

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 #17-33**

#### **AN ORDINANCE REPEALING AND REPLACING ORDINANCE 16-33, AUTHORIZING THE ACQUISITION OF INTEREST IN A UTILITY EASEMENT FROM BETHEL NATIVE 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 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** on October 25, 2016, the City Council passed Ordinance 16-33 authorizing the acquisition of an easement across Lot 4, US Survey No. 4117 to be used in the I.C. project, this easement was never recorded;

**WHEREAS**, since that time the I.C. route has been amended changing the route of the easement across the same lot;

**WHEREAS**, the correct easement location is as follows:

That portion of Lot 4, U.S. SURVEY NO. 4117, according to the official survey in the Bethel Recording District, Fourth Judicial District, State of Alaska, which lies Easterly of the Easterly State Right-of-Way line, as said line is described in the Right-of-Way Grant to the State of Alaska, recorded May 26, 1969 in Book 17 at Page 31.

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

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Stat 688, 704; 43 USC 1601, 1613(f) (1976) as reserved by the United States of America.

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.

A portion of Lot 4, U.S. Survey 4117 being more particularly described as the easterly 15 feet; and the southerly 15' of said Lot 4. Said easement embraces an area of 4,147 square feet, more or less.

**NOW, BE IT FURTHER ORDAINED**, the City Council, hereby repeals and replaces Ordinance 16-33 and accepts and shall record the utility easement from the Bethel Native Corporation as more properly outlined above.

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

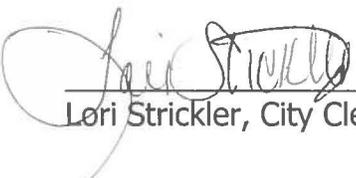
**SECTION 2. Authorization.** Pursuant to Bethel Municipal Code 04.08.020 Acquisition of Real Property

**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 0 OPPOSED.**

ATTEST:

  
Richard Robb, Mayor

  
Lori Strickler, City Clerk