

**CITY COUNCIL REGULAR SESSION**

Resolution determining that an existing water line easement located at 12443 Bel-Red Road 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 12443 Bel-Red Road is surplus to the City's needs and is no longer required for providing continued public utility service.

**RECOMMENDATION**

Move to adopt Resolution No. 9607

If approved, effective date: 06/03/2019

**BACKGROUND/ANALYSIS**

This action involves declaring a water main easement located at 12443 Bel-Red Road as surplus. The water main easement was granted to the City of Bellevue on March 4, 1981 and filed under King County Recording Number 8103040469. This property is currently being redeveloped as a new townhome development called Lario Townhomes. The existing water system was modified, and the existing water main was relocated to a new location on the property. The owner has asked the City to release this water easement so they may move forward with their redevelopment plans.

Utilities Department staff has reviewed the release request and confirmed that the existing water main 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 main as a condition of the development permits. Therefore, staff recommends declaring the existing water main easement bearing King County Recording Number 8103040469 as surplus.

If Council adopts the recommended Resolution declaring the water main easement as surplus, staff proposes to return on July 15 to assist the Council in holding a public hearing. At this hearing the public will be able to comment on the proposed water main easement release. Following the hearing, staff will request Council action on a proposed Resolution authorizing the release of this water main 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 portions of these easements as surplus has no fiscal impact to the City because the 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 an existing water line easement located at 12443 Bel-Red Road 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. 9607

## **AVAILABLE IN COUNCIL LIBRARY**

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