

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2014-14

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE DISPOSAL OF MUNICIPAL PROPERTY, IDENTIFIED IN THE ORDINANCE AS PARCEL B, 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. Legal Description of a road access easement through Lot 2 of U.S.S. 2262, Lot 2 of record plat 90-6 and Lot 5A of record plat 79-4 of the Bristol Bay Recording District. The access easement is labeled Parcel B on the Attached Exhibit A and will be referenced as Parcel B in the body of the legal description.

Commencing at a 2 inch aluminum cap survey monument recovered at the Northwest corner of Lot 5A of ASLS 77-119 (record plat 79-4); thence South 00°00'13"W along the West property line of Lot 5A, a distance of 35.94 feet to the Northwest corner of Parcel B the True Point Of Beginning; thence South 89°35'41" East along the North edge of Parcel B, a distance of 160.17 feet to the West property line of Lot 2 of record plat 90-6; thence South 89°35'41" East along the North edge of Parcel B, a distance of 50.19 feet to the West property line of Lot 2 of U.S.S. 2262; thence South 89°35'41" East along the North edge of Parcel B a distance of 147.61 feet to the East property line of Lot 2 of U.S.S. 2262, being the Northeast corner of Parcel B; thence South 00°00'00" West along the East property line of Lot 2 of U.S.S. 2262, a distance of 30.00 feet to the Southeast corner of Parcel B; thence North 89°35'41" West along the South edge of Parcel B, a distance of 50.23 feet to the east property line of Lot 5A of ASLS 77-119; thence North 89° 35'41" West along the South edge of Parcel B, a distance of 160.29 feet to the West property line of Lot 5A of ASLS 77-119 being the Southwest corner of Parcel B; thence North 00°00'13" West along the West property line of Lot 5A, a distance of 30.00 feet to the True Point of Beginning.

("the Property"), containing 0.2465 Acres, 10,737.54 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 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 accordingly, this dedication is not believed to cost the City anything in terms of lost land or real property value. The City also 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 or non-existent.

Section 8. Time Place and Manner in Which Disposal Shall Occur. Disposal of the interest 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]


Janice Williams, City Clerk



City of Dillingham Information Memorandum

Agenda of: August 7, 2014

Attachment to: 2014-14
Ordinance No. _____ / Resolution No. _____

Subject:

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

City Manager: Recommend Approval

Signature: *Rose Koern*

Route to	Department Head	Signature	Date
	Finance Director		
	Public Works Director		
X	Planning Director	<i>Jody Sitt</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 B
- Map of Alaska State Land Survey No. 2005-51

Summary Statement:

This ordinance is to dedicate Parcel B 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 A on Ordinance No. 2014-13 will allow the ASLS 2005-51 to proceed to recording these easements and including them in the final plat of ASLS 2005-51. Once the easements are officially recorded, the Planning Commission can take up the final plat for this state land grant.

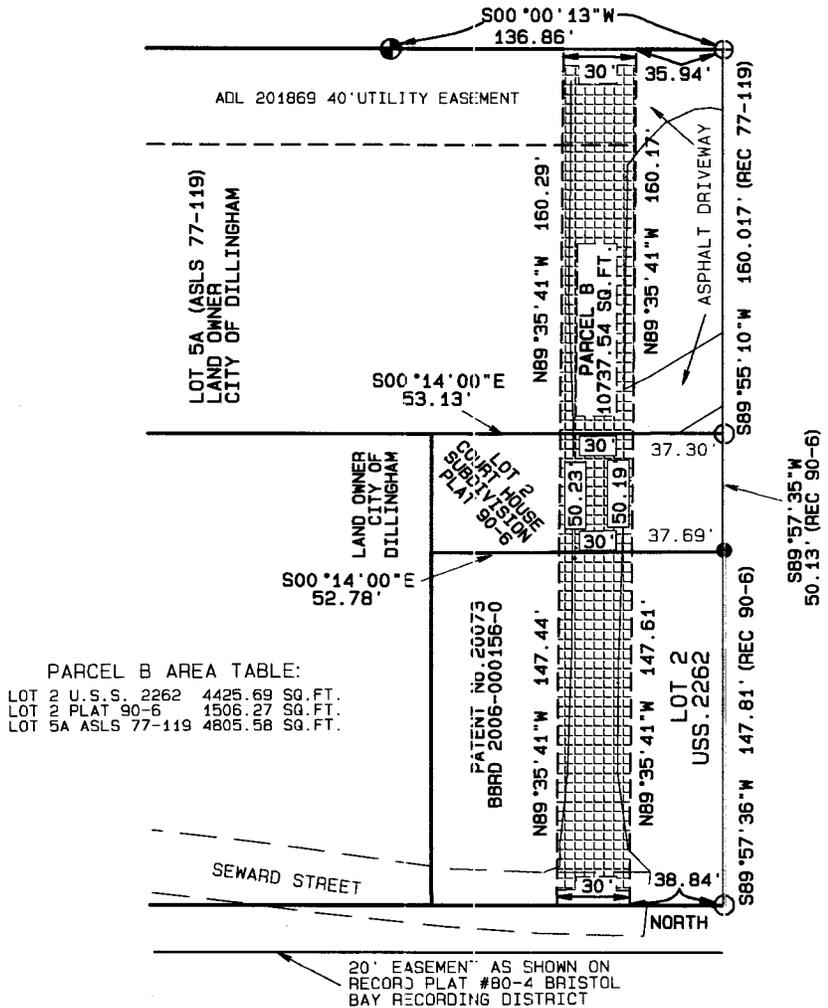
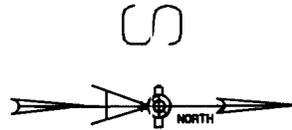
Ordinance No. 2014-14 / Resolution No. _____

Summary Statement continued:

EXHIBIT A

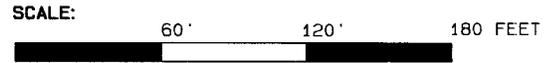
LEGEND:

- ⊕ 3 1/4" ALUMINUM RECOVERED
- ⊕ PRIMARY MONUMENT RECOVERED
- PRIMARY MONUMENT OF RECORD
- SECONDARY MONUMENT RECOVERED
- SECONDARY MONUMENT OF RECORD (2" ALUMINUM CAP)
- (REC) RECORD DATA



PARCEL B AREA TABLE:

LOT 2 U.S.S. 2262	4425.69 SQ.FT.
LOT 2 PLAT 90-6	1506.27 SQ.FT.
LOT 5A ASLS 77-119	4805.58 SQ.FT.



RIGHT OF WAY EASEMENT FOR ROAD ACCESS:

PARCEL B IS A PORTION OF LOT 2 OF U.S.S.2262, LOT 2 OF RECORD PLAT 90-6 AND LOT 5A OF RECORD PLAT 79-4

LOCATED IN SECTION 16, TOWNSHIP 13 SOUTH, RANGE 55 WEST, SEWARD MERIDIAN ALASKA WITHIN THE BRISTOL BAY RECORDING DISTRICT

<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>
<p>DATE: 4-25-2014 SCALE: 1"=60'</p>	

FOUND 4" CAPED AND SCRIBED
IRON PIPE MONUMENT AT THE FOLLOWING
SOUTH POINT OF THE 45' WIDE
EASEMENT ON THE SOUTH SIDE
OF THE NORTH EAST SIDE

A PORTION OF
USS 2262
LAND OWNER
MCCORMACK COOPERATIVE INC.

OSCIAN NON
DESIGNED
SET THIS SURVEY
SEE NOTE B

UNDERGROUND
HEATING PIPES FOR
GENERATION HEAT
RECOVERY SYSTEM

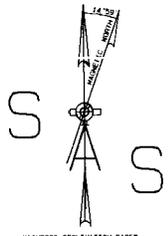
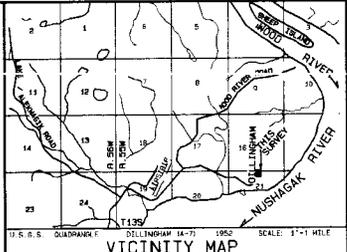
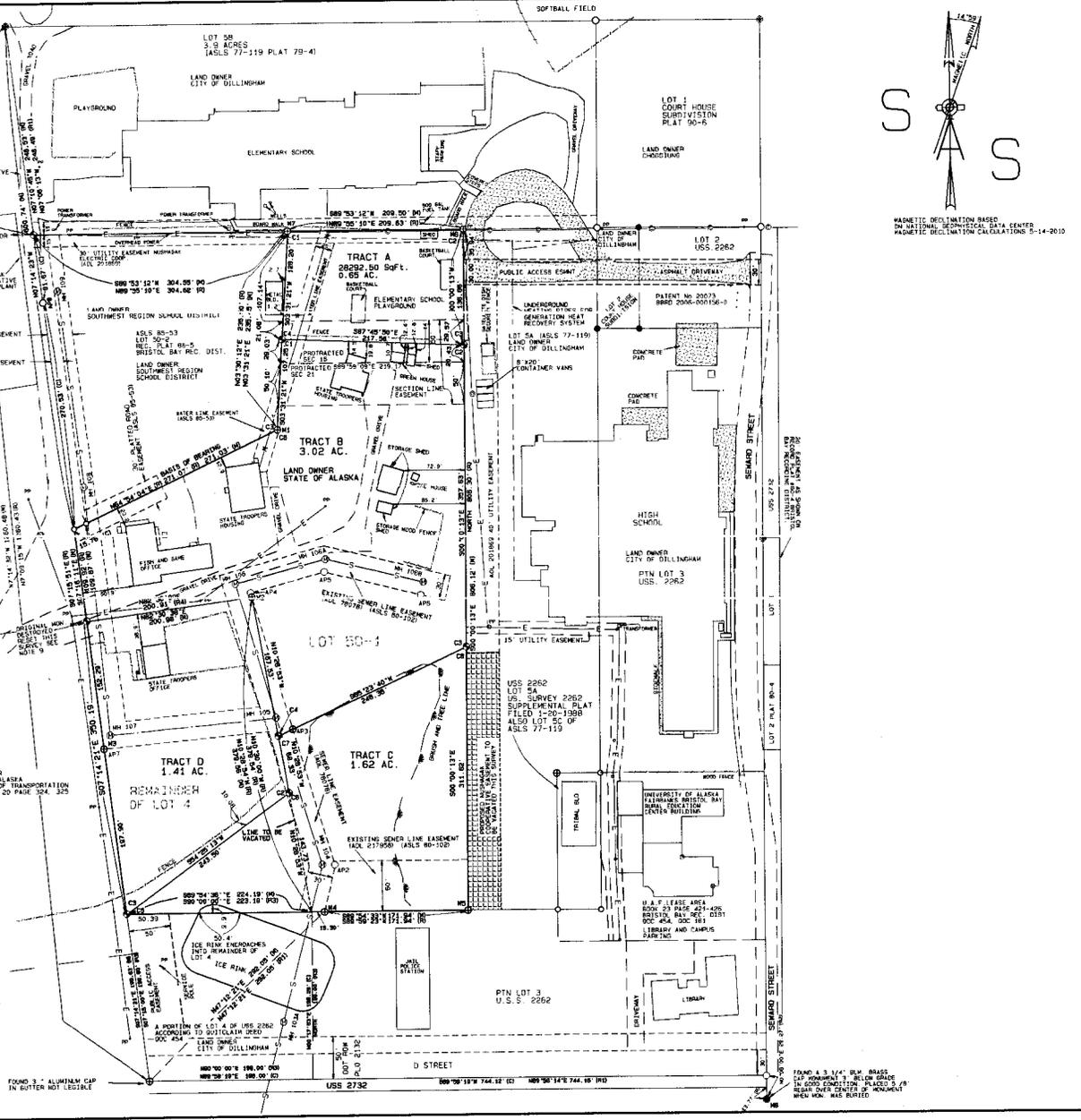
MCCORMACK
COOPERATIVE INC
POWER PLANT

EXISTING 30' BARRIERS
EASEMENT
EXTENDED (ASLS 85-53)

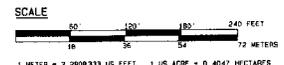
15' PLATED ROAD EASEMENT
ASLS 85-53

WATER LINE EASEMENT
ASLS 85-53

STATE PROPERTY
OFFICE



- LEGEND**
- 1 1/4" R.L.M. BRASS CAP ON 4" PIPE MONUMENT RECOVERED
 - 3 1/4" R.L.M. BRASS CAP ON RECORD
 - ⊙ PRIMARY MONUMENT RECOVERED
 - PRIMARY MONUMENT OF RECORD
 - SECONDARY MONUMENT RECOVERED
 - SECONDARY MONUMENT OF RECORD
 - SECONDARY MONUMENT OF RECORD 12" ALUMINUM CAP
 - (R) RECORD DATA (REC. PLAT 87-28) RECOVERED IN THE BRISTOL BAY REC. DIST.
 - (R1) RECORD DATA (ASLS 77-119, REC. PLAT 79-4)
 - (R2) RECORD DATA (DOC 454)
 - (R3) RECORD DATA (ASLS 85-53)
 - (M) MONUMENT
 - (M) MONUMENT NUMBER PER ASLS 80-102 REC. PLAT 85-2
 - (P) POWER POLE
 - (H) HEAVENED
 - UNRECOVERED
 - RECOVERED
 - CHAIN LINK FENCE
 - WATER LINE
 - OVERHEAD WIRE
 - POWER LINE
 - PORTION OF USS 2262 LOT 4 AND ASLS 85-53 LOT 50-1 PROPERTY LINE TO BE VACATED BY THIS PLAT



DATE OF SURVEY: 5/24/08
SURVEYOR: SOUTH ALASKA SURVEYING
BRISTOL BAY REC. DIST. WASTILA, AK 99854

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

ALASKA STATE LAND SURVEY NO. 2005-51

A SUBDIVISION OF LOT 50-1 ASLS 85-53 AND THE REMAINDER OF LOT 4, USS 2262 CREATING TRACTS A, B, C, AND D CONTAINING 6.70 AC AND DEDICATING A 50 FOOT WIDE PUBLIC ACCESS EASEMENT THROUGH THE PORTION OF LOT 4 OF USS 2262 ACCORDING TO DOC 454 AND A 30 FOOT WIDE PUBLIC ACCESS EASEMENT THROUGH LOT 2 OF USS 2262, LOT 2 OF THE COURT HOUSE SUBDIVISION, BRISTOL BAY PLAT NO. 80-1 AND LOT 5A OF ASLS 77-119, BRISTOL BAY PLAT NO. 79-4.

LOCATED WITHIN SURVEY SECTIONS 18 AND 21 TOWNSHIP 13 SOUTH, RANGE 55 WEST SEWARD MERIDIAN, ALASKA

BRISTOL BAY RECORDING DISTRICT

APPROVAL RECOMMENDED

DRAWN BY: JASON D CONNOR
DATE: 4/24/14
BY: STAFFORD PLATTING SUPERVISOR
DATE

CHECKED: C.M.O.
FILE NO: ASLS 2005051

TRACT C LAND OWNER TABLE

LAND OWNER	AREA
STATE OF ALASKA	1.41 ACRES
STATE OF ALASKA	1.256 ACRES

MONUMENT ACCESSORIES USED THIS SURVEY

TRACT	OWNER	ACCESSORY	BEARING	DISTANCE
A	C3	NO. 100 P40	089°15' W	20.73
A	C4	3" AL. CAP ON 4" PIPE	57°24' E	35.8
A	C4	3" AL. CAP ON 4" PIPE	51°33' N	10'
A	C4	3" AL. CAP ON 4" PIPE	53°18' E	30.3
A	C4	3" AL. CAP ON 4" PIPE	544°35' W	5.9'
B	C3	10" SPR. B1	825°59' E	40.5
B	C3	10" SPR. B1	483°04' W	28.6
B	C3	10" SPR. B1	244°06' E	28.6
B	C4	3" AL. CAP ON 4" PIPE	563°57' W	19.33
B	C4	3" AL. CAP ON 4" PIPE	410°29' N	58.3
B	C4	3" AL. CAP ON 4" PIPE	244°29' E	21.24
B	C6	15" NUB NEIGH. P40	57°15' E	30.94
B	C6	15" NUB NEIGH. P40	253°25' W	70.4'
B	C6	15" NUB NEIGH. P40	464°11' N	72.4'
C	C5	SERVICE POLE	463°30' W	73.3
C	C5	POWER POLE	377°50' E	15.8'
C	C5	POWER POLE	856°05' W	18.5'
C	C6	3" AL. CAP ON 4" PIPE	510°28' 03" E	68.33
C	C6	3" AL. CAP ON 4" PIPE	154°29' 13" E	20.3'
C	C6	3" AL. CAP ON 4" PIPE	162°43' N	33.7'

FOUND 3" ALUMINUM CAP IN GUYOT NOT LEGIBLE

FOUND 4 3/4" R.L.M. BRASS CAP MONUMENT BELONGING TO THE STATE OF ALASKA. MONUMENT WAS OVER 100 FEET DEEP AND WAS BURIED