

CITY COUNCIL REGULAR SESSION

Resolution determining that a portion of one existing electrical service easement and the entirety of a second electrical service easement, both located at 905 Shoreland Drive SE, are surplus to the City's needs and are no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the release of these easements.

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EXECUTIVE SUMMARY

Resolution determining that a portion of one existing electrical service easement and the entirety of a second electrical service easement, both located at 905 Shoreland Drive SE, are surplus to the City's needs and are no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the release of these easements.

RECOMMENDATION

Move to adopt Resolution No. 9467.
If approved, effective date: 09/17/2018

BACKGROUND/ANALYSIS

This action involves declaring that a portion of one existing electrical service easement and the entirety of a second electrical service easement, both located at 905 Shoreland Drive SE, are surplus. The electrical service easements were granted to the City of Bellevue on October 1, 2003 and July 2, 2003 and filed under King County Recording Numbers 20031204002538 and 20030825002910, respectively. The easements were conveyed to the City for the purpose of providing electrical service across the property at 905 Shoreland Drive SE to serve the City's Sewer Flush Station #6, located within an easement on adjacent private property which lies to the West. The property at 905 Shoreland Drive SE is currently being redeveloped and the electrical service will be relocated within the property. The developer has asked for the partial release and full release of the existing easements 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 electrical service easement bearing King County Recording Number 20031204002538 and the entirety of the electrical service easement bearing King County Recording Number 20030825002910 are no longer needed because the electrical service will be relocated within the property. A new electrical easement will be granted for the location of the new electrical facilities as

a condition of the development permits. Therefore, staff recommends declaring a portion of the easement bearing King County Recording Number 20031204002538 and the entirety of the easement bearing King County Recording Number 20030825002910 as surplus.

If the Council adopts the recommended Resolution declaring the easements as surplus, staff proposes to return on November 5 to assist the Council in holding a public hearing. At this hearing, the public will be able to comment on the proposed easement releases. Following the hearing, staff will request Council action on a proposed Resolution authorizing the release of these easements.

POLICY & FISCAL IMPACTS

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.

Fiscal Impacts:

Declaring these easements surplus has no fiscal impact to the City because the 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. The property owner will be required to grant replacement easements as a condition of their development project.

OPTIONS

1. Adopt the Resolution determining that a portion of one existing electrical service easement and the entirety of a second electrical service easement, both located at 905 Shoreland Drive SE, are surplus to the City's needs and are no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the release of these easements.
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. 9467

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed full release of easement document
Copy of proposed partial release of easement document
Copy of proposed new electrical service easement