

CITY COUNCIL REGULAR SESSION

Public Hearing and action on Resolution authorizing the execution of documents necessary to release an existing water easement located at 3736 163rd Avenue SE, 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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Utilities Department

EXECUTIVE SUMMARY

The purpose of the public hearing is to solicit input on the proposed release of an existing water easement located at 3736 163rd Avenue SE. If approved, the Resolution would authorize execution of the release documents.

RECOMMENDATION

Move to adopt Resolution No. 9671

If approved, effective date: 10/21/19

BACKGROUND/ANALYSIS

On September 3, the City Council approved Resolution 9654 declaring a water 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 easements.

The existing water easement located at 3736 163rd Avenue SE was granted to the City of Bellevue on October 21, 2002 as part of the Parkwood Lane Boundary Line Adjustment LW-1-106944, within Lot 7, as recorded in King County Records, under recoding number 20021105900008. The developer plans to develop a 17-lot plat called Goldenwood and has requested that this existing water easement be released.

Utilities Department staff has reviewed the easement release request and confirmed that the existing fifteen-foot wide, 2,349 square foot, water easement on this parcel is no longer needed and the easement can be released as the water main has been abandoned. A new easement will be granted and recorded on the face of the new Goldenwood Plat, as part of the permitting process. Therefore, staff recommends declaring the existing water easement as surplus.

The public hearing was advertised in the newspaper 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 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. Hold the public hearing and adopt the Resolution authorizing the execution of documents necessary to release an existing water easement located at 3736 163rd Avenue SE, 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 legal
 - B. Easement Exhibit Map
 - C. Vicinity Map
- Proposed Resolution No. 9671

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed release of easement document