

CITY COUNCIL REGULAR SESSION

Public Hearing and action on Resolution authorizing the execution of documents necessary to release an existing water easement at 14121 NE 20th Street, 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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Utilities

EXECUTIVE SUMMARY

The purpose of the public hearing is to solicit input on the proposed release of a water easement located at 14121 NE 20th Street. If approved, the Resolution would authorize execution of the release document.

RECOMMENDATION

Move to hold the public hearing and, following the public hearing, move to adopt Resolution No. 10228

BACKGROUND/ANALYSIS

On January 23, the City Council approved Resolution No. 10214 declaring that an existing water easement is surplus to the City's needs and is no longer required for providing continued water service. 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 water easement was granted to the City of Bellevue on January 10, 1983 and filed under King County Recording Number 8302180654. The developer has asked the City to release the easement so they may 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 because the old water main will be replaced with a new main that will be located within new public right-of-way for 143rd Avenue that will be dedicated as a condition of the development permit. Therefore, staff recommends declaring the existing water easement bearing King County Recording Number 8302180654 as surplus.

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 Impacts

Declaring these easements surplus has no fiscal impact to the City because the 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 at 14121 NE 20th Street, 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. 10228

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed release of interest in easement