



City Council Report

Date: February 22, 2016
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 20-foot Easement for Water Line and a portion of a 20-foot Easement for Sewer Line at 1255 East Southern Avenue Council District 4

Strategic Initiatives



Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of a 20-foot Easement for Water Line and a portion of a 20-foot Easement for Sewer Line located at 1255 East Southern Avenue.

Background

Easements for water lines and easements for sewer lines are dedicated to the City of Mesa to allow for the installation and maintenance of the specified utilities and related facilities 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 maximize the use of their property. To remove an easement from a property's title, City Council may approve a Resolution to extinguish the easement.

Discussion

This Easement for Water Line was dedicated on April 12, 1985 in Document 1985-0162212 and re-recorded on October 28, 1988 in Document 1988-0531204, records of Maricopa County, Arizona. The Easement for Sewer Line was dedicated on April 12, 1985 in Document 1985-0162211, records of Maricopa County, Arizona.

This property was initially developed in 1985, when the original easements were dedicated. In 1992, a portion of the property was redesigned to include a larger retail building. Portions of the water line and the sewer line conflicted with the footprint of the structure, so these segments of utilities were relocated to accommodate the improvements. A Public Utilities Easement was granted on October 23, 1992 in document 1992-598730 for the relocated portions of water and sewer lines. There is no record of an extinguishment having been completed for the empty portions of the Easement for Water Line and the Easement for Sewer Line.

The current property owner is improving the building to accommodate a new grocery store tenant and found the conflicting portions of the easements are still on their title. The owner has requested that these portions of easements be extinguished at this time.

Alternatives

The alternative is to not extinguish the easements. Choosing this alternative will result in the existing easements continuing to encumber the property title and conflict with existing improvements.

Fiscal Impact

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

Coordinated With

The Engineering, Development Services, and Water Resources Departments concur with this request.