



# City Council Report

**Date:** May 2, 2022  
**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 Public Utility Easement and Public Utilities and Facilities Easement located at 1506 South Signal Butte Road  
Council District 6

## Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of a 20-foot Public Utility Easement (PUE) and Public Utilities and Facilities Easement (PUFE) located at 1506 South Signal Butte Road.

## Background

Public utility easements and public utilities and facilities easements are dedicated to the City of Mesa to allow for the installation and maintenance of public 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 (abandon) the easement in accordance with provisions in the Mesa City Code, Title 9, Chapter 10.

## Discussion

The portion of Public Utility Easement (PUE) being requested for extinguishment was recorded in document no. 2007-1254167 and dedicated as a PUFE on parcel "A" of the Replat of Mountain Vista Marketplace, recorded in Book 1555 of Maps, Page 33, records of Maricopa County, Arizona and shown on Lots 3 and 4 of the Final Plat of Mountain Vista Retail, recorded in Book 1620 of Maps, Page 41, records of Maricopa County, Arizona. The owner is requesting the PUE and PUFE be extinguished to accommodate the construction of a new Whataburger restaurant. There are no existing utilities in the easements. Therefore, staff has determined the PUE and PUFE is no longer needed.



**Alternatives**

An alternative is to not extinguish the portion of PUE and PUE. Choosing this alternative will result in the property owner not being able to construct a new Whataburger restaurant on the property 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 Departments and Water Resources, along with outside utility companies, concur with this request.