



**BUSINESS OF THE CITY COUNCIL  
CITY OF MERCER ISLAND**

**AB 6137  
September 6, 2022  
Consent Agenda**

**AGENDA BILL INFORMATION**

<b>TITLE:</b>	AB 6137: Public Water Main Extinguishment (2825 West Mercer Way)	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
<b>RECOMMENDED ACTION:</b>	Conditionally approve termination of water main easement in exchange for a new 8" water main	

<b>DEPARTMENT:</b>	Public Works
<b>STAFF:</b>	Jason Kintner, Chief of Operations/PW Director Patrick Yamashita, City Engineer/Deputy PW Director
<b>COUNCIL LIAISON:</b>	n/a
<b>EXHIBITS:</b>	1. Request to Extinguish Easement 2. Easement Extinguishment Document
<b>CITY COUNCIL PRIORITY:</b>	1. Prepare for the impacts of growth and change with a continued consideration on environmental sustainability.

<b>AMOUNT OF EXPENDITURE</b>	\$ n/a
<b>AMOUNT BUDGETED</b>	\$ n/a
<b>APPROPRIATION REQUIRED</b>	\$ n/a

**EXECUTIVE SUMMARY**

The purpose of this agenda bill is to present a request to extinguish a public water main easement in exchange for a new water main. Per State law, the City Council must authorize changes to property interests for all public property including easements. Refer to Exhibit 1 for the request to extinguish the easements. This agenda bill will:

- Provide background on the easements.
- Provide information on the request to extinguish the easements and the consideration offered.
- Explain the benefits to Public Works operations.

**BACKGROUND**

Blueline, representing the owner of the former East Seattle School property located at 2825 West Mercer Way is requesting the extinguishment of two public water main easements on the property. Refer to Exhibit 1. The 20' wide easements were originally granted in 1959 as a condition of approving the vacation of the underlying 40' wide right of way for 63<sup>rd</sup> Ave. SE. Blueline proposed to subdivide the property. However, the existing easements bisect the property, restricting the development potential as regulations restrict structures from being located in easements.

## ISSUE/DISCUSSION

The existing 6" cast iron water main located in the easement was constructed over 60 years ago. It is reaching the end of its useful life. The existing easement width is 20' and was needed to maintain access for maintenance and eventual pipe replacement. The water main was originally built to serve future homes adjacent to 63<sup>rd</sup> Ave. SE, however, once the 63<sup>rd</sup> Ave. SE right of way was vacated in 1959, the water main was no longer needed.

Blueline offers the following in exchange for the City approving the extinguishment of the easements.

1. Abandon the 6" cast iron main and replace with a new 8" ductile iron main in 62<sup>nd</sup> Ave. SE.
2. Design and construct the new main. Extinguish the existing easements only after the City accepts the new main and it is put into operation.

This proposal is beneficial to the City. It replaces an aging 6" water main that is reaching the end of its useful life with a new 8" main that increases domestic and fire flow capacity. It also improves physical access for Public Works crews by placing the new main in the 62<sup>nd</sup> Ave. SE 40' wide right of way instead of the 20' easement. This provides the City with a significant infrastructure improvement – a new main in a better location.

## NEXT STEPS

Following City Council approval of this agenda bill, staff anticipates the following next steps:

- Blueline will proceed with construction drawings for the water main replacement and construct the new water main.
- The City will review and accept the new water main and then it will be put into service.
- Once those steps are taken, the existing easements will be extinguished, and the documents recorded with the City.

## RECOMMENDED ACTION

Authorize the City Manager to terminate water main easements (recording numbers 5361487 and 5081481) in exchange for a new 8" water main constructed as generally depicted in Exhibit 1 by executing an easement extinguishment to be approved by the City Attorney substantially in the form of Exhibit 2, provided that the easements shall not be terminated until after the new water main is accepted by the City Engineer and put into operation as described in AB 6137.