



# City Council Report

**Date:** September 11, 2017  
**To:** City Council  
**Through:** Kari Kent, Assistant City Manager  
**From:** Beth Huning, City Engineer  
Rob Kidder, Assistant City Engineer  
**Subject:** Extinguish portions of Public Utility and Facility Easements, Sight Visibility Easements, and a Stop Sign Distance Easement located on Lots 180-182, Tract "VV" and Tract "OO" and vacate a portion of South Flux Lane, Eastmark Development Unit 3/4, Parcels 3/4-1 through 3/4-3, Council District 6

## Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish portions of public utility and facility easements, sight visibility easements, and a stop sign distance easement, and vacate a portion of South Flux Lane right-of-way as dedicated on the Final Plat of Eastmark Development Unit 3/4, Parcels 3/4-1 through 3/4-3, Book 1276, Page 3 of the records of Maricopa County, Arizona.

## Background

Public easements are dedicated to the City of Mesa to allow for the installation and maintenance of public utilities and other purposes on private property. Similarly, public rights-of-way are dedicated to the City of Mesa to allow for the construction of public streets. When a public easement or right-of-way is no longer needed, or conflicts with new development, the City Council may extinguish easements and vacate right-of-way to provide owners with the ability to fully utilize their property. To remove an easement from a property's title and to vacate right-of-way, City Council may approve a Resolution to extinguish the easement and vacate the right-of-way in accordance with provisions in the Arizona Revised Statutes.

## Discussion

The developer is requesting that portions of public utility and facility easements, sight visibility easements, and a stop sign distance easement located on Lots 180-182, Tract "VV" and Tract "OO" (see attached exhibits) be extinguished to accommodate a change of the subdivision plat. No improvements have been built, and no utilities are located within the easement areas to be extinguished. The requested easements to be extinguished were dedicated June 7, 2016 on the Final Plat of Eastmark Development

Unit 3/4, Parcels 3/4-1 through 3/4-3, Book 1276, Page 3 of the records of Maricopa County, Arizona.

A portion of right-of-way for South Flux Lane was dedicated June 7, 2016 on the Final Plat of Eastmark Development Unit 3/4, Parcels 3/4-1 through 3/4-3, Book 1276, Page 3 of the records of Maricopa County, Arizona. This portion of South Flux Lane will not be extended to the south. This right-of-way has not been improved and was dedicated at no cost to the City. The owner is requesting this portion of right-of-way be vacated to accommodate the change to the subdivision plat.

### **Alternatives**

An alternative is to not extinguish the portions of public utility and facility easements, sight visibility easements, and a stop sign distance easement located on Lots 180-182, Tract "VV" and Tract "OO", and to not vacate the portion of South Flux Lane right-of-way. Choosing this alternative would result in the existing easements and portion of right-of-way conflicting with the proposed changes to the subdivision plat.

### **Fiscal Impact**

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

### **Coordinated With**

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