

**CITY COUNCIL REGULAR SESSION**

Public Hearing and Resolution authorizing the execution of documents necessary to release an existing water line easement located at 12443 Bel-Red Road, which has been declared surplus to the City's needs and is no longer required for providing continued public utility service; the granting and recording of such release being deemed in the best interest of the public.

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**EXECUTIVE SUMMARY**

The purpose of the public hearing is to solicit input on the proposed release of a water line easement located at 12443 Bel-Red Road. If approved, the Resolution would authorize execution of the release document.

**RECOMMENDATION**

Move to adopt Resolution No. 9639.

If approved, effective date: 07/15/2019

**BACKGROUND/ANALYSIS**

On June 3, the City Council approved Resolution 9607 declaring the water line easement surplus to the City's needs and that it is no longer required for providing continued public utility service. The next step in this process is for the Council to hold a public hearing. This hearing is a public comment opportunity regarding the proposed release. Following the hearing, staff requests Council action on the proposed Resolution authorizing the release of the subject easement.

The original water line 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 have 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 authorizing the full release of the water easement bearing King County Recording Number 8103040469.

This public hearing was advertised in the newspaper of record and notices were sent to property owners within a 500-foot radius of the property with the subject easement.

## **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 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. Hold the Public Hearing and adopt the Resolution authorizing the execution of documents necessary to release an existing water line easement located at 12443 Bel-Red Road, which has been declared surplus to the City's needs and is no longer required for providing continued public utility service; the granting and recording of such release being deemed in the best interest of the public.
2. Hold the Public Hearing, do not adopt the Resolution and provide alternative direction to staff.

## **ATTACHMENTS & AVAILABLE DOCUMENTS**

- A. Easement Exhibit Map
  - B. Vicinity Map
- Proposed Resolution No. 9639

## **AVAILABLE IN COUNCIL LIBRARY**

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