

CITY COUNCIL REGULAR SESSION

Resolution determining that two existing sewer easements located at 8426 Overlake Drive W in Medina 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 release of these easements.

Toni Call, Director, 452-7863

Ira McDaniel, Real Property Manager, 452-4182

Patti Ebert, Sr. Real Property Agent, 452-5203

Finance & Asset Management Department

Sean Wells, Development Review Manager, 452-4855

Utilities Department

EXECUTIVE SUMMARY

This Resolution determines that two existing sewer easements located at 8426 Overlake Drive W in Medina are surplus to the City's needs and are no longer required for providing continued public utility service.

RECOMMENDATION

Move to adopt Resolution No. 9666

If approved, effective date: 10/21/2019

BACKGROUND/ANALYSIS

This action involves declaring two sewer easements located at 8426 Overlake Drive W in Medina as surplus. The existing sewer easements were granted on March 4, 1954 and March 20, 1954 and filed under King County Recording Numbers 4476563 and 4476564. The property owner has relocated the existing sewer line within their property, physically removed the old sewer line and granted private side sewer easements to the properties the new line serves. The property owner has requested that the City release the existing sewer easements to allow development of a tennis court in this location.

Utilities Department staff has reviewed the release request and confirmed that the existing sewer easements are no longer needed as the facilities have been relocated and the existing line removed. A new private sewer easement has been granted for the new side sewer line as part of the permitting process. Therefore, staff recommends declaring the existing sewer easements bearing King County Recording Numbers 4476563 and 4476564 as surplus.

If Council adopts the recommended Resolution declaring the existing sewer easements as surplus, staff proposes to return on November 18 to assist the Council in holding a public hearing. At this hearing the public will be able to comment on the proposed sewer easement releases. Following the hearing, staff will request Council action on a proposed Resolution authorizing the release of the existing 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 two existing sewer easements located at 8426 Overlake Drive W in Medina 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 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. 9666

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed release of easement documents
Copy of new Private Sewer Easement Agreement