



City Council Report

Date: August 29, 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 an 8-foot Public Utility Easement (PUE) located at 1305 East Kramer Circle
Council District 1

Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of an 8-foot Public Utility Easement (PUE) located at 1305 East Kramer Circle.

Background

Public utility 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 PUE being requested for extinguishment was dedicated on Lot 4, Rita Vista Subdivision Plat, recorded in Book 215 of Maps, Page 17, records of Maricopa County, Arizona. The owner is requesting a 4-foot portion of the 8-foot PUE located on the southwest corner of the lot be extinguished to accommodate the construction of a swimming pool. CenturyLink does have facilities within the south and west four feet of the 8-foot PUE, however, they agree with extinguishing the 4-foot portion of the 8-foot PUE requested to be extinguished with a stipulation that if CenturyLink facilities are found and/or damaged within the extinguished area, the owner will bear the cost of relocation and repair of said facilities. Therefore, staff has determined the portion of PUE is no longer needed. CenturyLink can maintain their existing facilities within the remaining 4-foot area of the PUE.

Alternatives

An alternative is to not extinguish the portion of the PUE. Choosing this alternative will result in the property owner not being able to construct a new swimming pool on the property as planned.

Fiscal Impact

The fiscal impact of this request is the \$500.00 processing fee paid by the property owner.

Coordinated With

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