



City Council Report

Date: August 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 Public Drainage Easement located at 2040 and 2046 North Red Cliff within the subdivision of Sanctuary at Mountain Bridge
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 Drainage Easement located within the subdivision known as Sanctuary at Mountain Bridge, located on the north side of McKellips Road and west of Ellsworth Road.

Background

Public Drainage Easements are granted to the City of Mesa for the conveyance or retention of storm water runoff 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

The Public Drainage Easement was granted on a Map of Dedication for Mountain Bridge – North Estates Drive Phase 1, recorded October 29, 2013 in Book 1165, Page 38 of the records of Maricopa County, Arizona. The Public Drainage Easement was recorded to accommodate a retention basin adjacent to the east side of North Estates Drive that was designed to take storm water runoff from the public street. Following the recordation of the Map of Dedication for Mountain Bridge – North Estates Drive Phase

1, the developer recorded the Final Plat for "Sanctuary at Mountain Bridge", recorded June 16, 2016 in Book 1277, Page 23 of the records of Maricopa County, Arizona. The separate recordings of the Map of Dedication and the Final Plat resulted in a portion of the Public Drainage Easement encroaching into Lots 17-18 of "Sanctuary at Mountain Bridge" and hindering the development of these lots for single family residences. The developer has since reconfigured the retention basin in this area so as not to encroach on Lots 17-18 and a new drainage easement has been dedicated to accommodate the new basin.

Alternatives

The alternative is to not extinguish the Public Drainage Easement. Choosing this alternative will result in the existing Public Drainage Easement remaining on private residential lots and conflicting with proposed development.

Fiscal Impact

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

Coordinated With

The Engineering and Development Services Departments concur with this request.