

Introduced by: City Manager Williams  
Introduction Date: June 13, 2017  
Public Hearing: June 27, 2017  
Action: Passed  
Vote: 7-0

## *CITY OF BETHEL, ALASKA*

### **Ordinance #17-32**

#### **AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT FROM BETHEL NATIVE CORPORATION (BNC)**

**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 the 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 rights-of-ways in perpetuity;

**WHEREAS** the City needs to acquire various easements across the properties involved in the Institutional Corridor 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 the Bethel Municipal Code, the City Council hereby authorizes the acquisition of an easement from Bethel Native Corporation (BNC), as set forth in this ordinance;

Tract 2, 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 whatsoever 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

Said easement is depicted on the Parcel Map attached hereto as Page 5 and 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 S25°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 Tract 2, BNC Industrial Park Subdivision, filed as Plat No. 2012-3 in the Bethel Recording District, Fourth Judicial District, State of Alaska, being more particularly described by metes and bounds as follows:

Beginning at the most westerly northwest corner of said Tract 2, that point being the True Point of Beginning for this description; thence N89°57'33"E 650.23 feet along the north line of said Tract 2, common with the south line Tract 3, BNC Industrial Park Subdivision, Plat No. 2012-3, to a point on the northern line of said Tract 2, common with the southeast corner of Tract 3, BNC Industrial Park Subdivision and southwest corner of Lot 4A, YKHC-BNC Subdivision, Plat No. 2017-xx; thence along said north line S70°48'05"E 181.45 feet; thence departing said line S19°11'55"W 15.00 feet; thence N70°48'05"W 178.91 feet; thence S89°57'33"W 628.13 feet, thence S09°52'17" 20.40 feet to a point on the western most line of said Tract 2; thence along said line N24°37'03"W 38.59 feet to the True Point of Beginning of this description. Said easement embraces an area of 12,513 square feet, more or less, as calculated from said courses and distances.

**NOW, BE IT FURTHER ORDAINED**, the City, hereby accepts and shall record the utility easement from the Bethel Native 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 27 DAY OF JUNE 2017, BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED.**

ATTEST:

  
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Richard Robb, Mayor

  
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Lori Strickler, City Clerk