

**CITY COUNCIL REGULAR SESSION**

Resolution determining that the existing water main easement located at 13620 SE Eastgate Way is surplus to the City's needs and no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the release of this easement.

Ira McDaniel, Real Property Manager, 452-4182

Daniela Munoz, Real Property Agent, 452-4247

*Finance and Asset Management Department*

Sean Wells, Development Review Manager, 452-4855

*Utilities Department*

**EXECUTIVE SUMMARY**

This Resolution determines that an existing water main easement located at 13620 SE Eastgate 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. 9929.

**BACKGROUND/ANALYSIS**

The existing water main easement located at 13620 SE Eastgate Way was granted to the City of Bellevue on August 19, 2003 and filed under King County Recording Number 20030819003461. The property subject to this easement is currently owned by King County, who is in the process of selling it to a new owner. The new owner is proposing to redevelop the site with buildings for low-income housing, supportive housing and a homeless shelter. As part of this development, the new owner has requested abandonment of the City's existing water main facility. The City's water main will be replaced with a new water meter located within the public right of way and new, privately owned water mains within the private property. The applicant asks that this existing water main easement be released.

Utilities Department staff has reviewed the release request and confirmed that the existing water main easement will no longer be needed because the City's water facilities will be relocated to the north of the property within the public right of way. No new easement is needed as a condition of the development permit since the water main connection and facilities will be located within the existing right of way. Therefore, staff recommends declaring the existing water main easement bearing King County Recording Number 20030819003461 as surplus.

If Council adopts the recommended Resolution declaring this water main easement as surplus, staff proposes to return on June 21 to assist the Council in holding a public hearing. At this hearing the public will be able to comment on the proposed water main easement release. Following the hearing, staff will request Council action on a proposed Resolution authorizing the release of this water main easement.

## **POLICY & FISCAL IMPACTS**

### **Policy Impact**

#### Bellevue City Code/State Law

Under Bellevue City Code 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 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 the existing water main easement located at 13620 SE Eastgate Way is surplus to the City's needs and no longer required for providing continued public utility service; and setting a time and place for a public hearing to consider the 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. 9929

## **AVAILABLE IN COUNCIL LIBRARY**

Copy of proposed release of easement document