

Introduced by: Acting City Manager, Pete Williams
Date: March 8, 2016
Public Hearing: March 22, 2016
Action: Passed
Vote: 6-0

CITY OF BETHEL, ALASKA

Ordinance #16-06

AN ORDINANCE AUTHORIZING THE ACQUISITION OF INTEREST IN EASEMENTS/LAND FOR UTILITY EASEMENTS FROM BETHEL NATIVE CORPORATION INVOLVING INSTITUTIONAL CORRIDOR (I.C.) PIPED WATER SUPPLY AND SEWER COLLECTION PROJECT

- Whereas,** the City of Bethel "City" has a grant from the state of Alaska (designated legislative grant) to provide for water and sewer improvements known as institutional corridor piped water supply and sewer collection project;
- Whereas,** the City has arranged for a multi phase project to supply water and collect sewer through the following described real property, including alignment of mains and service lines and other utilities through the easements and right-of-ways in perpetuity;
- Whereas,** the City needs to acquire these various easements across the properties involved in the I.C. water/sewer project;
- Whereas,** the proposed various easements are in the public interest because the easements allow the City the land necessary for placement of different utility lines for I.C. Project;
- Whereas,** in accordance with Section 4.08.020 of Bethel Municipal Code, the City Council hereby authorize the acquisition of these easements from Bethel Native Corporation, in the forms as set forth in this ordinance;
- Whereas,** the easements consists of portion of lot 53, U.S. Survey No. 4117, according to the official Bureau of Land Management survey plat thereof, officially filed March 31, 2004 located in the Bethel Recording District, Fourth Judicial District, State of Alaska;
- Whereas,** the easements are more particularly described as follows:

Easement #1

The Basis of Bearing for these descriptions is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S 25° 43' 20.9" W a distance of 2672.85 feet from NGS Station BET

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C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

Parcel 12 A:

Beginning at the northeast corner of said lot 53, being the True Point of Beginning for this description; thence on the east line thereof S13°50'38"W15.45 feet; thence departing said east line N89°56'55"W30.70 feet; thence N11°44'20"E15.32 feet to the north line of said lot 53; thence on said north line S89°56'55" E 34.38 feet to the True Point of Beginning. Said easement embraces an area of 465 square feet, more or less as calculated from said courses and distances.

Easement #2

Parcel 12 B:

Beginning at the northeast corner of said lot 53, being the True Point of Beginning for this description; thence on the east line thereof S13°50'38"W 15.45 feet; thence departing said east line N89°56'55"W 30.70 feet; thence N11°44'20" E 15.32 feet to the north line of said lot 53; thence on said north line S89°56'55" E 34.38 feet to the True Point of Beginning. Said easement embraces an area of 465 square feet, more or less as calculated from said courses and distances.

Whereas, Easement #3

the easement consist of lot 4C, subdivision of lot 4, U.S. Survey No. 4117, according to plat No. 84-18 and 84-20, lying within lot 54, U.S. Survey No. 4117, according to the official Bureau of Land Management Survey plat thereof, officially filed March 31, 2004, located in the Bethel Recording District, Fourth Judicial District, State of Alaska.

Whereas, the easements are more particularly described as follows:

The basis of bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S 25°43'20.9"W a distance of feet from NGS Station C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

Beginning at the most northerly northwest corner of said lot 54, being the True point of Beginning for this description; thence on the north line

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thereof S80°08'48" E 135.86 feet to the northeast corner of said lot 54; thence on the east line thereof S09°47'45"W 29.88 feet; thence departing said east line N80°08'48" W 115.45 feet; thence S00°00'17"W 196.34 feet; thence N89°56'55"W 147.95 feet to the most westerly west line of the said lot 54; thence on said line N13°50'38"E 15.45 feet to the most westerly northwest corner of said lot 54; thence on a north line thereof S89°56'55"E 129.25 feet to an angle point; thence on a west line thereof N00°00'17" E 214.74 feet to the True point of Beginning. Said easement embraces an area of 8,929 square feet, more or less as calculated from said courses and distances.

Whereas, Easement #4

the easement consist of Tract3, BNC INDUSTRIAL PARK, according to the official plat thereof, filed under plat Number 2012-3, in the records of the Bethel Recording District, Fourth Judicial District, State of Alaska;

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18,1971 (85 stat 688,704; 43 USC 1601,1613(f) (1976) as reserved by the United States of America in the Patent of said land.

The basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET Bears S 25°43'20.9" W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinated of 6,266.8084 N 7,694.8219 E. U.S. Survey Feet.

Beginning at the northwest corner of said Tract 3, being the True Point of Beginning for this description; thence on the northerly line thereof, S69°59'15" E 21.00 feet; thence departing said northerly line S40°44'46"W 135.89 feet to the westerly line of said Tract 3; thence on the westerly line thereof, N32°02'29" E 129.95 feet to the True Point of Beginning. Said easement embraces an area of 1,335 square feet, more of less as calculated from said courses and distances.

NOW, THEREFORE BE IT ORDAINED, the City, in consideration of the agreement between Bethel Native Corporation, the Grantor, and the City of Bethel "CITY" the Grantee, mentioned herein, acquires these easements and this ordinance shall be recorded with each detailed "PUBLIC UTILITY EASEMENT" Documents.

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SECTION 1. Classification. This ordinance is of a general nature and shall not become a part of the Bethel Municipal Code.

SECTION 2. Authorization. Pursuant to Bethel Municipal Code 04.08.020 Acquisition of Real Property.

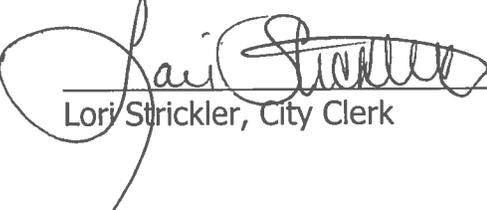
SECTION 3. Effective Date. This Ordinance shall become effective upon the passage by the Bethel City Council.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL ALASKA, THIS 22nd DAY OF MARCH, 2016, BY A VOTE 6 IN FAVOR AND 0 OPPOSED.



Richard Robb, Mayor

ATTEST:



Lori Strickler, City Clerk