

**CITY COUNCIL REGULAR SESSION**

Resolution determining an existing water line easement located at 1050 160th Avenue SE (Tillicum Middle School) is surplus to the City's needs and is 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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**EXECUTIVE SUMMARY**

This Resolution determines that a water line easement located at 1050 160<sup>th</sup> Avenue SE (Tillicum Middle School) is surplus to the City's needs and is no longer required for providing continued public utility service.

**RECOMMENDATION**

Move to adopt Resolution No. 9560.

If approved, effective date: 03/04/2019

**BACKGROUND/ANALYSIS**

This action involves declaring a water line easement located at 1050 160<sup>th</sup> Avenue SE as surplus. The original water line easement was granted to the City of Bellevue on July 22, 1996 and filed under King County Recording Number 9612311733. This water easement was amended on April 26, 2002 and the amendment was recorded under King County Recording Number 20020619001503. The property is owned by the Bellevue School District and is known as Tillicum Middle School. The school district recently redeveloped this property with a new school building and the water line was relocated to a new location on the property.

Utilities Department staff have reviewed the release request and confirmed that the existing water line easement is no longer needed as the facilities have been relocated within the property. A new water easement will be granted for the location of the new water line as a condition of the building permit. Therefore, staff recommends declaring the existing water line easement bearing King County Recording Number 9612311733, as amended, as surplus.

If Council adopts the recommended Resolution declaring the water line easement as surplus, staff proposes to return on April 15 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 water line easement.

## **POLICY & FISCAL IMPACTS**

### **Policy Impact**

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 Impact**

Declaring this easement as 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 an existing water line easement located at 1050 160th Avenue SE (Tillicum Middle School) is surplus to the City's needs and is 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. 9560

## **AVAILABLE IN COUNCIL LIBRARY**

Copy of proposed release of easement document  
Copy of proposed new water line easement