



City Council Report

Date: September 26, 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 Utilities and Facilities Easement
and a portion of an Easement for Roadway
8350 East Baseline Road
Council District 6

Strategic Initiatives



Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of a 20-foot Public Utilities and Facilities Easement and a portion of an Easement for Roadway located at 8350 East Baseline Road.

Background

Public Utility and Facilities Easements (PUFE) are dedicated to the City of Mesa to allow for the installation and maintenance of public utilities and facilities 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.

The Easement for Roadway was dedicated in order to establish a public thoroughfare. Had the easement been utilized, it would have provided the same use and function as right-of-way, in that it allowed for the installation and maintenance of roadway improvements as well as public utilities and facilities, but the underlying fee ownership remains with the property owner.

Discussion

This portion of a 20-foot PUFÉ was granted in 1997 in Document 1997-0593968, records of Maricopa County, Arizona, located at 8350 East Baseline Road. The developer is requesting that a portion of the easement be extinguished to accommodate development of a 325-unit class “A” apartment community. Utilities within the portion of easement to be extinguished will be relocated by the developer.

An Easement for Roadway was granted to Maricopa County in Docket 4032, Page 73 on February 16, 1962 when the property was still under Maricopa County jurisdiction. The area was then annexed into the City limits in 1983. The Easement for Roadway was never utilized, and will conflict with the proposed development.

Alternatives

The alternative is to not extinguish the requested easements. Choosing this alternative will result in the existing portion of the PUFÉ and portion of the Easement for Roadway conflicting with the proposed development of the apartment community.

Fiscal Impact

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

Coordinated With

The Engineering, Water Resources, Energy Resources, Planning and Development Services, and Transportation Department, along with outside utility companies, concur with this request.