

June 4, 2018

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution determining that a portion of an existing water easement located at 11959 Northup Way 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 partial release of this easement.

FISCAL IMPACT

Declaring a portion of this easement 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.

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Utilities Department

POLICY CONSIDERATION

Bellevue City Code/State Law:

- Under Bellevue City Code 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.

BACKGROUND

This action involves declaring a portion of an existing water easement located at 11959 Northup Way surplus. This water easement was granted to the City of Bellevue on November 3, 1992 and filed under King County Recording Number 9307090347. This property is currently being redeveloped and the water easement will be in the footprint of a proposed building, therefore, the developer has asked the City to partially release this water easement so they may move forward with their redevelopment plans.

Utilities Department staff have reviewed the release request and confirmed that a portion of the existing fifteen-foot water easement is no longer needed because the old water main will be relocated within the property. A new water easement will be granted for the location of the new water main as a condition of the building permit. Therefore, staff recommends declaring a portion of the existing water easement bearing King County Recording Number 9307090347 as surplus and that it be partially released.

If the Council adopts the recommended resolution declaring a portion of this easement surplus, staff proposes to return on July 9 to assist the Council in holding a public hearing. At this hearing, the public will be able to comment on the proposed partial release of easement. Following the hearing, staff will request Council action on a proposed resolution authorizing the partial release of this water easement.

EFFECTIVE DATE

If approved, this Resolution becomes effective immediately upon Council adoption.

OPTIONS

1. Adopt the Resolution determining that a portion of an existing water easement located at 11959 Northup Way 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 partial release of this easement.
2. Do not adopt the Resolution and provide alternative direction to staff.

RECOMMENDATION

Option 1

MOTION

Move to adopt Resolution No. 9415 determining that a portion of an existing water easement located at 11959 Northup Way 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 partial release of this easement.

ATTACHMENTS

- A. Easement Exhibit Map
 - B. Vicinity Map
- Proposed Resolution No. 9415

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

- A. Copy of proposed partial release of easement document
- B. Copy of proposed new water easement