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# CITY COUNCIL AGENDA BILL 23-08

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| <b>TITLE:</b> Adoption of Resolution 2023-934:<br>Relinquishment of existing Utility Easement to<br>accommodate the Reserve at Windtree Short<br>Plat.   | <b>EXHIBITS:</b><br><ol style="list-style-type: none"><li>1. Proposed Resolution 2023-934</li><li>2. Resolution Exhibit A: Easement<br/>Termination</li><li>3. Vicinity Map</li><li>4. Existing Windtree No. 5 Plat</li><li>5. Reserve at Windtree Short Plat</li></ol> |
| <b>ORIGINATING DEPT.:</b> Public Works   |   |
| <b>ACTION PROPOSED:</b> Adopt Resolution 2023-934 authorizing the City Manager to execute an<br>easement termination (Exhibit 2) to relinquish the utility easement as presented in Exhibit 4. |   |

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## SUMMARY

Authorization to relinquish two existing utility easements that are no longer necessary and conflict with the approved Reserve at Windtree Short Plat.

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## FISCAL IMPACT

None

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## BACKGROUND

The Windtree No. 5 Plat (Windtree 5, Exhibit 5) was approved by King County on December 10, 1994. It was recorded on December 11, 1994, under recording no. 8412110501. Windtree 5 established multiple utility easements that were dedicated to the public. The dedication of these easements is contained on Sheet 1 of Exhibit 4. They are depicted on Sheet 3 of Exhibit 4 and in Figure 1 below.

The Reserve at Windtree (LUP21-021) is a new seven-lot short plat located within the Windtree 5 plat (Exhibit 5). It is dividing Tract B (Parcel No. 9477740160) from Windtree 5 into seven new single family residential lots. Construction of the short plat was completed in November 2022. The Public Works Department accepted the public improvements on December 12, 2022. The short plat is conditionally approved awaiting final approval signatures and recording.

RCW 35.94.040 stipulates the procedure to be used when a public utility is determined to be no longer needed. A Public Hearing is required to convey the unnecessary easements.

## DISCUSSION

Two of the utility easements established by Windtree 5 are no longer necessary and conflict with the new Reserve at Windtree Short Plat. They are the twenty-foot drainage easement and ten-foot water easement within Tract B and depicted in Exhibit 5 and in Figure 1 below. The function of these easements is being replaced by new utility and storm drainage easements depicted on Sheet 4 of Exhibit 5 and in Figure 2 below.

Coal Creek Utility District is in agreement with the proposed easement relinquishment.

The estimated value of the public utility easements to be relinquished is less than the estimated value of the new replacement utility easements.

Figure 1 – Existing Public Utility Easements

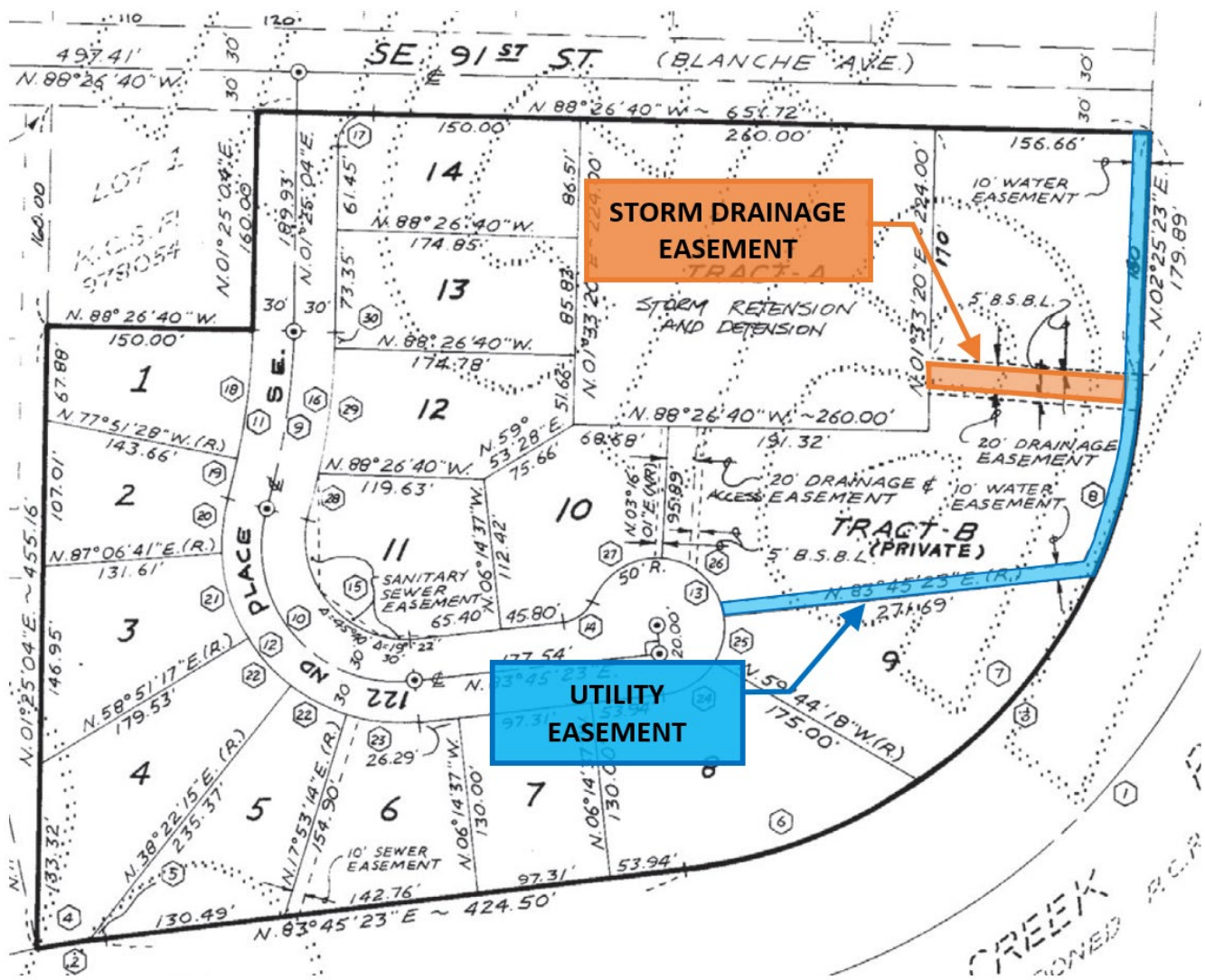
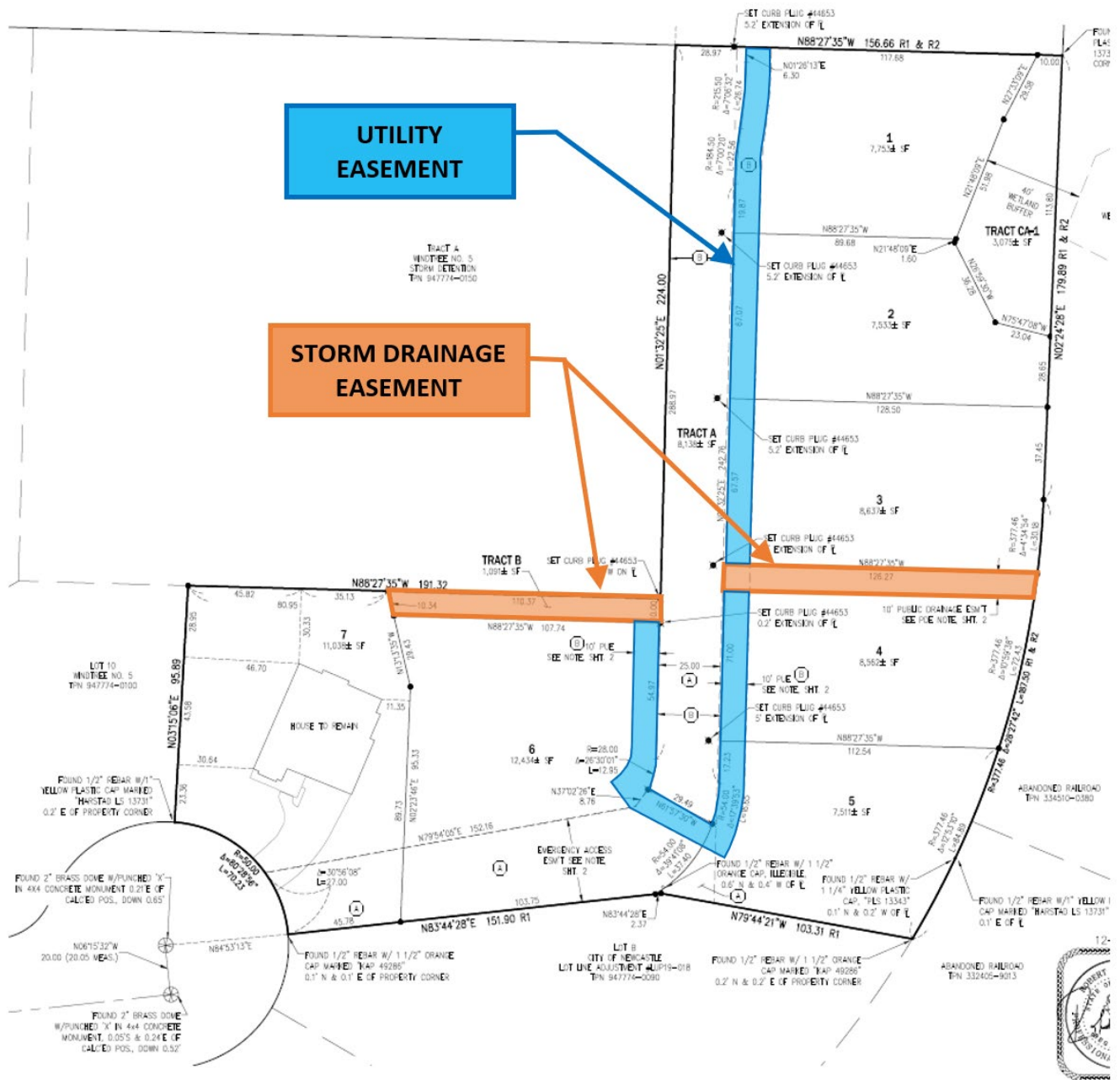


Figure 2 – New/Replacement Public Utility Easements



## ACTION RECOMMENDED

I MOVE TO ADOPT RESOLUTION 2023-934 AUTHORIZING THE CITY MANAGER TO EXECUTE THE EASEMENT TERMINATION FOR THE UTILITY EASEMENT AS PRESENTED.