

Introduced by: City Manager, Pete Williams  
Date: October 11, 2016  
Public Hearing: October 25, 2016  
Action: Passed  
Vote: 7-0

## *CITY OF BETHEL, ALASKA*

### **Ordinance #16-34**

#### **AN ORDINANCE AUTHORIZING THE ACQUISITION OF INTEREST IN EIGHT (8) EASEMENTSS FROM YUKON-KUSKOKWIM HEALTH CORPORATION (YKHC) 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 its Projects;
- Whereas,** in accordance with Section 4.08.02 of Bethel Municipal Code, the City Council hereby authorize the acquisition of these easements, in the forms as set forth in this ordinance;
- Whereas,** Easement #1: (Parcel 2) Lot 3B, of Tract 5A1, U.S. SURVEY 4000, according to Plat 99-1, filed in the records of the Bethel Recording District, Fourth Judicial District, State of Alaska, more particularly described as:

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.

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A portion of Lot 3B, Tract 5A1, U.S. Survey 4000 filed as Plat No. 99-1 in the Bethel Recording District, Fourth Judicial District, State of Alaska being more particularly described as the westerly 15 feet of said Lot 3B. Said easement embraces an area of 1,910 square feet, more or less.

Easement #2: (Parcel 3) Lot 5, of Tract 5A1, U.S. SURVEY 4000, according to Plat 98-14, filed in the records of the Bethel Recording District, Fourth Judicial District, State of Alaska, more particularly described as:

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.

A portion of Lot 5, Tract 5A1, U.S. Survey 4000 filed as Plat No. 98-14 in the Bethel Recording District, Fourth Judicial District, State of Alaska being more particularly described as the westerly 15 feet of said Lot 5. Said easement embraces an area of 7,149 square feet, more or less.

Easement #3: (Parcel 16) That portion of Lot 3, U.S. SURVEY 4117, WEST ADDITION TO BETHEL, according to the official survey in the Bethel Recording District, Fourth Judicial District, State of Alaska, which lies westerly of the westerly State Right-of-Way line, as said line is described in the deed to the State of Alaska, recorded December 3, 1968, in Book 16 at Page 351, more particularly described as:

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.

A portion of Lot 3, U.S. Survey 4117 being more particularly described as the north 15 feet of said Lot 3. Said easement embraces an area of 9,573 square feet, more or less.

Easement #4: (Parcel 17B) That portion of Lot 4C, Subdivision of Lot 4, 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

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thereof, officially filed March 31, 2004, located in the Bethel Recording District, Fourth Judicial District, State of Alaska, more particularly described as: 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.

A portion of Lot 54, U.S. Survey 4117 being more particularly described as the most northerly north 30 feet of said Lot 54. Said easement embraces an area of 3,998 square feet, more or less.

This easement is subject to existing waste heat line and electric easements.

Easement #5: (Parcel 19A) Lot 52, U.S. SURVEY 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.

Excepting therefrom the subsurface estate as reserved in Deed recorded on December 19, 1985, at Book 42, Page 526, located in the Bethel Recording District, Fourth Judicial District, State of Alaska, more particularly described as:

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.

A portion of Lot 52, U.S. Survey 4117 being more particularly described as the east 36.00 feet of said Lot 52. Said easement embraces an area of 3,105 square feet, more or less.

This easement is subject to existing waste heat line, electric, sewer and water easements.

Easement #6: (Parcel 19B): That portion of Lot 4C, Subdivision of Lot 4, U.S. Survey No. 4117, according to Plat No. 84-18 and 84-20, lying within Lot 55, 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.

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Excepting therefrom the subsurface estate as reserved in Deed recorded on December 19, 1985, at Book 42, Page 526, in the Bethel Recording District, Fourth Judicial District, State of Alaska, more particularly described as:

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.

A portion of Lot 55, U.S. Survey 4117 being more particularly described as the north 30.00 feet of said Lot 55. Said easement embraces an area of 2,608 square feet, more or less.

This easement is subject to existing waste heat line and electric easements.

Easement #7: (Parcel 19C) Lot 50, 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.

Excepting therefrom the subsurface estate as reserved in Deed recorded on December 19, 1985, at Book 42, Page 526, in the Bethel Recording District, Fourth Judicial District, State of Alaska, more particularly described as:

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.

A portion of Lot 50, U.S. Survey 4117 being more particularly described by metes and bounds as follows:

Commencing at the north corner of said Lot 50; thence on the west line thereof S09°45'57"W 205.05 feet to the centerline of a 20 foot waste heat line easement as shown on the Plat of Waste Line Easement into Lot 5 of USS 4117 filed as Plat No. 95-3, in the Bethel Recording District, Fourth Judicial District, State of Alaska being the True Point of Beginning for this description; thence on said centerline S73°35'06"E 36.24 feet to the east line of Lot 50; thence on said line S00°00'17"W 10.42 feet to a point on the south line of said waste heat line

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easement; thence on said south line N73°35'06"W 38.02 feet to the west line of Lot 50; thence on said line N09°45'57"E 10.07 feet to the True Point of Beginning for this description. Said easement embraces an area of 371 square feet, more or less, as calculated from said courses and distances.

This easement lies entirely within an existing waste heat line easement.

Easement #8: (Parcel 24B) 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, more particularly described as:

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.

A portion of Lot 2, U.S. Survey 4000 being more particularly described by metes and bounds as follows:

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 331.54 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 766.20 feet and whose center bears S04°26'22"W; thence on the southerly line thereof, southwesterly on said curve 834.43 feet through a central angle of 62°23'53"; thence continuing on the southerly line S32°02'29"W 111.28 feet; thence departing said line N57°57'31"W 15.00 feet; thence N32°02'29"E 111.28 feet to a point of curvature of a curve concave to the southeast having a radius of 781.20 feet; thence northeasterly on said curve 825.52 feet through a central angle of 60°32'48"; thence N24°33'37"W 291.53 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 25,737 square feet, more or less as calculated from said arcs, courses and distances.

**NOW, THEREFORE BE IT ORDAINED**, the City, in consideration of the agreement between Alaska Village Electric Cooperative, INC., the Grantor, and the City of Bethel

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"CITY" the Grantee, mentioned herein, acquires these easements and this ordinance shall be recorded with each detailed "PUBLIC UTILITY EASEMENT" Documents.

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

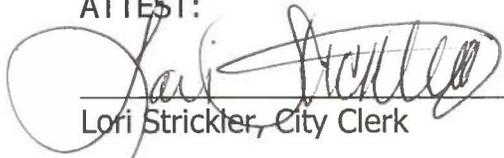
**SECTION 2. Authorization.** Pursuant to Bethel Municipal Code 04.08.020 Acquisition of Real Property.

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

**ENACTED THIS 25 DAY OF OCTOBER BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED.**

  
Richard Robb, Mayor

ATTEST:

  
Lori Strickler, City Clerk