



# City Council Report

**Date:** July 1, 2020  
**To:** City Council  
**Through:** Kari Kent, Assistant City Manager  
**From:** Beth Huning, City Engineer  
Rob Kidder, Assistant City Engineer  
**Subject:** Extinguish a portion of a Drainage Easement on the Final Plat of Mesa Germann Business Park, located at 7302 South Ellsworth Road  
Council District No. 6

## Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of the drainage easement dedicated on the Final Plat of Mesa Germann Business Park, recorded in Book 1474, Page 26, records of Maricopa County, Arizona, located at 7302 South Ellsworth Road.

## Background

Drainage easements are dedicated to the City of Mesa for the conveyance or retention of storm water from public streets 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 the easements in accordance with provisions in the Mesa City Code.

## Discussion

The drainage easement was dedicated on July 30, 2019, on the Final Plat of Mesa Germann Business Park, recorded in Book 1474, Page 26, records of Maricopa County, Arizona. The owner is requesting that the City extinguish a portion of the drainage easement to accommodate the development of a new Burger King restaurant. The new development will divert drainage and offsite flows into underground storage tanks. There is no existing infrastructure in the portion of the drainage easement requested to be extinguished.

**Alternatives**

An alternative is to not extinguish a portion of the drainage easement. Choosing this alternative would result in the easement conflicting with the proposed development of a new restaurant.

**Fiscal Impact**

The fiscal impact of this request is the \$750.00 processing fee collected from the applicant.

**Coordinated With**

The Engineering, and Development Services departments concur with this request.