

**CITY COUNCIL REGULAR SESSION**

Public Hearing and action on Resolution authorizing the execution of documents necessary to release a portion of an existing water easement and a portion of an existing sewer easement located at 23 Lake Bellevue Drive, which have been declared surplus to the City's needs and are no longer required for providing continued public utility service; the granting and recording of such releases 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 portion of an existing water easement and a portion of an existing sewer easement located at 23 Lake Bellevue Drive. If approved, the Resolution would authorize execution of the release documents.

**RECOMMENDATION**

Move to adopt Resolution No. 9648.

If approved, effective date: 08/05/2019

**BACKGROUND/ANALYSIS**

On June 3, the City Council approved Resolution 9602 declaring a portion of a water easement and a portion of a sewer easement surplus to the City's needs and that they are 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 easements.

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 within the property. Therefore, staff recommends authorizing the partial release of the water easement bearing King County Recording Number 8601240529 and the partial release of the sewer easement bearing King County Recording Number 8601240534.

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**

Releasing these easements 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 easements that were obtained at no cost.

## **OPTIONS**

1. Hold the Public Hearing and adopt the Resolution authorizing the execution of documents necessary to release a portion of an existing water easement and a portion of an existing sewer easement located at 23 Lake Bellevue Drive, which have been declared surplus to the City's needs and are no longer required for providing continued public utility service; the granting and recording of such releases 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. 9648

## **AVAILABLE IN COUNCIL LIBRARY**

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