

CITY COUNCIL REGULAR SESSION

Resolution authorizing the release of an existing sidewalk easement on private property located at 1000 100th Avenue NE.

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EXECUTIVE SUMMARY

This Resolution authorizes the release of an existing sidewalk easement on private property located at 1000 100th Avenue NE which is no longer required for providing continued public service.

RECOMMENDATION

Move to adopt Resolution No. 9668

If approved, effective date: 10/21/2019

BACKGROUND/ANALYSIS

This action involves releasing an existing sidewalk easement located at 1000 100th Avenue NE. In 1998, the City acquired this sidewalk easement as a part of a sidewalk improvement project at 100th Avenue NE and NE 10th Street. The City paid the property owner for the easement, which was filed under King County Recording Number 9805182411. This property was recently redeveloped and the property owner is now requesting that the City release the 1998 sidewalk easement.

Transportation Department staff reviewed the release request and confirmed that the 1998 sidewalk easement is no longer needed. The sidewalk has been replaced as part of the redevelopment project and a new sidewalk easement was granted during the permitting process. As such, staff recommends approving the release of the sidewalk easement bearing King County Recording Number 9805182411.

The City's administrative procedure for releasing easements states that if compensation was paid by the City to obtain an easement, we should require compensation for its release. The City may, at its discretion, accept monetary payment or a new easement that provides an equivalent or better public benefit in exchange. The City compensated the property owner for the 1998 easement based on fair market value, but most of the area covered by the 1998 easement lies within the replacement sidewalk easement that was granted in 2018. Staff recommends requiring monetary compensation for that portion of the 1998 easement that is not overlapped by the new 2018 easement, an area of 87 square feet. The fair market value for this area is \$1,849.

This release will be executed and recorded following Council's approval and payment by the property owner.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code

Under BCC 4.32.060, the City can dispose of real property interests, including the release of permanent transportation easements, upon approval by the Council.

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

Relinquishing this easement will result in the Land Purchase Revolving Fund receiving \$1,849 in compensation for a portion of the sidewalk easement.

OPTIONS

1. Adopt the Resolution authorizing the release of an existing sidewalk easement on private property located at 1000 100th Avenue NE.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Depiction of Easement
 - B. Vicinity Map
- Proposed Resolution No. 9668

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed release of easement
Copy of new sidewalk easement