



City Council Report

Date: December 10, 2018
To: City Council
Through: Kari Kent, Assistant City Manager
From: Beth Huning, City Engineer
Rob Kidder, Assistant City Engineer
Subject: Extinguish a Bus Shelter Easement and Agreement located at
353 E. Brown Road
Council District 1

Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a Bus Shelter Easement and Agreement located at 353 E. Brown 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 with 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 Bus Shelter Easement and Agreement requested to be extinguished was recorded in document no. 2002-1180998 on November 7, 2002, records of Maricopa County, Arizona. The easement is located on Parcel 1, Fitch Plaza, recorded in Book 266 of Maps, Page 38 on May 7, 1984, records of Maricopa County, Arizona. The applicant plans to construct a fast food restaurant on this site and will need the easement area for the relocated driveway. The City removed the shelter from this location several years ago and the area is not currently used as a bus stop. However, the Mesa Transit Master Plan identifies Route 120 Mesa Drive to extend to McKellips Road in both directions by 2022. This route extension would bring this stop into service again. The developer has agreed to relocate the bus stop north of the new driveway. A new Bus Shelter Easement will be granted during the development process.

Alternatives

An alternative is to not extinguish the Bus Shelter Easement and Agreement. Choosing this alternative will result in the property owner's land being encumbered with an easement not required any longer by the City of Mesa.

Fiscal Impact

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

Coordinated With

Transportation, Transit and Development Services concur with this request.