



City Council Report

Date: September 28, 2015
To: City Council
Through: Kari Kent, Assistant City Manager
From: Beth Huning, City Engineer
Rob Kidder, Assistant City Engineer
Subject: Extinguish a portion of a Public Utility Easement
Lot 2 of the Final Plat of Red Mountain Promenade
Council District #5

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 on Lot 2 of the Final Plat of Red Mountain Promenade, located south of McDowell Road and west of Power 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 an easement is no longer needed, or conflicts with new development, the City Council may extinguish easements to provide owners with 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 Mesa City Code.

Discussion

This Public Utility Easement was dedicated on Lot 2 of the Final Plat of Red Mountain Promenade, recorded March 3, 2006 in Book 819 of Maps, Page 46, records of Maricopa County, Arizona. A portion of the existing Public Utility Easement will conflict with the proposed development of a Kneaders restaurant on the commercial property. The developer is requesting the conflicting portion of the easement be extinguished to accommodate the proposed improvements. A new utility easement is being dedicated by the property owner.

Alternatives

The alternative is to not extinguish the requested portion of the easement. Choosing this alternative will result in the existing Public Utility Easement conflicting with the proposed improvements to the property.

Fiscal Impact

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

Coordinated With

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