

October 2, 2017

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Public Hearing and Resolution authorizing execution of documents necessary to relinquish a water line easement and a portion of a sanitary sewer easement located at 16231 NE 12th Place, in consideration for the granting of replacement easements, the granting and recording of such replacement easements being deemed in the best interest of the public.

FISCAL IMPACT

Releasing these easements 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 4.32.070 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 City 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

On September 5, Council approved Resolution 9304 that 1) declared the subject easements surplus to the City's needs and no longer required for providing continued public utility service and 2) determined that a public hearing was to be held on October 2. This hearing is a public comment opportunity regarding the proposed release of the surplus utility easements. Following the public hearing, staff requests Council action on the proposed Resolution authorizing the release of the subject easements.

As presented to Council on September 5, both existing easements are no longer needed by the City of Bellevue Utilities Department. New easements for the new public utilities have been recorded with the

King County Recorder's Office. The original sewer easement was acquired by Lake Hills Sewer District and the original waterline easement by King County Water District 97, both on April 29, 1967. In the 1970's, Bellevue Utilities assumed both the Lake Hills Sewer District and King County Water District No. 97, including all assets, real property, and easements.

This property is located at 16231 NE 12th Place and is currently being constructed 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 has reviewed the release request and confirmed that the portion of the existing sewer easement and entire existing 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 this easement may be partially released, and the waterline easement bearing King County Recording Number 7210630533 is surplus and may be fully released.

This public hearing was advertised in the newspaper of record on September 18 and notices were sent to property owners within a 500-foot radius of the property where the subject easements are located.

EFFECTIVE DATE

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

OPTIONS

1. Hold the public hearing and adopt the Resolution authorizing execution of documents necessary to relinquish a water line easement and a portion of a sanitary sewer easement located at 16231 NE 12th Place, in consideration for the granting of replacement easements, the granting and recording of such replacement easements 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.

RECOMMENDATION

Option 1

MOTIONS

Move to open the Public Hearing on Resolution No. 9315.

Move to close the Public Hearing on Resolution No. 9315.

ATTACHMENTS

A. Easement Exhibit Map

B. Vicinity Map

Proposed Resolution No. 9315

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

A. Copy of proposed easement release document

B. Copy of proposed amended easement document