

**CITY COUNCIL REGULAR SESSION**

Resolution authorizing the execution of documents necessary to release an existing slope easement on private property located at 121 112th Avenue NE.

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**EXECUTIVE SUMMARY**

This Resolution authorizes the release of an existing slope easement located at 121 112<sup>th</sup> Avenue NE which is no longer required for providing continued public service.

**RECOMMENDATION**

Move to adopt Resolution No. 9631.  
If approved, effective date: 07/15/2019

**BACKGROUND/ANALYSIS**

The City of Bellevue acquired the existing slope easement at 121 112<sup>th</sup> Avenue NE as a part of a street and intersection improvement project for 112<sup>th</sup> Avenue NE in 2001. The easement was obtained through the use of Eminent Domain under a Decree of Appropriation filed as a part of King County Superior Court Case 01-2-04143-06.

The property is currently being redeveloped and the slope easement will no longer be needed because the sloped area will be re-graded with a wider sidewalk and a privately-owned wall that will be constructed within the former easement area. The City compensated the property owner for the easement based on the fair market value when it was acquired in 2001. Consistent with our procedures for releasing easements, staff recommends that Council require compensation for the release of the easement, which is now valued at \$37,000.

The Transportation Department reviewed the release request and confirmed that the City will have no need for this slope easement once the developer's improvements are constructed. As such, staff recommends approving the release of this easement. This release will be executed and recorded following construction of the developer's improvements.

**POLICY & FISCAL IMPACTS****Policy Impact**

Bellevue City Code

Under BCC 4.32.060, the City can dispose of real property interests, including the release of

permanent transportation easements, upon approval by the Council.

#### 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

Relinquishing this easement will result in the Land Purchase Revolving Fund receiving a deposit of \$37,000 for the compensation the slope easement.

#### OPTIONS

1. Adopt the Resolution authorizing the execution of documents necessary to release an existing slope easement on private property located at 121 112th Avenue NE.
2. Do not adopt the Resolution and provide alternative direction to staff.

#### ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Depiction of easement
  - B. Vicinity Map
- Proposed Resolution No. 9631

#### AVAILABLE IN COUNCIL LIBRARY

Copy of proposed release of easement