



City Council Report

Date: November 16, 2020
To: City Council
Through: Kari Kent, Assistant City Manager
From: Beth Huning, City Engineer
Rob Kidder, Assistant City Engineer
Subject: Extinguish a portion of a Public Utility Easement on Lot 9, Sahara Estates Unit Two, located at 2150 East Huber Street
Council District No. 1

Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of an 8-foot public utility easement over the north side of Lot 9, Sahara Estates Unit Two, located at 2150 East Huber Street.

Background

Public Utility Easements (PUE) are granted to the City of Mesa to allow for the installation and maintenance of 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 the easement in accordance with provisions in the Mesa City Code.

Discussion

The PUE was dedicated on Lot 9, Sahara Estates Unit Two, on May 14, 1965, in Book 108 of Maps, Page 16, records of Maricopa County, Arizona. The property owner is requesting a portion of the 8-foot PUE located on the north side of Lot 9, be extinguished to allow for the construction of a backyard swimming pool. The 8-foot PUE over the westerly 52.00 feet of the lot will be retained to cover existing utilities. All utilities were contacted and there are no existing public utilities located in the portion of the PUE requested to be extinguished. There is a private irrigation line within the PUE that the owner will relocate. This is private; therefore, the City has no jurisdiction over the private irrigation and the owner is responsible to maintain the flow of water across his lot. Staff and outside utilities have determined that the portion of PUE requested to be extinguished is no longer needed.

Alternatives

An alternative is to not extinguish the requested easement. Choosing this alternative will

result in the PUE conflicting with the proposed swimming pool planned by the homeowner.

Fiscal Impact

The fiscal impact of this request is the \$500.00 processing fee collected from the applicant.

Coordinated With

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