



# CITY OF BETHEL

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Sponsored by: Planning Commission

Date: September 26, 1997

Action: Adopted

Vote: Unanimous

## RESOLUTION #97-46

### A RESOLUTION OF THE BETHEL CITY COUNCIL ACCEPTING THE RECONVEYANCE OF CERTAIN PUBLIC RIGHTS-OF-WAY IN BETHEL FROM THE BETHEL NATIVE CORPORATION PURSUANT TO ANCSA §14(C)(3)

**WHEREAS**, the City of Bethel (CITY) is a general unit of local government under the laws of the State of Alaska and is the Municipal Corporation to which the BNC must reconvey certain lands pursuant to ANCSA Section 14(c)(3); and

**WHEREAS**, Bethel Native Corporation (BNC) is the Native Village Corporation for the village of Bethel, having incorporated and organized in accordance with Section 8 of the Alaska Native Claims Settlement Act ("ANCSA") as amended, Public Law 92-203, 85 Stat. 688, 43 U.S.C. § 1601 et. seq., and the laws of the State of Alaska; and

**WHEREAS**, BNC has or intends to reconvey the following public roads and utility easements (maps attached) to the CITY by Quitclaim Deed in partial fulfillment of the BNC's ANCSA §14(c)(3) obligation:

A 40 foot public utility and road right-of-way adjacent to Lot 4, (U.S.S. 4117) totaling 0.304 acres which BNC conveyed to the CITY by Quitclaim Deed on October 25, 1983 (Book 36, Page 361, Bethel Recording District), Statutory Quitclaim Deed issued to the CITY on March 14, 1983, (Book 34, Page 478, Bethel Recording District) transferring a 40 foot x 733.26 feet road right-way and a 20 feet x 156.42 feet waste heat line easement totaling 0.724 acres. Total acreage is 1.028

A right-of-way for the extension of Ptarmigan Street that is 1320 feet x 40 foot in width connecting the Ptarmigan Subdivision area with George Charles (Tundra Ridge Subdivision). A corporate resolution approved by BNC dated August 17, 1979 stated that this conveyance was intended to be a 14(c)(3) transfer for a total of 1.209 acres.

A 60 foot road currently reserved as an ANCSA Section 17(b) easement (EIN 13 a C4) whose description begins at the edge of East Avenue (USS 3790) and terminates at Hanger Lake. The right-of-way is the current Hanger Lake Road.

A 60 foot road currently reserved as ANCSA Section 17(b) easement, EIN 103 C 4 for an existing road from the NW boundary of Lot 35, (USS 4117) at the intersection of Chief Eddie Hoffman Highway southerly to the old U.S. Fish & Wildlife headquarters in Lot 46.

A 60 foot road reserved as an ANCSA Section 17(b) easement, EIN 23 C4, for the existing BIA road.

An existing road used to access the Boat Harbor, called Boat Harbor Road. This road provides access from Hanger Lake Road (.742 ac) to the Small Boat Harbor. The 14(c)(3) conveyance to the City of Bethel from BNC for the Small Boat Harbor intended to include this access road through BNC land.

**WHEREAS**, the Bureau of Land Management (BLM) requires that BNC and CITY adopt resolutions to approve and accept ANCSA §14(c)(3) reconveyances in order to avoid future technical challenges to any reconveyance decision and adopt resolutions authorize signatories to sign the ANCSA 14(c)(3) Partial Map of Boundaries; and

**WHEREAS**, BNC has in accordance with regulations of the BLM in 43 CFR 2650.5-4 prepared an ANCSA §14(c)(3) partial Map of Boundaries showing the rights-of-way intended for reconveyance, and in accordance with BLM's Amended Policy Statement for Preparation and Processing of the Map of Boundaries under ANCSA Section 14(c), updated April 18, 1990, adopted a resolution to approve the reconveyance of said rights-of-ways and approved the Map and designated a corporate officer to sign and submit said Map to BLM.

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the CITY that it hereby accepts the partial reconveyances of the above described rights-of-way pursuant to ANCSA 14(c)(3) from BNC, and authorizes, directs and empowers the Mayor to sign said ANCSA 14(c)(3) Partial Map of Boundaries on behalf of the CITY.

PASSED AND APPROVED THIS 26TH DAY OF SEPTEMBER, 1997.

ATTEST:

  
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Agnes L. Phillips, Mayor

  
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L.J. Warren, City Clerk