Introduced by: City Manager, Ann K. Capela
Date: May 10, 2016
Public Hearing: May 24, 2016
Action: Passed
Vote: 7-0

CITY OF BETHEL, ALASKA

Ordinance #16-14

AN ORDINANCE AUTHORIZING THE ACQUISITION OF THREE UTILITY EASEMENTS FROM THE YUKON-KUSKOKWIM HEALTH CORPORATION

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 described real property, including alignment of mains and service lines and other utilities through easements and right-of-ways in perpetuity;

Whereas, the City needs to acquire various easements across the properties involved in the I.C. water/sewer project;

Whereas, the proposed easements are in the public interest because the easements allow the City the land necessary for placement of different utility lines for the I.C. Project;

Whereas, in accordance with Section 4.08.020 of Bethel Municipal Code, the City Council hereby authorizes the acquisition of three (3) easements from the Yukon Kuskokwim Health Corporation, as set forth in this ordinance;

Easement #1

Whereas, A portion of Lot 10, U.S. SURVEY 4117, according to the official Bureau of Land Management, May 9, 1966, located in the Bethel Recording District, Fourth Judicial District, State of Alaska.

The easement being more particularly described as follows:

Beginning at Corner 1 of U.S. Survey 4117, which is coincident with Corner 2 of U.S. Survey 4000, thence N. 87°09'W, 6.63 chains, thence S.13°59'W.20.43 chains to the true point of beginning, thence S.13°59'W.7.49 chains to Corner 2, which is a point in the center of the Right-of-Way for the Bethel Airport Road and is the Southeast Corner of Lot 10 of U.S. Survey 4117, thence N.76°53'W.3.34 chains to Corner 3, thence N.13°59'E. 7.49 chains to Corner 4, thence S.76°53'E. 3.34 chains to the true point of beginning; EXCEPTING THEREFROM that portion

conveyed to the State of Alaska, Department of Highways by Quitclaim Deed recorded August 28, 1968 in Book 16 at Page 269.

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 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet. Beginning at the northwest corner of the said portion of Lot 10 as described in said Statutory Warranty Deed, being the True Point of Beginning for this description; thence on the north line thereof S76°42'05"E 220.77 feet to the northeast corner of Lot 10; thence on the east line thereof S13°57'49"W 57.58 feet; thence departing said east line N76°02'11"W 15.00 feet; thence N13°57'49"E 42.40 feet; thence N76°42'05"W 205.77 feet to the west line of said Lot 10; thence on the west line thereof N13°58'57"E 15.00 feet to the True Point of Beginning. Said easement embraces an area of 3,949 square feet, more or less as calculated from said courses and distances.

Easement #2

Whereas, The easement consists of portion of Lot 49, 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.

The easement is more particularly described as follows:

Beginning at the southwest corner of said Lot 49, being the True Point of Beginning for this description; thence on the west line thereof N00°00'17"E 497.07 feet to an angle point on said west line; thence N09°45'57"E 74.93 feet to the northwest corner of said Lot 49; thence on the north line thereof S87°00'03"E 15.11 feet; thence departing said line S09°45'57"W 75.43 feet; thence S00°00'17" W 498.40 feet to a point on the south line of said Lot 49; thence said line N80°08'48"W 15.22 feet to the True Point of Beginning. Said easement embraces an area of 8,594 square feet, more or less as calculated from said courses and distances.

Easement #3

Whereas, The easement consists of a portion of Lot 2, U.S. SURVEY 4000, according to the official Bureau of Land Management Survey Plat thereof, officially filed December 22, 1989, being located in the Bethel Recording District, Fourth Judicial District, State of Alaska.

The easement is more particularly described as follows:

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Beginning at the northeast corner of said Lot 2, being the True Point of Beginning for this description; thence on the east line thereof S24°33'37"E 331.58 feet to the southeast corner of said Lot 2 also being a point on a non-tangent curve concave to the southeast having a radius of 770.20 feet whose center bears S04°15'42"W; thence on the southerly line thereof, southwesterly on said curve 17.02 feet through a central angle of 01°15'58"; thence departing said southerly line N24°33'37"W 308.53 feet; thence S65°23'55"W 449.19 feet; thence N65°19'03"W 19.79 feet to the northerly line of Lot 2; thence on said northerly line N65°23'55"E 477.11 feet to the True Point of Beginning. Said easement embraces an area of 11,747 square feet, more or less as calculated from said courses and distances.

NOW, THEREFORE BE IT ORDAINED, the City, hereby accepts and shall record the three public (3) utility easements from the Yukon Kuskokwim Health Corporation.

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.

ENACTED THIS 24th DAY OF MAY 2016, BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk