

Introduced by: City Manager Herron
Date: October 12, 2004
Public Hearing: October 26, 2004
Action: Passed
Vote: 6-1 (No - Rodgers)

CITY OF BETHEL, ALASKA

ORDINANCE #04-26

AN ORDINANCE AUTHORIZING THE ACQUISITION OF INTERESTS IN LAND FROM VARIOUS OWNERS FOR UTILITY EASEMENTS INVOLVING CITY SUBDIVISION

WHEREAS, the City of Bethel ("City") has various grants from the state and federal government to provide for water and sewer improvements in City Subdivision ("City Subdivision Project"), which includes monies for acquiring the utility easements described in Attachment B to this ordinance;

WHEREAS, the City has completed Phase A and Phase B of the three phase City Subdivision Project, and is now in Phase C of the City Subdivision Project;

WHEREAS, the City needs to acquire various easements across property in and around City Subdivision to install water and sewer lines as part of Phase C of the City Subdivision Project, and the grant money can be used to acquire the easements at fair market value, as required by state and federal law;

WHEREAS, the proposed acquisitions are in the public interest because the easements allow the City the land necessary to construct community water and sewer lines for the City Subdivision Project.

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. Authorization of Acquisition. In accordance with Section 4.08.020(A) of the Bethel Municipal Code ("BMC"), the City Council hereby authorizes the acquisition of easements, subject to the consent of any lienholders in the real property covered by the easement, in the form attached as Attachment A to this Ordinance, across land owned by the individuals listed in Attachment B to this Ordinance, for payment by the City of the amounts listed in Attachment B. The City Council authorizes the Mayor to execute all documents and the City Manager to perform all actions necessary to carry out the easement acquisitions. This authorization shall be effective for all actions of the City administration taken to negotiate the easements.

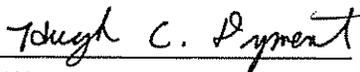
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SECTION 3. Name. In accordance with BMC at Section 4.08.020(B), the easements acquired shall be held in the name of the "City of Bethel."

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 acquisition of the easements.

PASSED AND APPROVED THIS 26th DAY OF October 2004, by a vote of six in favor and one opposed.

ATTEST:



Mayor



Selena Malone, City Clerk