

CITY COUNCIL REGULAR SESSION

Resolution determining that an existing water easement located at 9038 NE 39th Place, Yarrow Point, is surplus to the City's needs and no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the release of this easement.

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Utilities Department

EXECUTIVE SUMMARY

This Resolution determines that an existing water easement located at 9038 NE 39th Place, Yarrow Point, is surplus to the City's needs and no longer required for providing continued public utility service.

RECOMMENDATION

Move to adopt Resolution No. 9534

If approved, effective date: 01/22/2019

BACKGROUND/ANALYSIS

The existing water easement located at 9038 NE 39th Place, Yarrow Point, was granted to the City of Bellevue on July 14, 1975 on Olympic Plat as recorded in King County Records, Volume 98 of plats, page 56 & 57 (Recording no.197507140521).

The developer, BDR Homes, has requested the City of Bellevue relinquish the easement to accommodate development of a new single-family home on a subdivided lot. Utilities Department staff has reviewed the release request and confirmed that the existing ten-foot water easement is no longer needed as the water pipe within the easement was abandoned and removed at the developer's cost. No new easement is required as the developer is able to tie into an existing water line along the southern border of the property.

If Council adopts the recommended Resolution declaring this water easement as surplus, staff proposes to return on February 19 to assist the Council in holding a public hearing. At this hearing the public will be able to comment on the proposed water line easement release. Following the hearing, staff will request Council action on a proposed Resolution authorizing the release of this easement.

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 this easement surplus has no fiscal impact to the City because the easement was 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.

OPTIONS

1. Adopt the Resolution determining that an existing water easement located at 9038 NE 39th Place, Yarrow Point, is surplus to the City's needs and no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the release of this easement.
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. 9534

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed release of easement document