



# City Council Report

**Date:** July 1, 2014  
**To:** City Council  
**Through:** Kari Kent, Deputy City Manager  
**From:** Beth Huning, City Engineer  
Kelly Jensen, Assistant City Engineer  
**Subject:** Extinguish a portion of a Public Utility Easement at 7931 East Pecos Road.  
Council District #6

## Strategic Initiatives



## Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of a Public Utility Easement recorded in Documents 2007-1182705 and 2007-1202775 within the property located at 7931 E. Pecos Road.

## Background

Public Utility Easements (PUE) are dedicated to the City of Mesa to allow for the installation and maintenance of public utilities on private property. When a public easement is no longer needed, or conflicts with new development, the City Council may extinguish easements 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 of the Mesa City Code.

In 2007, this PUE area was dedicated in two separate easement documents 2007-1182705 and 2007-202775 in the office of the County Recorder of Maricopa County, Arizona on the property located at 7931 E. Pecos Road.

## **Discussion**

The owner of the commercial property plans to improve their parcel with permanent storage yard structures. The size, configuration, and location of the proposed storage yard improvements would conflict with the location of a segment of the PUE. The owner has requested the extinguishment of the specific 6,699 square foot segment of the easement while the remainder will be retained. Water line facilities are in the specified area; however, these facilities are to be relocated by the owner into a newly dedicated easement area.

## **Alternatives**

The alternative to this request would be to not extinguish the Public Utility Easement. Choosing this alternative would prohibit the property owner from proceeding with their planned improvements in this location.

## **Fiscal Impact**

The fiscal impact associated with this action is the \$750.00 application fee paid by the property owner.

## **Coordinated With**

The Engineering, Development and Sustainability, and Water Resources Departments, along with the respective utility companies, concur with this request.