



City Council Report

Date: May 17, 2021
To: City Council
Through: Marc Heirshberg, Deputy City Manager
From: Beth Huning, City Engineer
Rob Kidder, Assistant City Engineer
Subject: Extinguish a portion of a 20-foot Non-Exclusive Public Utilities Easement located at 6361 South Power Road
Council District 6

Purpose and Recommendation

The purpose of this report is to consider staff's recommendation to extinguish a portion of a 20-foot non-exclusive public utilities easement (PUE) recorded in document no. 2007-0962984, records of Maricopa County, Arizona, located at 6361 South Power Road.

Background

Non-exclusive public utilities easements are dedicated to the City of Mesa to allow for the installation and maintenance 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 being requested for extinguishment was dedicated in document no. 2007-0962984, records of Maricopa County, Arizona, on August 28, 2007, as part of development for the Arizona State University (ASU) Polytechnic Campus. ASU is in support of the partial extinguishment of the 20-foot PUE to allow for construction of a water line to accommodate a new development on the west side of South Power Road called Cabana on Power. The existing water line in the PUE is being relocated by the developer and a new easement dedicated during development. Staff has determined the PUE is no longer needed.

Alternatives

An alternative would be to not extinguish the requested easement. Choosing this alternative would result in the existing easement conflicting with the new development plans for Cabana on Power.

Fiscal Impact

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

Coordinated With

The Engineering, Water Resources, and Development Services Departments, concur with this request.