

CITY COUNCIL AGENDA TOPIC

Public Hearing and action on Resolution authorizing the execution of documents necessary to release portions of two easements, one Sidewalk and Utility easement and one Sidewalk, Utility and Wall easement located at 1425 120th Ave NE which have been determined to no longer be required for continued public service.

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EXECUTIVE SUMMARY**ACTION**

Public Hearing to solicit input on the proposed release of portions of two easements, one Sidewalk and Utility easement and one Sidewalk, Utility and Wall easement located at 1425 120th Ave NE. If approved, the Resolution would authorize execution of the release documents.

RECOMMENDATION

Hold the public hearing and move to adopt Resolution No. 10629

BACKGROUND/ANALYSIS

On March 17, the City Council approved Resolution No.10593 declaring a portion of a Sidewalk and Utility easement and a portion of a Sidewalk, Utility and Wall easement at 1425 120th Ave NE as surplus. The next step in this process is for the council to hold a public hearing. This hearing is an opportunity for the public to comment on the proposed release. Following the hearing, staff requests council action on the proposed resolution authorizing the release of the subject easement.

The Sidewalk and Utility easement was granted to the City on July 26, 2017, under King County Recording No. 20170726001660. The Sidewalk, Utility and Wall easement was granted to the City on March 29, 2018, under King County Recording No. 20180329001787. The subject property is owned by Pine Forest Business Parks, LLC and ARE-Seattle NO. 47, LLC. The proposed development is a four-phase Master Development Plan (MDP) that will construct a total of 784,300 square feet of office space, 425 residential dwelling units, 5,000 square feet of retail and 5,000 square feet of dining. The developer has requested the city partially release these easements because they interfere with the redevelopment of the property.

Utilities and Transportation Department staff have reviewed the release request and confirmed the easements are no longer required.

This public hearing was advertised in the newspaper of record and notices were sent to property owners within a 500-foot radius of the property with the subject easements.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code

Under Bellevue City Code 4.32.070 and RCW 35.94.040, the city can dispose of Utilities-owned real property interests, including the release of permanent utility easements, upon a determination 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 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

Relinquishing these easements will result in the city receiving \$73,688. If executed, funds will be receipted in the General Fund for council discretion on future use of the funds.

OPTIONS

1. Hold the Public Hearing and adopt the Resolution authorizing the execution of documents necessary to release portions of two easements, one Sidewalk and Utility easement and one Sidewalk, Utility and Wall easement located at 1425 120th Ave NE which have been determined to no longer be required for continued public service.
2. Hold Public Hearing, do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

- A. Easement Exhibit Map
 - B. Vicinity Map
- Proposed Resolution No. 10629

AVAILABLE IN COUNCIL LIBRARY

Copy of two partial release of easements