

## **CITY COUNCIL AGENDA MEMORANDUM**

### **SUBJECT**

Resolution determining that a water line easement and a portion of a sanitary sewer easement located at 16231 NE 12th Place, 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 hearing to consider the release of these easements.

### **FISCAL IMPACT**

Declaring these easements surplus has no fiscal impact to the City, given that replacement easements have been established.

### **STAFF CONTACTS**

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*Civic Services Department*

Paul Bucich, Assistant Director of Engineering, 452-4596

Sean Wells, Development Review Manager, 452-4855

*Utilities Department*

### **POLICY CONSIDERATION**

Bellevue City Code/State law:

- Under Bellevue City Code 4.32.015 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.
- In most cases, release of unneeded easements helps facilitate private land development or transfers, which support the City's economic development objectives.

### **BACKGROUND**

This action involves declaring a sewer easement partially surplus and a waterline easement surplus in total. Both easements have been replaced on the property with new easements and recorded with the King County Recorder's Office and are therefore no longer needed by the City of Bellevue. The sewer easement was acquired by Lake Hills Sewer District and the waterline easement by King County Water District 97 on April 29, 1967. In the 1970's, Bellevue assumed both the Lake Hills Sewer District and the King County Water District No. 97, including all assets, real property and easements.

This property is located at 16231 NE 12<sup>th</sup> Place and is currently being developed as a new condominium development called Viscaia. The owner has asked the City to release/partially release these easements so they may move forward with further development of the property and sale of individual condominium units.

Utilities Department staff have reviewed the release request and confirmed that the portion of the sewer easement and entire waterline easement located on this parcel are no longer needed and have been replaced by new easements. Therefore, staff recommends determining a portion of the sewer easement bearing King County Recording Number 6170821 is surplus and may be partially released and the waterline easement bearing King County Recording Number 7210630533 is surplus and may be fully released.

If Council adopts the recommended resolution declaring these easements surplus, staff proposes to return on October 2 to assist Council in holding a public hearing. At this hearing, the public will be able to comment regarding the proposed release of easements. Following the hearing, staff will request Council action on a proposed resolution authorizing the easement releases.

#### **EFFECTIVE DATE**

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

#### **OPTIONS**

1. Adopt the Resolution determining that a water line easement and a portion of a sanitary sewer easement located at 16231 NE 12th Place, 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 hearing to consider the release of these easements.
2. Do not adopt the Resolution and provide alternative direction to staff.

#### **RECOMMENDATION**

Option 1

#### **MOTION**

Move to adopt Resolution No. 9304 determining that a water line easement and a portion of a sanitary sewer easement located at 16231 NE 12th Place, 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 hearing to consider the release of these easements.

#### **ATTACHMENTS**

- A. Easement Exhibit Map
  - B. Vicinity Map
- Proposed Resolution No. 9304

#### **AVAILABLE IN COUNCIL DOCUMENT LIBRARY**

- A. Copy of proposed easement release document
- B. Copy of proposed amended easement document