



# City Council Report

**Date:** May 6, 2024  
**To:** City Council  
**Through:** Marc Heirshberg, Deputy City Manager  
**From:** Beth Huning, City Engineer  
Marc Ahlstrom, Assistant City Engineer  
**Subject:** Extinguish two Temporary Drainage Easements located at 10631 East Southern Avenue  
Council District 5

## Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish two temporary drainage easements located at 10631 East Southern Avenue.

## Background

Temporary drainage easements are dedicated to the City of Mesa to allow for the retention of storm water drainage from the public rights-of-way on private property. When a temporary easement is no longer needed, or conflicts with new development, the City Council may extinguish the temporary easement to provide owners with the ability to fully utilize their property. To remove a temporary easement from a property's title, the City Council may approve a Resolution to extinguish (abandon) the temporary easement in accordance with provisions in the Mesa City Code, Title 9, Chapter 10.

## Discussion

The two temporary drainage easements requested for extinguishment were dedicated on Parcel F2 of the REPLAT of MOUNTAIN VISTA MARKETPLACE, recorded in Book 1555 of Maps, Page 33, records of Maricopa County, Arizona. The property owner is requesting the City extinguish the two temporary drainage easements for the development of a multi-family project. The multi-family project is complete with improvements constructed within the temporary drainage easements. Permanent improvements are not allowed within easements. As part of the approved site work, an underground storm water system was installed, removing the requirement for the temporary drainage easement areas. The required permanent drainage easements for the project are in place. Therefore, staff have determined that the two temporary drainage easements to be extinguished are no longer needed.

## Alternatives

An alternative is to not extinguish the two temporary drainage easements. Choosing this alternative will result in allowing the two temporary drainage easements to continue being an encumbrance on the property.

**Fiscal Impact**

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

**Coordinated With**

Engineering and Development Services Departments concur with this request.