



# City Council Report

**Date:** May 18, 2015  
**To:** City Council  
**Through:** Kari Kent, Deputy City Manager  
**From:** Beth Huning, City Engineer  
Rob Kidder, Assistant City Engineer  
**Subject:** Extinguish a Drainage Easement and a Temporary Drainage Easement at  
2628 West Birchwood Circle  
Council District #3

## Strategic Initiatives



## Purpose and Recommendation

The purpose of this report is to ask Council to consider staff's recommendation to extinguish a Drainage Easement and a Temporary Drainage Easement at 2628 West Birchwood Circle.

## Background

Drainage easements are dedicated to the City of Mesa for the conveyance or retention of storm water from public streets on private property. When a public easement is no longer needed, or conflicts with new development, the City Council may extinguish unused 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.

## Discussion

"Broadway Business Park", recorded January 15, 1981 in Book 229 of Maps, Page 24, records of Maricopa County, Arizona, dedicates a Temporary Drainage Easement over Lot 8. The Temporary Drainage Easement was not extinguished before a portion Lot 8 was subdivided as "CCI Business Center", recorded on July 9, 1974 in Book 269 of Maps, Page 34. A new Drainage Easement was dedicated on Tract A of "CCI Business Center".

At this time, the developer has submitted the “Final Plat of Birchwood Circle Business Center”, which is a re-plat of Lot 8 of “Broadway Business Park” and “CCI Business Center”. The existing drainage easements continue to encumber the property title and will conflict with the proposed re-plat. The developer is requesting both drainage easements as dedicated on the previous plats be extinguished.

### **Alternatives**

The alternative is to not extinguish these easements. Choosing this alternative will result in the existing Drainage Easement and Temporary Drainage Easement conflicting with the re-plat of the property.

### **Fiscal Impact**

The fiscal impact of this request is the \$750.00 processing fee collected from the applicant.

### **Coordinated With**

The Engineering and Development and Sustainability Departments concur with this request.