

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 #17-16

AN ORDINANCE AUTHORIZING THE ACQUISITION OF PROPERTY PURSUANT TO BMC 4.08.020 LOT 7B, BLOCK 8 UNIKAL'NY SUBDIVISION AND AUTHORIZING TRESPASS SETTLEMENT

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

WHEREAS lot 7 was used for the Kuskokwim River Bank stabilization infrastructure project (also known as the "seawall project");

WHEREAS a portion of the City's use of the land trespassed on the Native Allotment belonging to Henry and Charles Active;

WHEREAS in consideration of the past trespass occupancy, Bethel has agreed to pay back trespass arrears calculated in accordance with Title 28, United States Code §2415 pursuant to the fair market value appraisal approved by the BIA in February 2017;

WHEREAS because the land is critical for the seawall infrastructure, the City needs to acquire the portion of land which it previously trespassed upon, land which the Actives are willing to sell;

WHEREAS the fair market value agreed to by the BIA, the Actives and the City to purchase the land is Eighteen Thousand Fifty (\$18,050) Dollars; and

WHEREAS the fair market value agreed to by the BIA, the Actives and the City to settle the trespass claim is Eleven Thousand Nine Hundred Fifty (\$11,950) Dollars.

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.

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

ATTEST:



Lori Strickler, City Clerk



Richard Robb, Mayor