



City Council Report

Date: May 6, 2024
To: City Council
Through: Marc Heirshberg, Deputy City Manager
From: Beth Huning, City Engineer and
Marc Ahlstrom, Assistant City Engineer
Subject: Extinguish a Public Utility Easement, part of a Public Utilities and Facilities Easement, a Controlled Vehicular Access Easement, and Drainage Tracts located at 3615 South Power Road.
(Council District 6)

Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a public utility easement (PUE), part of a public utilities and facilities easement (PUFE), a controlled vehicular access easement (CVAE) and drainage tracts A through E, dedicated on Lots 1 through 4 on the subdivision plat of The Commons, recorded in Book 1020 of Maps, Page 10, records of Maricopa County, Arizona, located at 3615 South Power Road.

Background

Public utility easements, public utilities and facilities easements, controlled vehicular access easements and drainage tracts are dedicated to the City of Mesa to allow for the installation of public utilities and/or public facilities on private property, to control where driveway locations are placed on private properties, and to allow for the retention of storm water drainage from the public rights-of-way 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

The easements requested for extinguishment were dedicated on Lots 1 through 4 on the subdivision plat of The Commons, recorded in Book 1020 of Maps, Page 10, records of Maricopa County, Arizona. The developer has requested the City extinguish the 20-foot PUE, part of a PUFE at the back of three driveways (one next to Power Road and two next to Elliot Road), a CVAE and Drainage Tracts A through E to allow

for a new subdivision plat. New easements will be dedicated on the new subdivision plat, "Avalon Ranch", therefore, staff has determined these easements requested for extinguishment are no longer needed.

Alternatives

An alternative is to not extinguish the easements identified in this report. Choosing this alternative will prevent the properties from being developed as planned.

Fiscal Impact

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

Coordinated With

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