

CITY COUNCIL REGULAR SESSION

Resolution authorizing the partial release of interest in six easements for a reserved alley on property belonging to the City and Sound Transit within Sound Transit's Operation Maintenance Facility East and related Transit Oriented Development, generally located west of 120th Avenue NE between NE Spring Boulevard and Northup Way.

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EXECUTIVE SUMMARY

This Resolution authorizes the partial release of interest in six easements for a reserved alley on property belonging to the City and Sound Transit which are no longer in use for alley purposes.

RECOMMENDATION

Move to adopt Resolution No. 10208

BACKGROUND/ANALYSIS

Central Puget Sound Regional Transit Authority "(Sound Transit)" is in the process of redeveloping property in the Bel-Red neighborhood to serve as their Operation Maintenance Facility East ("OMFE"), which includes a Transit Oriented Development component. The parcels that comprise the OMFE property include the properties formerly addressed as 1801, 1899, 1917, 1919, 2023, 2035, and 2045 120th Avenue NE as well as an adjacent, unaddressed parcel. The site also includes the City owned "Spur Property" formerly addressed as 1575 120th Avenue NE that will be conveyed to Sound Transit as part of a Property Exchange Agreement approved by Council in 2019 under Resolution No. 9649.

This assemblage of parcels is subject to a set of six overlapping easements reserved for an alley. The easements were created through reservations in historic deeds that were granted prior to any dedication of right of way for 120th Avenue NE as a public street. The deeds made reference to an eight-foot-wide alley that was an exception from deeds between various parties. There is no recorded evidence that this alley was specifically associated with a county road dedication or street dedication prior to the 1960's, when the right of way for 120th Avenue NE was established and dedicated over time to the City of Bellevue.

The reserved alley is no longer in use for alley purposes. In order to clear these historic easements from the OMFE property's title, the City and Sound Transit desire to partially release any interest they may have in the documents that reserved easements for the alley, which were recorded on September 14, 1912, August 24, 1953, August 25, 1953, August 25, 1953, August 25, 1953, and August 14, 1957, under King County Recording Nos. 826487, 4373453, 4373896, 4373898, 4373899, and 4824243.

Portions of the reserved alley easements are to be retained located entirely within the right of way of 120th Avenue NE.

Transportation Department staff have reviewed the partial release request and confirmed that the City will have no need for that portion of the six reserved easements located within the OMFE property. As such, staff recommends approving the partial release of interest in these easements.

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

Declaring these easements surplus has no fiscal impact to the City because these easements were 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 authorizing the partial release of interest in six easements for a reserved alley on property belonging to the City and Sound Transit within Sound Transit's Operation Maintenance Facility East and related Transit Oriented Development, generally located west of 120th Avenue NE between NE Spring Boulevard and Northup Way.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Easement Exhibit Maps
 - B. Vicinity Map
- Proposed Resolution No. 10208

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed partial release of interest in easement
Copy of Property Exchange Agreement
Copy of Resolution No. 9649