



City of Tualatin

CITY OF TUALATIN Staff Report

TO: Honorable Mayor and Members of the City Council

THROUGH: Sherilyn Lombos, City Manager

FROM: Mike McCarthy, City Engineer
Kim McMillan, Community Development Director

DATE: April 24, 2023

SUBJECT:

Consideration of Resolution 5688-23 Authorizing the City Manager To Sign An Agreement to Terminate an Easement Across Property Owned by Lennar Northwest, LLC South of Norwood Road.

RECOMMENDATION:

Staff recommends Council authorize the City Manager to sign the agreement (attached).

EXECUTIVE SUMMARY:

Tualatin's B-Level water reservoirs are located on City property about 700 feet south of Norwood Road about midway between Boones Ferry Road and Interstate 5. These reservoirs have been connected to the rest of Tualatin's water system via an existing water main that runs through an easement established in 1971 across property now owned by Lennar Northwest, LLC. The easement also provided access for city crews to the reservoirs. Attached is a copy of the existing easement.

Lennar Northwest, LLC is in the process of developing this property. Lennar has constructed a new larger water main connecting these reservoirs to the rest of Tualatin's water system via newly-platted public rights-of-way and a tract dedicated to the City for public use. These public rights-of-way and tract also provide access for City crews to the reservoir. With the construction of this new water main and establishment of these new public rights-of-way and tract, the old easement is no longer needed. Attached are plans showing the old easement in red and the new water main and access route in blue.

Lennar Northwest, LLC has requested that this old easement be terminated so that this land area can be used for other purposes, such as single-family homes. City staff have reviewed this request, recognize that the new rights-of-way and tract fulfill the purpose for which this easement was established, and agree that this easement is no longer needed. Therefore, staff recommend that this easement be terminated and this property be allowed to be used for other purposes.

OUTCOMES OF DECISION:

Approval of this resolution would allow the City Manager to agree to terminate this now-unneeded easement and allow this property to be used for other purposes.

ALTERNATIVES TO RECOMMENDATION:

Council could choose to not authorize this agreement, which would maintain this easement for the City, resulting in an unneeded encumbrance across several new single-family lots.

FINANCIAL IMPLICATIONS:

There is no cost to the City to terminate this easement.

ATTACHMENTS:

- Easement Termination Declaration
- Existing Easement
- Exhibit Showing Existing Easement and New Right-of-Way and Tract Access