

**CITY COUNCIL REGULAR SESSION**

Resolution determining that a portion of an existing water line easement located at 12863 Northup Way 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 a water line easement located at 12863 Northup Way is surplus to the City's needs and is no longer required for providing continued public utility service.

**RECOMMENDATION**

Move to adopt Resolution No. 9771

**BACKGROUND/ANALYSIS**

This action involves declaring a water easement located at 12863 Northup Way as surplus. The water line easement was granted to the City of Bellevue on November 8, 1974 and filed under King County Recording Number 7411150470. The easement was conveyed for the purpose of providing utility service to the property.

The property owner is in the process of redeveloping their site. As a part of this redevelopment, a portion of the water facilities that lie within the easement will be relocated out of the easement into another location within the property. Utilities Department staff have reviewed and confirmed that the subject portion of the existing easement is no longer needed. The developer will provide a replacement easement for the new water facilities as a permitting requirement. Therefore, staff recommends declaring a portion of the existing water line easement bearing King County Recording Number 7411150470 as surplus.

If Council adopts the recommended Resolution declaring a portion of the water line 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 release. Following the hearing, staff will request Council action on a proposed Resolution authorizing the partial release of this water line 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. Adopt the Resolution determining that a portion of an existing water line easement located at 12863 Northup Way 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. 9771

## **AVAILABLE IN COUNCIL LIBRARY**

Copy of proposed partial release of easement document