



# City Council Report

**Date:** September 9, 2019  
**To:** City Council  
**Through:** Kari Kent, Assistant City Manager  
**From:** Beth Huning, City Engineer  
Rob Kidder, Assistant City Engineer  
**Subject:** Extinguish a 20-foot Public Utilities Easement, located at 307 South Hawes Road  
Council District No. 5

## Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish the 20-foot public utility easement recorded in document no. 2009-0292623 and re-recorded in 2011-0583687, records of Maricopa County, Arizona, located at 307 South Hawes Road.

## Background

Public Utility Easements (PUE) are granted to the City of Mesa to allow for the installation and maintenance of utilities on private property. When an easement is no longer needed, or conflicts with new development, the City Council may extinguish the easement 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 easements in accordance with provisions in the Mesa City Code.

## Discussion

This 20-foot PUE was recorded on April 2, 2009, in document no. 2009-0292623 and re-recorded on July 14, 2011 in document no. 2011-0583687 records of Maricopa County, Arizona. The owner is requesting the PUE be extinguished to develop a proposed 237 unit apartment complex on the property. There are no existing utilities in the easement and all utilities have been contacted. New easements will be dedicated on a future plat through the planning and development process.

**Alternatives**

An alternative is to not extinguish the requested easement. Choosing this alternative would result in the existing PUE conflicting with the proposed 237 unit apartment complex development.

**Fiscal Impact**

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

**Coordinated With**

The Engineering and Planning and Development Services departments, along with outside utility companies, concur with this request