

**CITY COUNCIL REGULAR SESSION**

Public hearing and action on Resolution authorizing the execution of documents necessary to release a portion of one existing electrical service easement and the entirety of a second electrical service easement, located at 905 Shoreland Drive SE that have been declared surplus to the City's needs and are no longer required for providing continued public utility service; the granting and recording of such releases being deemed in the best interest of the public.

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*Civic Services Department*

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*Utilities Department*

**EXECUTIVE SUMMARY**

The purpose of the public hearing is to solicit public input on the proposed releases of the identified electrical easements located at 905 Shoreland Drive SE. If approved, the Resolution would authorize execution of the release documents.

**RECOMMENDATION**

Hold the public hearing and move to adopt Resolution No. 9488.

If approved, effective date: 11/05/2018

**BACKGROUND/ANALYSIS**

On September 17, Council approved Resolution 9467 declaring the subject easements surplus to the City's needs and no longer required for continuing public utility service. This hearing is a public comment opportunity regarding the proposed releases. Following the hearing, staff requests Council action on the proposed Resolution authorizing the release of the subject easements.

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, which is located within a separate 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 has 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

easement will be granted for the location of the new electrical facilities as a condition of the development permits. Therefore, staff recommends authorizing the release of a portion of the easement bearing King County Recording Number 20031204002538 and the entirety of the easement bearing King County Recording Number 20030825002910.

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 easements.

## **POLICY**

### **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 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. The property owner will be required to grant a replacement easement as a condition of their development permits.

## **OPTIONS**

1. Hold the public hearing and adopt the Resolution authorizing the execution of documents necessary to release a portion of one existing electrical service easement and the entirety of a second electrical service easement, located at 905 Shoreland Drive SE that have been declared surplus to the City's needs and are no longer required for providing continued public utility service; the granting and recording of such releases 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 & AVAILABLE DOCUMENTS**

- A. Easement Exhibit Map
  - B. Vicinity Map
- Proposed Resolution No. 9488

## **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