



City Council Report

Date: August 19, 2024
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 12-foot Public Utilities and Facilities Easement located at 1605 South Stapley Drive and 1645 South Stapley Drive Council District 4

Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of a 12-foot Public Utilities and Facilities Easement (PUFE) located at 1605 South Stapley Drive and 1645 South Stapley Drive.

Background

Public Utilities and Facilities Easements are dedicated to the City of Mesa to allow for the installation of public utilities and/or public facilities 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

The portion of the 12-foot PUFE requested for extinguishment was dedicated on Lot 1 and Lot 8, Final Plat for Mesa Grand, as recorded in Book 478, of Maps, Page 03, records of Maricopa County, Arizona. The developer has requested the City extinguish a portion of the easement to allow for the construction of a new restaurant and the relocation of a fire hydrant. A new PUFE has been dedicated. Therefore, staff has determined the portion of the PUFE to be extinguished is no longer needed.

Alternatives

An alternative is to not extinguish the portion of the PUFE. Choosing this alternative will result in the developer not being able to develop the property as planned.

Fiscal Impact

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

Coordinated With

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