

Introduced by: City Manager Herron
Date: 3-9-04
Public Hearing: 3-23-04
Action: Passed
Vote: Unanimous

CITY OF BETHEL, ALASKA

ORDINANCE #04-04

A TECHNICAL AMENDMENT TO ORDINANCE #03-21(S) AUTHORIZING A LAND EXCHANGE BETWEEN THE CITY OF BETHEL AND OWNERS OF PROPERTY IN CITY SUBDIVISION

WHEREAS Ordinance #03-21(S) was passed by the Bethel City Council on February 10, 2004, which allows the City of Bethel (“City”) to acquire various easements across property in and around City Subdivision to install water and sewer lines as part of Phase B of the City Subdivision Project; and

WHEREAS Ordinance #03-21(S) at Section 4 contains a technical error regarding acquiring an easement rather than fee simple title to certain property, and this ordinance is necessary to correct the technical error.

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

SECTION 1. Classification. This ordinance is not permanent in nature and shall not be placed in the Bethel Municipal Code.

SECTION 2. Name. In accordance with BMC at Section 4.08.020(B), the land acquired shall be held in the name of the “City of Bethel.”

SECTION 3. Acquisition through Land Exchange. Based on the City Planning Commission Resolution 04-01, and in accordance with BMC at Sections 04.08.020, 04.08.030(A), and 04.08.040, the City Council hereby waives the requirement of only disposing of the no longer necessary City property described in the Resolution by sealed bids to the highest bidder for at least current assessed value, as well as the land disposal notice requirements concerning this property. The City Council authorizes the disposal of a 1449 square feet parcel of land contiguous to Lot 15, Block 6, Resubdivided Block 9, City Subdivision, US Survey 3770, NW Addition to Bethel Townsite, Plat 71-425 belonging to the City in exchange for acquiring fee simple title, free and clear of liens, to 1449 square feet within Lot 14, Block 6 of the same subdivision, as designated on the drawing attached as Attachment A. The City Council authorizes the Mayor to execute all documents and the City Manager to perform all actions

necessary to carry out the land exchange. This authorization shall be effective for all actions of the City administration taken to negotiate the land exchange. This authorization shall be effective for all actions of the City administration taken to negotiate the land exchange.

SECTION 4. Effective Date. This ordinance shall become effective immediately upon passage by the City Council, and shall have retroactive effect back to the first date that the City administration began to negotiate for the land exchange.

PASSED AND APPROVED THIS ____ DAY OF _____ 2004, by a vote of ____ in favor and ____ opposed.

ATTEST:

Hugh Short, Jr., Mayor

Amanda Byington, City Clerk