

Introduced by: City Manager Williams
Introduction Date: March 28, 2017
Public Hearing: April 11, 2017
Action: Passed
Vote: 4-0

CITY OF BETHEL, ALASKA

Ordinance #17-15

AN ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY PURSUANT TO BMC 4.08.020 LOT 6C, BLOCK 8 UNIKAL'NYY SUBDIVISION AND AUTHORIZING TRESPASS SETTLEMENT

WHEREAS the Bethel Municipal Code allows for the acquisition of property via purchase agreement;

WHEREAS in 1963 the Bureau of Land Management completed United States Survey 3790, East Addition, and produced a Plat of the area;

WHEREAS In the area of Lot 6C, Block 8, the Plat showed East Ave as a narrow access located along the south boundary of the lot;

WHEREAS The standard width of East Road was an approximate 40 foot wide road;

WHEREAS A provision for East Avenue as a thoroughfare for the City through Lot 6C, Block 8 was not addressed in the restricted deed (Native Allotment) today owned by Richard Jung;

WHEREAS in recognition of the trespass, the City paid to have a subdivision survey performed; resulting in the creation of smaller lots from the main parcels;

WHEREAS the owner has decided to cure the trespass problems by selling the City the affected lot and accepting payment, pursuant to Title 28, United States Code §2415 for the past trespass, pursuant to the fair market value appraisal approved by the BIA in February 2017;

WHEREAS this would allow the City to maintain the road at the current level without incurring additional trespass claims;

WHEREAS the fair market appraisal price approved by the BIA, Mr. Jung and the City for the purchase of the land is Eleven Thousand Three Hundred Fifty Dollars (\$11,350); and

WHEREAS the fair market appraisal price approved by the BIA, Mr. Jung and the City for the trespass on the land is Seven Thousand Eight Hundred Fifty Dollars (\$7,850).

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NOW, BE IT ORDAINED, the City Council authorizes the acquisition of the above property and authorizes the City Manager, or his designee, to sign the appropriate purchase documents.

NOW, BE IT FURTHER ORDAINED the City Council authorizes the City Manager, or his designee, to sign any necessary paperwork to resolve the trespass claims on behalf of the City.

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

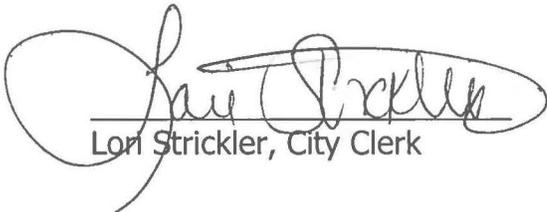
SECTION 2. Authorization. Pursuant to Bethel Municipal Code 04.08.020 Acquisition.

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

ENACTED THIS 11 DAY OF APRIL 2017, BY A VOTE OF 4 IN FAVOR AND 0 OPPOSED.

ATTEST:



Richard Robb, Mayor

Lori Strickler, City Clerk