



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 portion of a 20-foot Public Utility Easement (PUE) located at 10046 East Southern Avenue
Council District 5

Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of a 20-foot Public Utility Easement (PUE) located at 10046 East Southern Avenue.

Background

Public Utility Easements are dedicated to the City of Mesa to allow for the installation 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 the PUE requested for extinguishment was recorded July 31, 2007, on The Map of Dedication for Parkwood Ranch Marketplace, recorded in Book 938 of Maps, Page 38, records of Maricopa County, Arizona. The developer has requested a portion of the PUE be extinguished to accommodate an entry-gate into a multi-family development. Staff has determined the portion of the PUE to be extinguished will no longer be needed. The Developer will be required to remove the water and sewer lines within the PUE area before the extinguishment is recorded.

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 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

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