



City Council Report

Date: April 21, 2014
To: City Council
Through: Kari Kent, Deputy City Manager
From: Beth Huning, City Engineer
Kelly Jensen, Assistant City Engineer
Subject: Extinguish portions of a public utilities easement and ingress/egress easement within the Final Plat of Corte Bella at Mountain Bridge.
Council District 5

Strategic Initiatives



Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish portions of a public utilities easement and ingress/egress easement within the Final Plat of Corte Bella at Mountain Bridge, located north of McLellan Road and west of Ellsworth Road.

Background

Public utility easements are dedicated to the City of Mesa to allow for the installation and maintenance of public utilities on private property. Ingress/egress easements are dedicated to the City of Mesa to allow access over private property. When an easement is no longer needed, or conflicts with new development, the City Council may extinguish the easements, or a portion thereof, to provide owners the ability to fully utilize their property. To remove an easement from a property's title, City Council may approve a Resolution to extinguish the easement in accordance with provisions in the Arizona Revised Statutes.

Discussion

The public utilities easement and ingress/egress easement were both granted on April 22, 2008 by documents 2008-0352903 and 2008-0352904, respectively. These easements were granted to accommodate utility line extensions and access into the temporary construction area designated for the Mountain Bridge subdivision. Development on this master planned community has progressed to a point that the area is now being platted for additional single family homes and certain areas of the

previously dedicated public utilities easement and ingress/egress easement will interfere with planned lot locations. As such, the developer has already removed the portions of the public utility lines that would have interfered with future lot development and the corresponding portions of the public utilities easement and ingress/egress easement are no longer needed. Therefore, portions of the public utilities easement and ingress/egress easement need to be extinguished in order to avoid conflicting with the construction of future homes.

The developer has submitted a plat and improvement plans for the new subdivision design to the Development and Sustainability Department that include utility relocations that accommodate the development concept.

Alternatives

The alternative is to not extinguish portions of the public utilities easement and ingress/egress easement. Choosing this alternative will result in portions of the easements, in their current locations, conflicting with the subdivision development.

Fiscal Impact

The fiscal impact of this request is the \$750.00 processing fee paid by the applicant.

Coordinated With

The Engineering, Development and Sustainability, Water Resources, Energy Resources and Fire and Medical Departments, along with outside utility companies, concur with this request.