Introduced by:	City Manager
Date	August 10, 1999
Public Hearing:	August 24, 1999
Action:	Defeated
Vote:	2 Yes, 4 Noes
Action Rescinded:	September 28, 1999
Postponed:	October 12, 1999
Action:	Defeated
Vote:	2 Yes, 4 No

CITY OF BETHEL, ALASKA

ORDINANCE #99-16

A ORDINANCE AUTHORIZING THE DISPOSAL OF AN INTEREST IN LAND NO LONGER NECESSARY FOR MUNICIPAL PURPOSES

WHEREAS, the City of Bethel is the owner of Lot 1, Block 1, USS 3230 A&B located on the easterly terminus of the undeveloped portion of the 7th Avenue right-of-way and Brown's Slough. A triangular shaped parcel containing approximately 13,587 S/F ; and

WHEREAS, the parcel is bordered on its northeast boundary by a Preservation District. The area is currently listed within the city's most recently adopted Comprehensive Plan as least suitable for development. The parcel never has had, nor currently has, any developed improvements or land fill. The parcel is within the Special Hazard Flood Zone and portions remain submerged by the waters of Brown's Slough year-round. The current land use status of the parcel is General Use; and

WHEREAS, the Planning Commission received a petition dated April 23, 1999 from Myron Angstman, the owner of the contiguous Lot 2, Block 1, USS 3230 A&B, requesting the purchase of Lot 1, Block 1; and

WHEREAS, the Planning Commission passed Resolution 99-3 that found that the subject parcel is no longer necessary for a municipal purpose and therefore suitable for public disposal. This Planning Commission resolution recommended to the City Council that the parcel be offered for disposal pursuant to City of Bethel Ordinance 04.08.030 (A.). Upon the disposal of the city's interest in said parcel that the conveyance instrument stipulate that all easements of record remain in place and undisturbed, and that no use of said parcel shall restrict, impede or otherwise interfere with the navigable use of Brown's Slough without first receiving a lawful permit for such a restriction, impediment or interference. Further, within the ordinance authorizing such disposal the parcels land use status be changed from General Use to an Open Space District as defined in City of Bethel Ordinance 18.28, and such change be reflected on the city's official Land Use Status Map.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Bethel, Alaska, that:

SECTION 1. Classification. This is a non-code ordinance.

SECTION 2. Pursuant to Bethel Municipal Code 4.08.030 A., disposal of Property No Longer Necessary for Municipal Purposes, the City Manager is authorized to offer the subject property for disposal by sealed bid at current market value appraisal, plus any extraordinary fees associated with this disposal, and convey such parcel to the successful bidder subject to the stipulations and conditions contained herein.

SECTION 3. Upon enactment of this ordinance this parcels Land Use Status is redesignated as Open Space.

SECTION 4. Effective Date. This ordinance becomes effective upon adoption.

ENACTED THIS * DAY OF * 1999, by a vote of * in favor and * opposed.

Agnes L. Phillips, Mayor

Gaye J. Vaughan, City Clerk

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