

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2014-13

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE DISPOSAL OF MUNICIPAL PROPERTY, IDENTIFIED IN THE ORDINANCE AS PARCEL A, FOR USE AS A PUBLIC DRIVEWAY AND ACCESS EASEMENT

BE IT ENACTED BY THE DILLINGHAM CITY COUNCIL:

Section 1. Authority. This ordinance is adopted pursuant to authority granted by DMC 5.30.080(A) and 5.30.100.

Section 2. Classification. This is a non-Code ordinance.

Section 3. Authorization of Public Access Easement. The City Council hereby authorizes the dedication of an easement across the property described below for use as a public driveway and access right of way as described in the attachment hereto labeled as Exhibit A.

Section 4. Legal Description. The Property to be dedicated is a driveway access easement through a parcel of land described by Quit Claim Deed QCD 454. The access easement is labeled Parcel A on the Attached Exhibit A and will be referenced as Parcel A in the body of the legal description.

Commencing at a 3 inch aluminum cap recovered at the Northwest corner of a parcel of land described in quit claim deed QCD 454 the true Point of Beginning; thence South 07°14'21" East; along the westerly property line of QCD 454, a distance of 149.23 feet to the North edge of the DOT right-of-way easement described in PLO 2132 being the Southwest corner of Parcel A; thence North 89°58'19" East, along the Northern edge of the DOT right-of-way easement a distance of 50.40 feet to the Southeast corner of Parcel A; thence North 07°14'21" West along the eastern boundary of Parcel A, a distance of 149.28 feet to the North property line of QCD 454 being the Northeast corner of Parcel A; thence South 89°54'36" West along the North property line of QCD 454, a distance of 50.39 feet to the Northwest corner of Parcel A being the Point of Beginning;

("the Property"), containing 0.1713 Acres (7,461.82 square feet), more or less, as shown on attached Exhibit A.

Section 5. Findings. The City Council hereby finds that the dedication is for a public purpose; namely, the provision of improved access by the public to various properties described in the easement and referenced as the Benefitted Properties.

Section 6. Type of Disposal. A non-exclusive right in the general public to use the Property for purposes of access, ingress and egress to the Benefitted Properties.

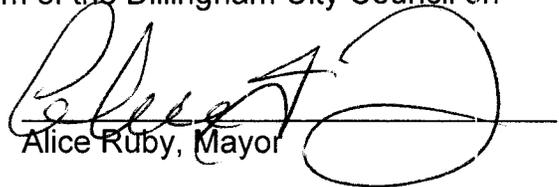
Section 7. Value of City's Interest. Based on the current uses of the surrounding parcels, the Property, and the platting requirements of the same, the Property is believed to have value primarily or only for access purposes. The property is already used for access, and the City retains ownership of the property and the ability to use and access it in the interest of the public. The value of the City's disposed interest is, therefore, minimal.

Section 8. Time Place and Manner in Which Disposal Shall Occur. Disposal shall occur immediately upon approval of this ordinance at the regularly scheduled City Council meeting of August 7, 2014, which will be held after the thirty (30) day notice provision of DMC 5.30.030 has been met.

Section 9. Effective Date. This ordinance is effective upon adoption.

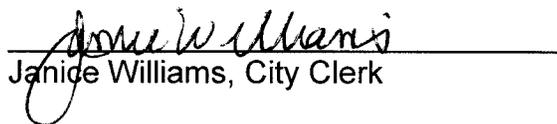
PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on

August 7, 2014


Alice Ruby, Mayor

ATTEST:

[SEAL]


Janide Williams, City Clerk



City of Dillingham Information Memorandum

Agenda of: August 7, 2014

Attachment to: 2014-13
Ordinance No. _____ / Resolution No. _____

Subject:

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE DISPOSAL OF MUNICIPAL PROPERTY, IDENTIFIED IN THE ORDINANCE AS PARCEL A, FOR USE AS A PUBLIC DRIVEWAY AND ACCESS EASEMENT

Rose Loefer

City Manager: Recommend Approval

Signature: _____

| Route to | Department Head | Signature | Date |
|----------|-----------------------|--------------------|----------------|
| | Finance Director | | |
| | Public Works Director | | |
| X | Planning Director | <i>Jody Sietz</i> | <i>7/17/14</i> |
| X | City Clerk | <i>J. Williams</i> | <i>7/15/14</i> |

Fiscal Note: Yes No

Funds Available: Yes No

Other Attachments:

- Map of Parcel A
- Map of Alaska State Land Survey No. 2005-51

Summary Statement:

This ordinance is to dedicate Parcel A as a public driveway and access easement for property to be granted to the City for a community building. The property would otherwise be landlocked. The dedication of this and the easement called Parcel B on Ordinance No. 2014-14 will allow the ASLS 2005-51 to proceed to recording these easements and including them in the final plat ASLS 2005-51. Once the easements are officially recorded, the Planning Commission can take up the final plat for this state land grant.

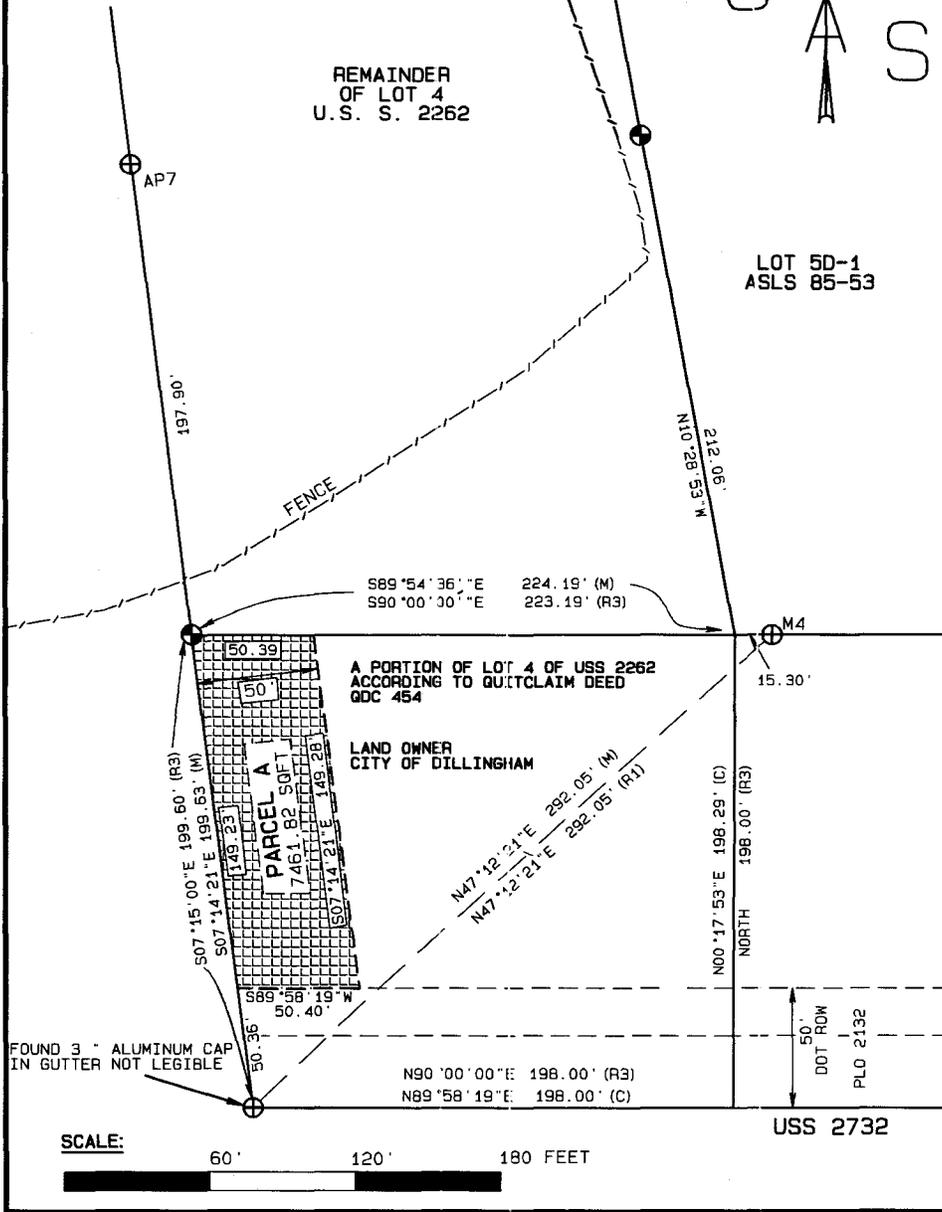
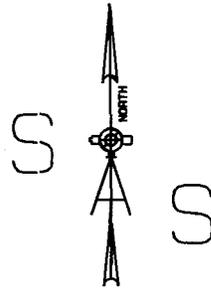
Ordinance No. 2014-13 / Resolution No. _____

Summary Statement continued:

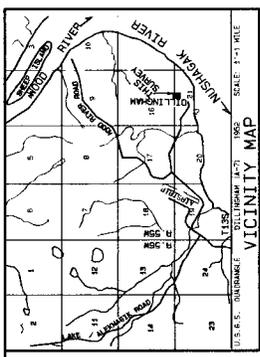
EXHIBIT A

LEGEND:

- ⊕ 3" ALUMINUM CAP MONUMENT RECOVERED
- ⊙ 2" ALUMINUM CAP RECOVERED
- (R3) RECORD DATA QUIT CLAIM DEED GDC 454
- (MEAS) MEASURED
- (CALC) CALCULATED



| | |
|---|--|
| <p>RIGHT OF WAY EASEMENT FOR ROAD ACCESS</p> | |
| <p>PARCEL A IS A PORTION OF QUIT CLAIM DEED GDC 454 WHICH IS A PORTION LOT 4 OF U.S.S.2262</p> | |
| <p>LOCATED IN SECTION 21, TOWNSHIP 13 SOUTH, RANGE 55 WEST, SEWARD MERIDIAN ALASKA WITHIN THE BRISTOL BAY RECORDING DISTRICT</p> | |
| <p>PREPARED BY:</p> <p style="text-align: center;">SOUTHWEST ALASKA SURVEYING 2800 N. PARK DRIVE WASILLA, ALASKA 99654 PHONE 907-373-1607</p> | <p>DATE OF SURVEY:</p> <p style="text-align: center;">BEGINNING 5-24-2007 ENDING 9-10-2008</p> |
| DATE: 4-24-14 | SCALE: 1"=60' |



VICINITY MAP
U.S.G.S. QUADRAKES 4-7, 1962 SCALE 1:25,000

LEGEND

- 1. BRASS CAP OR 1/4" DIA. PINNACLES RECORDED
- 2. 1/4" ALUMINUM CAP OR 1/4" PIPE 24" LONG SET THIS SURVEY
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SCALE
1 INCH = 20 FEET
1:25,000

DATE OF SURVEY
2005-51

SURVEYOR
STATE OF ALASKA SURVEYING BOARD
JERRY L. HARRIS, P.E.
ANCHORAGE, ALASKA

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF MINING, LAND AND WATER
ANCHORAGE, ALASKA

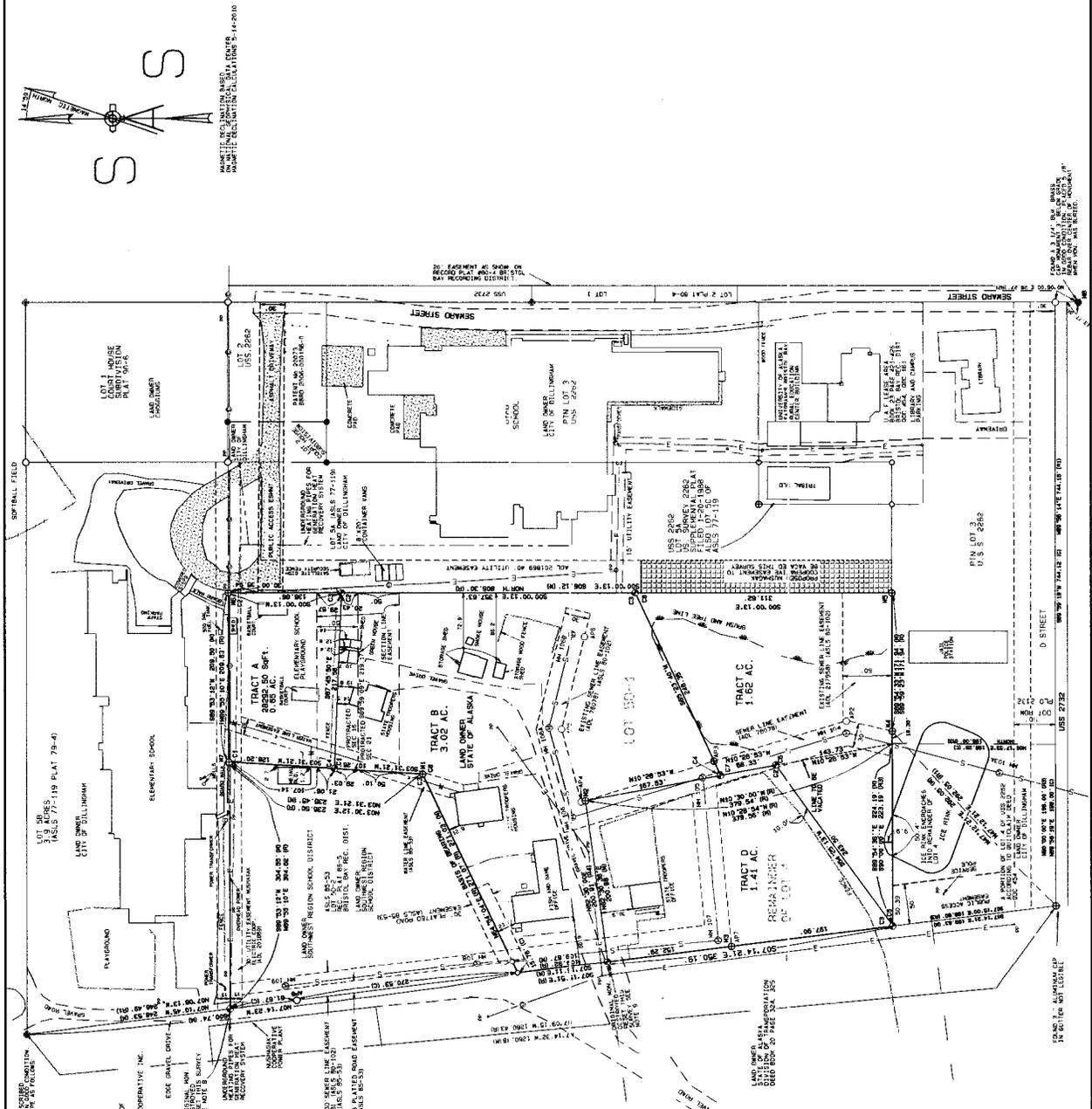
ALASKA STATE LAND SURVEY NO. 2005-51
ANCHORAGE DISTRICT OF LOT 4, ASLS 77-19
CREATING TRACTS A, B, C AND D
SOUTHWEST QUARTER OF SECTION 16, T11N, R14W, S1
THROUGH THE PORTION OF LOT 4 OF ASLS
30-FOOT WIDE PUBLIC ACCESS EASEMENT THE
COURT HOUSE SUBDIVISION BRISTOL BAY PLAT
BRISTOL BAY PLAT AD 79-4.

LOCATED WITHIN ASLS 15
T11N R14W S1
TRANSFERRED TO SEWARD DISTRICT
SEWARD MERIDIAN, ALASKA

APPROVAL RECORDS
BRISTOL BAY RECORDING DISTRICT

CREATED BY: JERRY L. HARRIS, P.E.
DATE: 12/27/11
SCALE: 1"=40'

FILE NO. 20050001



TRACT C LAND OWNER TABLE

| TRACT C LAND OWNER | ACRES |
|--------------------|-------|
| ALASKA STATE | 1.41 |

MONUMENT ACCESSORIES USED THIS SURVEY

| MONUMENT ACCESSORY | BEARINGS | DISTANCE |
|--------------------|----------------|----------|
| A | 189° 15' 00" W | 20.73 |
| B | 57° 24' 15" E | 41.5 |
| C | 81° 23' 00" E | 10' |
| D | 93° 18' 15" E | 36.3 |
| E | 54° 58' 00" E | 6.5 |
| F | 63° 58' 00" E | 40.5 |
| G | 54° 58' 00" E | 36.3 |
| H | 53° 57' 30" N | 19.33 |
| I | 142° 02' 30" W | 11.5 |
| J | 142° 02' 30" W | 11.5 |
| K | 142° 02' 30" W | 11.5 |
| L | 142° 02' 30" W | 11.5 |
| M | 142° 02' 30" W | 11.5 |
| N | 142° 02' 30" W | 11.5 |
| O | 142° 02' 30" W | 11.5 |
| P | 142° 02' 30" W | 11.5 |
| Q | 142° 02' 30" W | 11.5 |
| R | 142° 02' 30" W | 11.5 |
| S | 142° 02' 30" W | 11.5 |
| T | 142° 02' 30" W | 11.5 |
| U | 142° 02' 30" W | 11.5 |
| V | 142° 02' 30" W | 11.5 |
| W | 142° 02' 30" W | 11.5 |
| X | 142° 02' 30" W | 11.5 |
| Y | 142° 02' 30" W | 11.5 |
| Z | 142° 02' 30" W | 11.5 |

FRAME NO. 1 ALASKA STATE
IN BRISTOL BAY DISTRICT

FRAME NO. 2 ALASKA STATE
IN BRISTOL BAY DISTRICT

FRAME NO. 3 ALASKA STATE
IN BRISTOL BAY DISTRICT

FRAME NO. 4 ALASKA STATE
IN BRISTOL BAY DISTRICT

FRAME NO. 5 ALASKA STATE
IN BRISTOL BAY DISTRICT

FRAME NO. 6 ALASKA STATE
IN BRISTOL BAY DISTRICT