



# City Council Report

**Date:** August 18, 2014  
**To:** City Council  
**Through:** Karolyn Kent, Deputy City Manager  
**From:** Beth Huning, City Engineer  
Kelly Jensen, Assistant City Engineer  
**Subject:** Extinguish public utilities and facilities easements, vehicular non-access easements, ingress/egress, refuse and emergency vehicles easements, and drainage easements within the Final Plat for "Escala Villas, A Condominium."  
Council District 6

## Strategic Initiatives



## Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish public utilities and facilities easements, vehicular non-access easements, ingress/egress, refuse and emergency vehicles easements, and drainage easements within the Final Plat for "Escala Villas, A Condominium" located at 1350 South Ellsworth Road.

## Background

Public easements are dedicated to the City of Mesa to allow for the installation and maintenance of public utilities and other purposes on private property. When a public easement is no longer needed, or conflicts with new development, the City Council may extinguish the easements to provide owners the ability to fully utilize their property. To remove easements from a property's title, City Council may approve a Resolution to extinguish the easements.

## **Discussion**

The public utilities and facilities easements, vehicular non-access easements, ingress/egress, refuse and emergency vehicles easements, and drainage easements were dedicated on the Final Plat for "Escala Villas, A Condominium," recorded on May 5, 2006 in Book 835 of Maps Page 23, records of Maricopa County, Arizona. Since the recording of the plat in 2006, the owner/developer has changed the subdivision design. As such, the easements dedicated on the 2006 plat will conflict with the new subdivision design.

The developer has submitted a plat for the new subdivision design to the Development and Sustainability Department that will include easement dedications in locations that will accommodate the new development concept.

## **Alternatives**

The alternative is to not extinguish the easements. Choosing this alternative will result in the existing easements conflicting with the redesigned subdivision and preventing the development from proceeding.

## **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, Transportation and Solid Waste Departments, along with the respective utility companies, concur with this request.