

CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 9369

A RESOLUTION authorizing execution of documents necessary to partially release two water easements located at 4020 Factoria Boulevard, 12826 SE 40th Lane, and 4049 129th Place SE; and to fully release three water easements located at 4049 and 4101 129th Place 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.

WHEREAS, RCW 35.94.040 and Bellevue City Code (BCC) 4.32.070 provide that whenever a city determines by resolution of its legislative authority, that any lands, property, or equipment originally acquired for public utility purposes is surplus to the city's needs and is not required for providing continued public utility service, then such legislative authority by resolution and after a public hearing may cause such lands, property, or equipment to be leased, sold, or conveyed; and

WHEREAS, pursuant to BCC 4.32.070, such resolution shall state the fair market value and such other terms and conditions for such disposition as the Council deems to be in the best public interest; and

WHEREAS, the fair market value of said easements are estimated to be \$104,636; and

WHEREAS, replacement easements have been conveyed to the City, and as a result no compensation is required for relinquishment; and

WHEREAS, on December 4, 2017, by Resolution No. 9341, Council declared the easements (legally described in Attachment A) as surplus to the City's needs and no longer required for providing continued public utility service; and

WHEREAS, by Resolution No. 9341 Council also declared certain portions of easements under King County recording numbers 4728123 and 5952788 located at 4039 and 4102 131st Place SE as surplus; and

WHEREAS, following adoption of Resolution No. 9341, staff discovered that an abandoned water pipe remains in the ground at 4039 and 4102 131st Place SE and the City may need access in the future to remove the pipe; and

WHEREAS, Council held a public hearing on January 16, 2018, as the required prerequisite to authorizing relinquishment of the utility easements; and

WHEREAS, Council provided direction not to release that portion of the water easements under King County recording numbers 4728123 and 5952788 located at 4039 and 4102 131st Place SE where the abandoned water pipe remains; and

WHEREAS, Council finds that the partial release of two water easements located at 4020 Factoria Boulevard, 12826 SE 40th Lane, and 4049 129th Place SE, and the release of three water easements located at 4049 and 4101 129th Place SE in Bellevue, Washington, bearing King County Recording Numbers 5952788, 4728123, 8306171045, 8401180662, and 8401180668 (as legally described in Attachment A), is in the best interest of the public; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. The City Manager or his designee is hereby authorized to execute documents necessary to partially release two water easements located at 4020 Factoria Boulevard, 12826 SE 40th Lane, and 4049 129th Place SE, and release three water easements located at 4049 and 4101 129th Place SE in Bellevue, Washington, in Bellevue, Washington, bearing King County Recording Numbers 5952788, 4728123, 8306171045, 8401180662, and 8401180668 (as legally described in Attachment A).

Passed by the City Council this _____ day of _____, 2018, and signed in authentication of its passage this _____ day of _____, 2018.

(SEAL)

John Chelminiak, Mayor

Attest:

Kyle Stannert, City Clerk

ATTACHMENT A
Water Line Easements

All that portion of the water line easement recorded under King County Auditor's Recording Numbers 5952788 and 4728123, lying west of the east property line of Lot 6, City of Bellevue Short Plat Number 08-103718 LF, recorded under recording number 2009012790006, in King County, Washington;

AND

All that portion of the water line easement recorded under King County Auditor's Recording Number 8401180662 described as follows:
The West 15 feet of the following described property:
The South 165 feet of the North 330 feet of the East 581 feet of the Northeast quarter of the Northeast quarter, all in Section 16, Township 24 North, Range 5 East, Willamette Meridian;

AND

All that portion of the water line easement recorded under King County Auditor's Recording Number 8401180668 described as follows:
The West 10 feet of the East 581 feet of the following described property:
The North half of the North half of the East half of the Northeast quarter of the Northeast quarter, less the North 330 feet thereof, of Section 16, Township 24 North, Range 5 East, Willamette Meridian;

AND

All that portion of the water line easement recorded under King County Auditor's Recording Number 8306171045 described as follows:
The West 10 feet and the South 10 feet of the West 40 feet and the North 10 feet of the West 75 feet of the following described property:
The East 2.50 acres of the North half of the South half of the North half of the Northeast quarter of the Northeast quarter, less the East 332 feet thereof, all in Section 16, Township 24 North, Range 5 East, Willamette Meridian.