

CITY COUNCIL REGULAR SESSION

Resolution determining that a portion of an existing water easement located at 15027 NE Bel Red Road 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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Utilities Department

EXECUTIVE SUMMARY

This Resolution determines that a portion of an existing water easement located at 15027 NE Bel Red Road is surplus to the City's needs and is no longer required for providing continued public utility service.

RECOMMENDATION

Move to adopt Resolution No. 9874

BACKGROUND/ANALYSIS

This action involves declaring a portion of a water easement located at 15027 NE Bel Red Road (Bellevue School District's Highland Middle School) as surplus. The existing water easement was granted on January 23, 1995 and filed under King County Recording Number 9610020421. Bellevue School District constructed new water facilities, and a portion of the existing water easement is no longer needed.

Utilities department staff have reviewed the release request and confirmed that a portion of the water easement is no longer needed as the facility will be relocated out of this area. Therefore, staff recommends declaring this portion of the water easement bearing King County Recording Number 9610020421 as surplus.

If Council adopts the recommended Resolution declaring this portion of the easement as surplus, staff proposes to return on March 1 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 release of the portion of the existing 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 portion of an easement 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 easement located at 15027 NE Bel Red Road 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. 9874

AVAILABLE IN COUNCIL LIBRARY

Copy of proposed release of easement document