



# City Council Report

**Date:** February 8, 2016  
**To:** City Council  
**Through:** Kari Kent, Assistant City Manager  
**From:** Beth Huning, City Engineer  
Rob Kidder, Assistant City Engineer  
**Subject:** Extinguish an Easement for Public Utilities and an Easement for Drainage at the northeast corner of 32<sup>nd</sup> Street and McKellips Road  
Council District 1

## Strategic Initiatives



## Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish an Easement for Public Utilities and an Easement for Drainage on property located at the northeast corner of 32<sup>nd</sup> Street and McKellips Road.

## Background

Public easements are dedicated to the City of Mesa to allow public uses on private property. When public easements are no longer needed, or conflict with new development, the City Council may extinguish the easements to provide owners the ability to maximize the use of their property. To remove easements from a property's title, City Council may approve a Resolution to extinguish the easements.

## Discussion

The Easement for Public Utilities and the Easement for Drainage were both granted on May 1, 1989 by recorded documents 1989-198398 and 1989-198399, respectively. The Easement for Public Utilities was intended to provide utility service to the pro shop and maintenance building for a golf driving range. The Easement for Drainage allowed for the onsite retention of the stormwater runoff for the east half of 32<sup>nd</sup> Street within the property's boundaries.

The driving range has now closed and the property has been sold to a developer who wishes to construct a new single family residential subdivision, known as Estates at 32<sup>nd</sup>

Street, in its place. The developer has requested the extinguishment of both easements to accommodate the subdivision layout and design. Any existing City utilities within the Easement for Public Utilities have been removed in preparation for the proposed subdivision. The developer has also incorporated a larger, centrally located retention basin and new utility easement dedications into the design of the subdivision.

Staff has notified the Engineering, Development Services, Water Resources and Energy Resources Departments, as well as Century Link, Cox Communications, SRP and AT&T of this extinguishment request. All parties have voiced no objection to this request.

### **Alternatives**

An alternative is to not extinguish the easements. Choosing this alternative will result in the existing easements conflicting with the proposed residential subdivision.

### **Fiscal Impact**

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

### **Coordinated With**

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