

CITY COUNCIL REGULAR SESSION

Resolution determining that an existing sewer easement and a portion of a second sewer easement located at 10235 SE 6th Street 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.

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Utilities Department

EXECUTIVE SUMMARY

This Resolution determines that an existing sewer easement and a portion of a second sewer easement located at 10235 SE 6th Street are surplus to the City's needs and are no longer required for providing continued public utility service.

RECOMMENDATION

Move to adopt Resolution No 9838.

BACKGROUND/ANALYSIS

This action involves declaring all of one sewer easement and a portion of a second sewer easement, both located within the property at 10235 SE 6th Street, as surplus. In 1959, Mercer Island Sewer District and Bellevue Sewer District entered into an agreement to build a new sewer main within the City of Bellevue to connect the Mercer Island Sewer District to a wastewater treatment plant located on SE 6th Street. As part of this sewer main extension project, Mercer Island Sewer District acquired sewer easements which were recorded on December 28, 1956, bearing King County recording numbers 4759638 and 4759639. Since the main was located within Bellevue Sewer District's service area, Bellevue Sewer District purchased the operation of the main from Mercer Island Sewer District after the main was constructed. In the early 1970s, the City of Bellevue assumed Bellevue Sewer District including all assets, real property and easements.

A portion of the sewer easement bearing recording number 4759639 and all of sewer easement bearing recording number 4759638 are located on 10235 SE 6th Street. This property is currently being redeveloped. Through the permitting process, the property owner discovered that the physical location of the sewer main is different than the location of the sewer easements. The property owner has asked the City to relocate the easement to align with the existing facilities.

Utilities Department staff have reviewed the release request and confirmed that there is no sewer main within the existing sewer easements. A new sewer easement area will be granted for the actual location of the sewer main. Therefore, staff recommends declaring the existing sewer easement bearing King

County recording number 4759638 and a portion of sewer easement bearing King County recording number 4759639, as surplus and that these surplus easements be released.

If the Council adopts the recommended resolution declaring these easements as surplus, staff proposes to return on January 4, 2021 to assist the Council in holding a public hearing. At this hearing, the public will be able to comment on the proposed release of easements. Following the hearing, staff will request Council action on a proposed resolution authorizing the release of these 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 the property owner will be required to grant a replacement easement prior to the release of these sewer easements.

OPTIONS

1. Adopt the Resolution determining that an existing sewer easement and a portion of a second sewer easement located at 10235 SE 6th Street 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 Maps
 - B. Vicinity Map
- Proposed Resolution No. 9838

AVAILABLE IN COUNCIL LIBRARY

- Copy of proposed release of easement documents
- Copy of proposed new easement document