

CITY COUNCIL REGULAR SESSION

Resolution determining that a portion of an existing water easement located at 13804 NE 20th Street 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 public hearing to consider the partial release of this easement.

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EXECUTIVE SUMMARY

This Resolution determines that a portion of an existing water easement located at 13804 NE 20th Street is surplus to the City's needs and is no longer required for providing continued public utility service.

RECOMMENDATION

Move to adopt Resolution No. 9768

BACKGROUND/ANALYSIS

This action involves declaring a portion of a water easement located at 13804 NE 20th Street as surplus. The existing water easement was granted to the City of Bellevue on November 12, 1980 and filed under King County Recording Number 8203170566.

Central Puget Sound Regional Transit Authority (Sound Transit) is developing high capacity transit service in the central Puget Sound region, including the Link light rail system which will be in construction through the City of Bellevue (the Project). This property is currently owned by Sound Transit and as part of the Project, a new light rail guideway has been constructed in a location that required the relocation of a portion of the water facilities on this property. Sound Transit has requested that the City release a portion of the existing water easement as the water facilities have been relocated within the property.

Utilities Department staff have reviewed the release request and confirmed that a portion of the existing water easement is no longer needed as the facilities have been relocated out of this area. A new water easement will be granted for the new location of the water facilities as a condition of the development permit. Therefore, staff recommends declaring a portion of the existing water easement bearing King County Recording Number 8203170566 as surplus.

If Council adopts the recommended Resolution declaring a portion of this water easement as surplus, staff proposes to return on July 20 to assist the Council in holding a public hearing. At this hearing the public will be able to comment on the proposed water easement. Following the hearing, staff will

request Council action on a proposed Resolution authorizing the release of a portion of this water 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 surplus has no fiscal impact to the City because this 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 a portion of an existing water easement located at 13804 NE 20th Street 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 public hearing to consider the partial 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. 9768

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed partial release of easement document