

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2012-44

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING A GRANT OF EASEMENT TO THE STATE OF ALASKA FOR THE IMPROVEMENT OF KANAKANAK ROAD

WHEREAS, the State of Alaska is planning to improve Kanakanak Rd. from Squaw Creek to the Kanakanak Hospital using federal funds; and

WHEREAS, a certain parcel of City owned property is needed to replace and extend the existing although damaged culvert located approximately five miles southwest of "Downtown" Dillingham; and

WHEREAS, a bona fide appraisal has placed the value of the easement right at six cents per square foot for a total value of three hundred twenty-five dollars; and

WHEREAS, the City Municipal Code section 5.30.040 (D) allows granting or dedication of real property rights, including easements, to a state entity without offering the property for public sale; and

WHEREAS, the City will continue to own without reservation the balance of the adjacent parcel consisting of 22.46 acres;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Dillingham City Council hereby authorizes the Mayor or City Manager to execute any and all documents necessary to provide granting of the easement identified as E-2 of the Federal-Aid Project STP-0411(8) with a value of \$325.00.

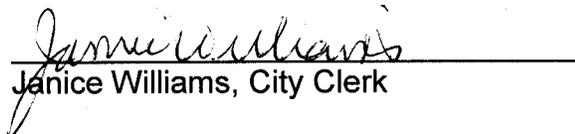
PASSED and ADOPTED by the Dillingham City Council on Aug. 9, 2012.

SEAL:



Alice Ruby, Mayor

ATTEST:



Janice Williams, City Clerk

Subject: A Resolution of the Dillingham City Council Authorizing a Grant of Easement to the State of Alaska for the Improvement of Kanakanak Road

Agenda of: August 9, 2012

Council Action:

Manager: Recommend approval.
City Manager: Rose Loera
Rose Loera, City Manager

Route To:	Department / Individual	Initials	Remarks
X	Project Mgr / Steve Cropsey		
X	Public Works Director / Malcolm Brown	<i>MB</i>	
X	Planner / Jody Seitz	<i>JS</i>	
X	Finance / Carol Shade	<i>CS</i>	
X	City Clerk / Janice Williams	<i>JW</i>	

Fiscal Note: Yes _____ No X Funds Available: Yes _____ No _____

- Other Attachment(s):**
- Copy of letter from DOT dated July 24, 2012

Summary Statement.

There is no cost associated to the City with passage of this Resolution, in fact the City will be paid \$325.00 for this easement.

Comments from Project Manager Steve Cropsey:

The existing culvert is damaged. The State needs additional area to access the culvert in order to replace and extend it. Replacement of the culvert will enhance the value of the remaining City owned parcel, which has an area of 22.46 acres. The State has provided an appraisal using three comparable sales, which support the fair market value of the easement being conveyed at six cents per sq. ft. The easement being granted is triangular in shape, approximately 185 feet long by 50 feet deep, and does not negatively impact the City's remaining parcel. Improving the Kanakanak roadway surface certainly does benefit all users in the area.

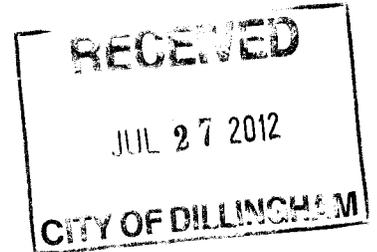
STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

DESIGN & ENGINEERING SERVICES DIVISION
CENTRAL REGION - RIGHT OF WAY SECTION

SEAN PARNELL, GOVERNOR

4111 AVIATION AVENUE
P.O. BOX 196900
ANCHORAGE, AK 99519-6900
(907) 269-0700 (FAX 269-0828)
(TDY 269-0473) 1-800-770-5263



July 24, 2012

CERTIFIED MAIL RETURN RECEIPT
91 7108 2133 3939 4147 6069

Mr. Steve Cropsey, Interim City Manager
City of Dillingham
P. O. Box 889
Dillingham, AK 99576

Re: Kanakanak Road
Project #52458
Request for Easement
Project Parcel No. E-2

Dear Mr. Cropsey:

As you may be aware, the State of Alaska, Department of Transportation and Public Facilities (DOT&PF) plans to improve the Kanakanak Road. This letter briefly explains the project and discusses the need for an easement on your property, for a work area to remove & install a drainage pipe and headwall next to the road right of way. The enclosed brochure, "Acquiring Real Property for Federal and Federal-Aid Programs and Projects", will provide information about the right of way acquisition procedures and your rights.

The Project

This federally funded project provides new paving along Kanakanak Road, from Squaw Creek to the hospital. This portion of the project has revealed a failed culvert and need for improved drainage, under the roadway.

Easement E-2

An easement on your property is needed to provide a sufficient work area for the existing pipe to be removed and a new headwall and pipes to be place for necessary drainage. This easement is an area triangular shaped 50 feet deep by approximately 185 feet long, along the Kanakanak Road containing 5,893 square feet.

Parcel E-2 creates an easement interest on your property; considered to reduce the value by 90% of the property's usefulness. A Waiver Valuation for this temporary easement has been completed, reviewed, and approved (copy enclosed). DOT&PF uses this appraisal format for parcels that are estimated to have a value less than \$10,000.

Based on the approved Waiver Valuation, just compensation for Parcel E-2 is determined to be \$325.00. This is for the value of the whole easement affecting your parcel.

The documents necessary to complete this easement acquisition on your property are enclosed and include:

- (1) A Memorandum of Agreement (MOA): the MOA puts the details of the transaction in writing.
- (2) An Easement: with attached Plat: This document will be used to convey the needed easement rights in the property. The Plat attached to it as Exhibit A represents the specific easement area.
- (3) A Purchase Voucher. The Purchase Voucher is needed to order payment. The Internal Revenue Service requires that we report sale proceeds. To help us with this, please include a social security or Taxpayer Identification Number on the Purchase Voucher where highlighted.

If everything appears to be in order, please sign all documents where indicated, have the easement document notarized, and return them to me in the attached postage paid envelope. I will forward you a complete package of all the documents when I have all required signatures.

Please call me if you have any questions. I can be reached at 1-800-770-5263, x0675 or via email at karen_michaelson@ak.gov.

Sincerely,



Karen Michaelson
Right of Way Agent

Enclosures: As stated above