

CITY COUNCIL REGULAR SESSION

Resolution determining that six utility easements and portions of two additional utility easements 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 or partial release of these easements. The easements lie within nine parcels owned by Sound Transit for their Operation Maintenance Facility East and related Transit Oriented Development, generally located west of 120th Ave NE between NE Spring Boulevard and Northup Way.

Toni Call, Director, 452-7863

Ira McDaniel, Real Property Manager, 452-4182

Hannah Peshkov, Sr. Real Property Agent, 452-4284

Finance & Asset Management Department

Sean Wells, Development Review Manager, 452-4855

Utilities Department

EXECUTIVE SUMMARY

This Resolution determines that six utility easements and portions of two additional utility easements are surplus to the City's needs and are no longer required for providing continued public utility service.

RECOMMENDATION

Move to adopt Resolution No. 9868

BACKGROUND/ANALYSIS

This action involves declaring the entirety of six easements (two sewer easements and four water easements) and portions of two additional easements (both for water purposes) as surplus. These easements cross an assemblage of nine parcels that are currently being redeveloped as the Operation Maintenance Facility East ("OMFE Property") by Central Puget Sound Regional Transit Authority ("Sound Transit"). The parcels that comprise the OMFE Property include the properties formerly addressed as 1801, 1899, 1917, 1919, 2023, 2035, and 2045 120th Ave NE as well as an adjacent, unaddressed parcel. The site also includes a portion of the Eastside Rail Corridor, addressed as 11804 NE 12th Street.

Sound Transit has constructed new public water facilities within the OMFE Property as part of their redevelopment project. New easements will be conveyed to the City to cover all the newly constructed facilities as shown on Exhibit A-1. The utilities located within the existing easements have all been abandoned; therefore, the existing six utility easements and portions of two additional utility easements within the OMFE property will no longer be needed by the City of Bellevue. Sound Transit has requested that the City release these easements so they can move forward with their redevelopment plans.

The history and extent of the eight utility easements in question is detailed below and depicted on Exhibit A-2.

Water Easements:

- 20050613001902 Water easement with King County Recording Number 20050613001902 was granted to the City of Bellevue in 2005. This easement is located on 1801 120th Avenue NE as well as another parcel outside of the OMFE property. The water facilities within the OMFE property have been abandoned. Staff is proposing the partial release of this easement as this easement extends across property outside of this development.
- 6202574 Water easement with King County Recording Number 6202574 was granted to Water District No. 68 in 1967 and assigned to the City of Bellevue by Quit Claim Deed 7501230417 in 1975. This easement crosses three parcels, including 1801, the unaddressed parcel within the OMFE property, and the Eastside Rail Corridor. All of the water facilities within the OMFE property as well as a portion of the facilities within the Eastside Rail Corridor have been abandoned. Staff is proposing the partial release of this easement as some of the facilities in the Eastside Rail Corridor will remain.
- 8111060691 Water easement with King County Recording Number 8111060691 was granted to the City of Bellevue in 1981. This easement is located at 1917 120th Ave NE and the water facilities covered by this easement have been abandoned. Staff is proposing to release the entirety of this easement.
- 9703281111 Water easement with King County Recording Number 9703281111 was granted to the City of Bellevue in 1997. This easement is located on 2035 120th Avenue NE and the water facilities covered by this easement have been abandoned. Staff is proposing to release the entirety of this easement.
- 9012060475 Water easement with King County Recording Number 9012060475 was granted to the City of Bellevue in 1990. This easement is located on 2023 120th Avenue NE and the water facilities covered by this easement have been abandoned. Staff is proposing to release the entirety of this easement.
- 9606261524 Water easement with King County Recording Number 9606261524 was granted to the City of Bellevue in 1996. This easement is located on 2045 120th Avenue NE and the water facilities covered by this easement have been abandoned. Staff is proposing to release the entirety of this easement.

Sewer Easements:

- 9012060485 Sewer easement with King County Recording Number 9012060485 was granted to the City of Bellevue in 1990. This easement is located at 2023 120th Ave NE and the sewer facilities covered by this easement have

been abandoned. Staff is proposing to release the entirety of this easement.

9601260227

Sewer easement with King County Recording Number 9601260227 was granted to the City of Bellevue in 1995. This easement is located on 1919 120th Avenue NE and the sewer facilities covered by this easement have been abandoned. Staff is proposing to release the entirety of this easement.

Utilities Department staff have reviewed the release requests and confirmed that these easement areas are no longer needed as the facilities have been abandoned. Sound Transit will provide replacement easements for the new water facilities that have been constructed within the OMFE property as part of the permitting. Therefore, staff recommends declaring these six utility easements and portions of two additional utility easement as surplus.

If Council adopts the recommended Resolution declaring these easements as surplus, staff proposes to return on February 16 to assist the Council in holding a public hearing. At this hearing the public will be able to comment on the proposed easement releases. Following the hearing, staff will request Council action on a proposed Resolution authorizing the release of these 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 six utility easements and portions of two additional utility easements 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 or partial release of these easements. The easements lie within nine parcels owned by Sound Transit for

their Operation Maintenance Facility East and related Transit Oriented Development, generally located west of 120th Ave NE between NE Spring Boulevard and Northup Way.

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. 9868

AVAILABLE IN COUNCIL LIBRARY

Proposed new easements Exhibit A-1
Existing easements Exhibit A-2