



City Council Report

Date: December 8, 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 Water and Sewer Line Easement located at
4559 South Power Road
Council District 6

Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of a water and sewer line easement located at 4559 South Power Road.

Background

Water and sewer line easements are granted to the City of Mesa to allow for the installation and maintenance of water and sewer line utilities and related 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, 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 water and sewer line easement being requested for extinguishment was granted in document 2020-1146770, records of Maricopa County, Arizona. The property owner is requesting a portion of the easement be extinguished to accommodate construction of a commercial-industrial flex building for commercial and indoor recreational uses. The water and sewer lines located at this property will stay within the portion of the easement to remain. Therefore, staff has determined the portion of the water and sewer line easement to be extinguished is no longer needed by the City.

Alternatives

An alternative is to not extinguish the water and sewer line easement. Choosing this alternative will result in the property owner not being able to develop the property as planned.

Fiscal Impact

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

Coordinated With

The Engineering, Water Resources, and Development Services Departments concur with this request.