

CITY COUNCIL REGULAR SESSION

Resolution determining that a portion of an existing water easement and a portion of an existing sewer easement located at 23 Lake Bellevue Drive are partially 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 public hearing to consider the release of these easements.

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Utilities Department

EXECUTIVE SUMMARY

This Resolution determines that an existing water easement and a sewer easement located at 23 Lake Bellevue Drive are partially surplus to the City's needs and are no longer required for providing continued public utility service.

RECOMMENDATION

Move to adopt Resolution No. 9602

If approved, effective date: 06/03/2019

BACKGROUND/ANALYSIS

This action involves declaring a water easement and a sewer easement located at 23 Lake Bellevue Drive as partially surplus. The existing water easement and sewer easement were granted on June 25, 1985 and filed under King County Recording Numbers 8601240529 and 8601240534. The property owner has relocated the existing water and sewer mains within their property in order to voluntarily excavate and remove contaminated soils from their property. The owner has requested that the City release a portion of the existing water and sewer easements.

Utilities Department staff have reviewed the release request and confirmed that a portion of the existing water easement and a portion of the sewer easement are no longer needed as the facilities have been relocated. New easements will be granted for the new water main and the new sewer main as part of the permitting process. Therefore, staff recommends declaring the existing water easement bearing King County Recording Number 8601240529 and the sewer easement bearing King County Recording Number 8601240534 as partially surplus.

If Council adopts the recommended Resolution declaring the existing water easement and sewer easement as partially surplus, staff proposes to return on August 5 to assist the Council in holding a public hearing. At this hearing the public will be able to comment on the proposed water easement and sewer easement release. Following the hearing, staff will request Council action on a proposed Resolution authorizing the release of a portion of the existing water and sewer easements.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code/State Law

Under BCC 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 these easements as surplus has no fiscal impact to the City because these easements were 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 a portion of an existing water easement and a portion of an existing sewer easement located at 23 Lake Bellevue Drive are partially 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 public hearing to consider the release of these easements.
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. 9602

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed release of easement documents
Copy of new proposed Water Easement and Sewer easement