



# City Council Report

**Date:** August 28, 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 a 20-foot Easement for Public Utilities and Facilities located at 1956 South Country Club Drive.  
Council District 4

## **Purpose and Recommendation**

The purpose of this report is to consider staff's recommendation to extinguish a portion of a 20-foot easement for public utilities and facilities located at 1956 South Country Club Drive.

## **Background**

Easements for public utilities and facilities 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, the 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 and facilities requested for extinguishment was recorded in document no. 1991-485600, records of Maricopa County, Arizona. The developer has requested the City extinguish a portion of the easement to accommodate the development of a Salad N Go on the property. There is an existing sewer line within the portion of the existing easement that will be relocated by the developer. A new public utilities and facilities easement has been granted to the City. Therefore, staff has determined the portion of the easement for public utilities and facilities to be extinguished is no longer needed.

## **Alternatives**

An alternative is to not extinguish a portion of the easement for public utilities and facilities. Choosing this alternative will result in the existing easement conflicting with the developer's proposed 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.