

Introduced by: City Manager, Peter Williams  
Date: March 23, 2021  
Public Hearing: April 13, 2021  
Action: Passed  
Vote: 7-0

## *CITY OF BETHEL, ALASKA*

### **Ordinance #21-12**

#### **AN ORDINANCE BY THE BETHEL CITY COUNCIL AUTHORIZING THE ACQUISITION OF INTEREST IN LAND FOR A UTILITY EASEMENT FROM BENJAMIN KAWAGLEY INVOLVING THE BETHEL AVENUES PIPED WATER AND SEWER PROJECT - PHASE I**

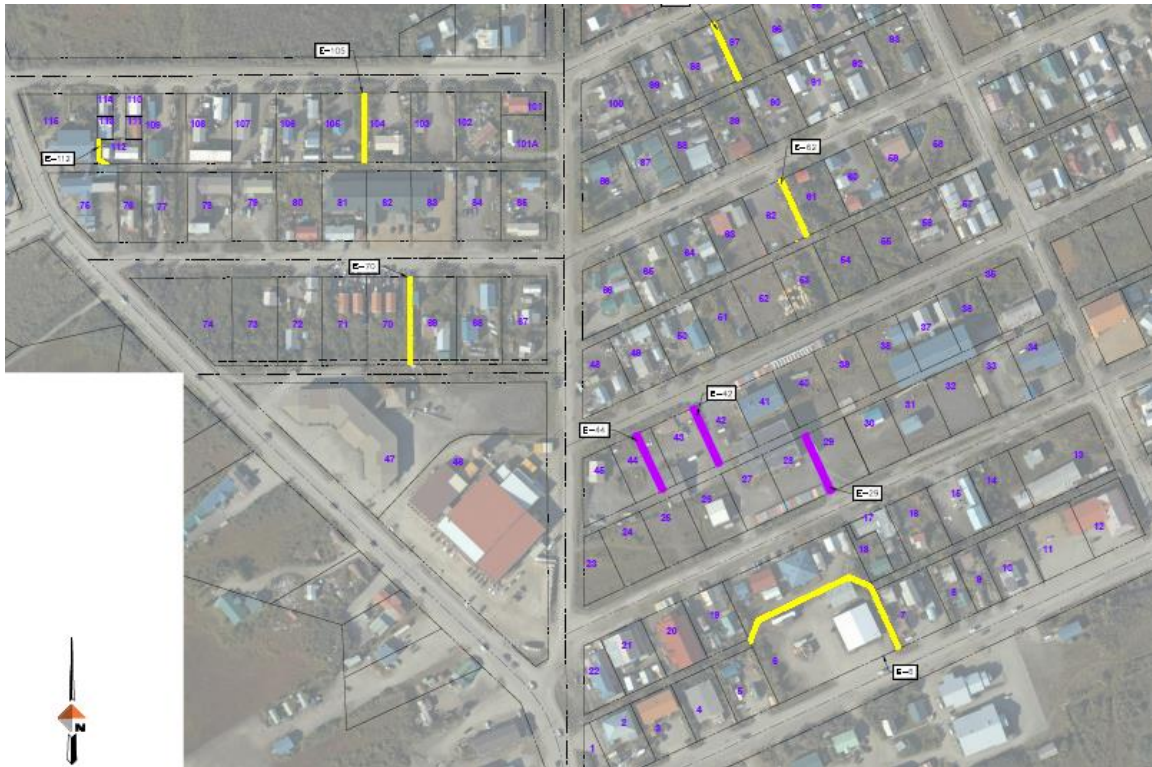
- Whereas,** the City of Bethel "City" has a grant from the U.S. Department of Agriculture (USDA). To provide for water and sewer improvements known as the Bethel Avenues Piped water and Sewer Project – Phase I;
- Whereas,** the City has arranged for a multi-phase project to supply water and collect 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 various easements across the properties involved in the Bethel Avenues Piped water and Sewer Project – Phase I;
- 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 authorizes the acquisition of this easement, in the form as set forth in this ordinance;
- Whereas,** Lot 4, Block 3, U.S. SURVEY 3230 A AND B, TOWNSITE OF BETHEL, 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 based on NAD83(2011) Geodetic Bearings. Distances shown are horizontal ground distances in U.S. Survey Feet.

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A portion of Lot 4, Block 3, U.S. Survey 3230 being more particularly described by metes and bounds as follows:

Beginning at the northwest corner of said Lot 4, being the True Point of Beginning for this description; thence along the northern line thereof, common to the southerly Right-of-Way line of 7<sup>th</sup> Avenue, thence N65°12'37"E 10.00 feet along said line; thence departing said northern line S24°47'23"E 139.85 feet to the southern line of said Lot 4; thence along said southern line S65°12'37"W 10.00 feet to the southwest corner of said Lot 4, common to the southeast corner of Lot 5, Block 3, U.S. Survey 3230; thence N24°47'23"W 139.85 feet along the western line of said Lot 4 to the True Point of Beginning. Said easement embraces an area of 1,399 square feet, more or less as calculated from said courses and distances.



**NOW, THEREFORE BE IT ORDAINED**, the City, in consideration of the agreement between BENJAMIN KAWAGLEY, the Grantor, and the City of Bethel "CITY" the Grantee, mentioned herein, acquires this easement and this ordinance shall be recorded with each detailed "PUBLIC UTILITY EASEMENT" document.

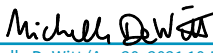
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**SECTION 1. Classification.** This ordinance is of a general nature and shall not become a part of the Bethel Municipal Code.

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

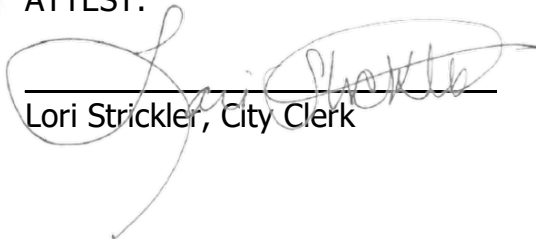
**SECTION 3. Effective Date.** This Ordinance shall become effective upon the passage by the Bethel City Council.

**ENACTED THIS 13<sup>th</sup> DAY OF APRIL 2021 BY A VOTE OF 7 IN FAVOR AND 0 OPPOSED.**

  
Michelle DeWitt (Apr 20, 2021 10:56 AKDT)

Michelle DeWitt, Mayor

ATTEST:

  
Lori Strickler, City Clerk

# Ordinance 21-12 Utility Easement From Benjamin Kawagley - Bethel Avenues Piped Project- w map

Final Audit Report

2021-04-20

Created:	2021-04-19
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## "Ordinance 21-12 Utility Easement From Benjamin Kawagley - Bethel Avenues Piped Project- w map" History

 Document created by Lori Strickler (lstrickler@cityofbethel.net)

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 Agreement completed.

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