



City Council Report

Date: August 22, 2022
To: City Council
Through: Marc Heirshberg, Deputy City Manager
From: Beth Huning, City Engineer
Marc Ahlstrom, Assistant City Engineer
Subject: Extinguish a 30-foot Access Easement, a 37-foot Access Easement, Retention Easement, and portions of a 20-foot Public Utilities and Facilities Easement (PUFE) located at the Southwest corner of Hampton Avenue and Clearview Avenue
Council District 6

Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a 30-foot Access Easement, a 37-foot Access Easement, a Retention Easement and portions of a 20-foot Public Utilities and Facilities Easement (PUFE) located at the Southwest corner of Hampton Avenue and Clearview Avenue

Background

Access Easements, Public Utilities and Facilities Easements, and Retention Easements are dedicated to the City of Mesa to allow for accessing common driveways, the installation of public utilities and/or public facilities on private property, and the retention of storm water drainage from the public rights-of-way on public property, respectively. 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 easements requested for extinguishment were dedicated in various ways. The 30-foot access easement was recorded in document number 1994-0883373, records of Maricopa County, Arizona. The 37-foot access easement was recorded in document number 1994-0329041, records of Maricopa County, Arizona, and the retention easement and 20-foot public utilities and facilities easement (PUFE), were both recorded on the Replat of Lots 4, 5 & 6 of Superstition Springs Parcel 6, recorded in Book 364 of Maps, Page 19, records of Maricopa County, Arizona. The developer is requesting the access easements, PUFE, and retention easement be extinguished to allow for a new multifamily development. A new PUFE, access, and retention easements will be

dedicated with a re-plat that accommodates the new development. Therefore, staff has determined the portions of the easements to be extinguished are no longer needed. Dedication of the new easements is required before the extinguishment is recorded.

Alternatives

An alternative is to not extinguish the 30-foot access easement, the 37-foot access easement, a retention easement, and a portion of the 20-foot PUF. 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 paid by the developer.

Coordinated With

Engineering and Development Services Departments, along with outside utility companies, concur with this request.