

CITY COUNCIL REGULAR SESSION

Resolution determining that a portion of an existing sewer easement and a portion of an existing water easement located at 4455 148th Ave NE are 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 partial release of these easements.

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Utilities Department

EXECUTIVE SUMMARY

This Resolution determines that a portion of an existing sewer easement and a portion of an existing water easement located at 4455 148th Ave NE are surplus to the City's needs and are no longer required for providing continued public utility service.

RECOMMENDATION

Move to adopt Resolution No. 9635.

If approved, effective date: 07/15/2019

BACKGROUND/ANALYSIS

This action involves declaring portions of a sewer easement and a water easement located at 4455 148th Ave NE as surplus. The existing sewer easement was granted on May 15, 2000 and filed under King County Recording Numbers 20000705001183 and the existing water easement was granted on May 17, 2000 filed under King County Recording Numbers 20000705001182. The property owner has relocated the existing sewer and water mains within their property for a building expansion. The owner has requested that the City release a portion of the existing sewer and water easements.

Utilities Department staff have reviewed the release request and confirmed that a portion of the existing sewer easement and a portion of the water easement are no longer needed as the facilities have been relocated out of these areas. New easements will be granted for the new sewer main and the new water main as part of the permitting process to cover the relocated facilities. Therefore, staff recommends declaring portions of the existing sewer easement bearing King County Recording Numbers 20000705001183 and portions of the water easement bearing King County Recording Number 20000705001182 as surplus.

If Council adopts the recommended Resolution declaring these portions of easements as surplus, staff proposes to return on September 3, 2019 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 releases. Following the hearing, staff will request Council action on a proposed Resolution authorizing

the release of portions 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 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 sewer easement and a portion of an existing water easement located at 4455 148th Ave NE are 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 partial 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. 9635

AVAILABLE IN COUNCIL LIBRARY

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