for providing continued public utility service; the granting and recording of such release being deemed in the best interest of public.
2. Hold the Public Hearing, do not adopt the Resolution and provide alternative direction to staff.

## **ATTACHMENTS & AVAILABLE DOCUMENTS**

- A. Easement Exhibit Map
  - B. Vicinity Map
- Proposed Resolution No. 10123

## **AVAILABLE IN COUNCIL LIBRARY**

Copy of proposed release of easement document