

**CITY COUNCIL REGULAR SESSION**

Resolution authorizing the release of an existing non-motorized public access easement on private property located at 2812 116th Ave NE.

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**EXECUTIVE SUMMARY**

This Resolution will authorize the release of an existing non-motorized public access easement on private property located at 2812 116<sup>th</sup> Ave NE.

**RECOMMENDATION**

Move to adopt Resolution No. 9774

**BACKGROUND/ANALYSIS**

This action involves releasing an existing non-motorized public access easement located at 2812 116<sup>th</sup> Ave NE (The Little School). This easement, filed under King County Recording number 20180427001794, was created as part of a street vacation that was approved by Council in 2012 under Ordinance No. 6080. The applicant put the process on hold at that time but returned to complete the vacation process in 2018. The Little School has plans to construct a new building in the area where the non-motorized public access easement is located and have requested that the City release the easement to allow for the building's construction. Transportation Department staff have reviewed the Little School's plans and support the relocation of this easement to another location within the property.

Based on the review by Transportation Department staff, the City has no need to use the easement in this area for public access. A replacement easement through a different portion of The Little School's property has been provided. As such, staff recommends relinquishing this easement.

**POLICY****Policy Impact**

Bellevue City Code:

Under Bellevue City Code 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 interest in this easement has no fiscal impact to the City because the property owner is providing the City with a replacement easement with equivalent or better public value.

**OPTIONS**

1. Adopt the Resolution authorizing the release of an existing non-motorized public access easement on private property located at 2812 116th Ave NE.
2. Do not adopt the Resolution and provide alternative direction to staff.

**ATTACHMENTS & AVAILABLE DOCUMENTS**

- A. Depiction of easement
  - B. Vicinity Map
  - C. Copy of the existing easement
  - D. Copy of new easement document
- Proposed Resolution No. 9774

**AVAILABLE IN COUNCIL LIBRARY**

Copy of proposed release of easement