

Draft
1/15/74

CITY OF BETHEL, ALASKA
ORDINANCE NO. 63

AN ORDINANCE ENABLING THE CITY OF BETHEL TO EXERCISE THE POWER OF EMINENT DOMAIN AND DECLARATION OF TAKING FOR ACQUISITION OF CERTAIN LAND AND IMPROVEMENTS FOR THE BROWN'S SLOUGH BETHEL SMALL BOAT BASIN CONSTRUCTION AND MAINTENANCE.

WHEREAS, the City of Bethel has heretofore entered into a cooperative agreement with the United States Corps of Engineers for the construction of a small boat basin in Brown's Slough within the City of Bethel, and,

WHEREAS, City of Bethel participation in the small boat basin project requires the City to contribute the land necessary for the project as a part of the City's share of the project, and

WHEREAS, certain parcels of land necessary for the small boat basin construction and maintenance cannot be obtained by negotiated purchase and the project demands require that the parcels of land described in Schedule "A" of this Ordinance be acquired through the actions of Eminent Domain and Declaration of Taking, and,

WHEREAS, the City of Bethel has proceeded in accordance with the requirements of A.S. 29.73.020 and has received the formal approval of State of Alaska Department of Community and Regional Affairs to exercise the power of Eminent Domain and Declaration of Taking on the Schedule "A" parcels.

NOW, THEREFORE, the City of Bethel ordains:

1. That fee simple title to those parcels of land listed on Schedule "A" attached hereto and incorporated herein shall be acquired by the City of Bethel for use in the construction and maintenance of the project known as Bethel Small Boat Basin and located in the Brown's Slough area in Bethel, Alaska.

2. The City of Bethel shall acquire fee simple title to the said Schedule "A" parcels of land by the exercise of Eminent Domain and Declaration of Taking pursuant to the requirements of the pertinent Alaska Statutes and Alaska Rules of Civil Procedure.

3. That the Council of the City of Bethel shall call a special election for the purpose of submitting this ordinance to the qualified voters of the City for their approval or rejection. The special election shall be called and held in accordance with the requirements of the election ordinance of the City of Bethel and any pertinent provisions of the Alaska Statutes as they may apply.

Passed and approved by the Council of the City of Bethel on the ____ day of _____, 1974.

MAYOR

ATTEST

Bethel City Clerk