



City Council Report

Date: October 2, 2023
To: City Council
Through: Marc Heirshberg, Deputy City Manager
From: Beth Huning, City Engineer
Marc Ahlstrom, Assistant City Engineer
Subject: Extinguish a portion of an Easement for Public Utilities located at 570 West Brown Road.
Council District 3

Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of an easement for public utilities located at 570 West Brown Road.

Background

Easements for public utilities are dedicated to the City of Mesa to allow for the installation and maintenance of public utilities and/or public facilities, including drainage improvements for the conveyance or retention of storm water from public streets, 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 (abandon) the easement in accordance with provisions in the Mesa City Code, Title 9, Chapter 10.

Discussion

A portion of the easement for public utilities requested for extinguishment was recorded in document no. 1986-0133372 and re-recorded in document no. 1986-0234532, records of Maricopa County, Arizona. There is an existing fire hydrant within the portion of the easement requested to be extinguished. The developer has requested the City extinguish a portion of the easement to accommodate their future development of a new Mesa Behavioral Health Outpatient Facility on the property. A new public utility easement has been granted to the City. Therefore, staff has determined the portion of the easement for public utilities to be extinguished is no longer needed.

Alternatives

An alternative is to not extinguish the easement for public utilities. Choosing this alternative will result in the existing easement conflicting with the developer's future development of the property.

Fiscal Impact

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

Coordinated With

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