



City Council Report

Date: September 11, 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 60-foot Temporary Retention Easement located at 5818 East Baseline Road.
Council District 2

Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of a 60-foot temporary retention easement located at 5818 East Baseline Road.

Background

Temporary retention easements are dedicated to the City of Mesa to allow for the retention of storm water drainage from the public rights-of-way onto 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 temporary retention easement requested for extinguishment was recorded on the Final Plat for Arizona Health and Technology Park in Book 595 of Maps, Page 35, records of Maricopa County, Arizona and shown on the Subdivision Plat for Arizona Health & Technology Park – Unit 2, recorded in Book 1005 of Maps, Page 18, records of Maricopa County, Arizona and on the Amended Land Split for Lot 1 of Arizona Health and Technology Park – Unit 2, recorded in Book 1374 of Maps, Page 43, records of Maricopa County, Arizona. The developer has requested the City extinguish a portion of the temporary retention easement to accommodate the future development of a 394-unit apartment complex on the property. A new drainage easement has been granted. Therefore, staff has determined the portion of temporary retention easement to be extinguished is no longer needed.

Alternatives

An alternative is to not extinguish the temporary retention easement. 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 and Development Services Departments concur with this request.