

CITY COUNCIL REGULAR SESSION

Resolution determining that an existing water line easement located at 221 140th Ave NE 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 hearing to consider the release of this easement.

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Utilities Department

EXECUTIVE SUMMARY

This Resolution determines that a water line easement located at 221 140th Avenue NE is surplus to the City's needs and is no longer required for providing continued public utility service.

RECOMMENDATION

Move to adopt Resolution No. 9657

If approved, effective date: 09/16/2019

BACKGROUND/ANALYSIS

This action involves declaring a water easement located at 221 140th Avenue NE as surplus. The water line easement was granted to King County Water District No. 99 on August 19, 1963 and filed under King County Recording Number 5628985. In the 1970's, Bellevue assumed King County Water District No. 99 including all assets, real property and easements. The easement was conveyed for the purpose of providing utility service to the property. The water main and water meter were abandoned with development of the property. New water meters were connected to the existing water main located in a private road and utility easement located along NE 2nd Place.

The owner is developing a two-lot Short Plat. Utilities Department staff have reviewed and confirmed that the existing water line easement is no longer needed to provide service. Therefore, staff recommends declaring the existing water line easement bearing King County Recording Number 5628958 as surplus.

If Council adopts the recommended Resolution declaring the water line easement as surplus, staff proposes to return on November 4 to assist the Council in holding a public hearing. At this hearing the public will be able to comment on the proposed water easement release. Following the hearing, staff will request Council action on a proposed Resolution authorizing the release of this water line easement.

POLICY & FISCAL IMPACTS**Policy Impacts**

Bellevue City Code

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 Impacts

Declaring this easement as surplus has no fiscal impact to the City because the easement was 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 221 140th Ave NE 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 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. 9657

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed release of easement document