

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2012-46

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING THE EXCHANGE OF EASEMENTS BETWEEN CHOGGIUNG LTD. AND THE CITY OF DILLINGHAM

WHEREAS, the City of Dillingham required an easement from Choggiung for the construction of the new force main which will serve to transport most of the City's wastewater to the City's wastewater treatment plant across and under Choggiung Ltd. owned land; and

WHEREAS, Choggiung Ltd wants to construct a wastewater conveyance line from the Court House to a point of connection of the City's sewer system across and under City owned land and which pipeline and appurtenances will be owned and maintained by, Choggiung Ltd.; and

WHEREAS, neither easement will include any surface rights and are determined to be of equivalent value; and

WHEREAS, the City Municipal Code section 5.30.040 (D) allows such an exchange when it is beneficial to and in the public interest; and

WHEREAS, Choggiung LTD. will provide "As built" drawings of the actual location and depth of the line along an alignment approved by City Staff in cooperation with Dillingham School District Administration; and

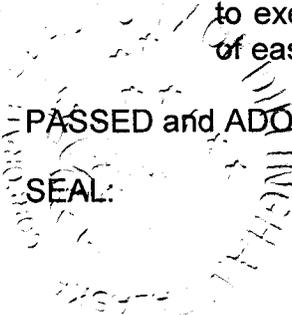
WHEREAS, it is the public interest for both wastewater issues to be resolved; and

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 for the exchange of easements to accomplish the goals established herein.

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

SEAL:





Alice Ruby, Mayor

ATTEST:



Janice Williams, City Clerk

Subject: A Resolution of the Dillingham City Council authorizing the exchange of easements between Choggiung Ltd. and the City of Dillingham

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	SC	
X	Public Works Director / Malcolm Brown	MB	
X	Planner / Jody Seitz	JS	
X	City Clerk / Janice Williams	JW	

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

Other Attachment(s): None

Summary Statement.

Comments from Project Manager Steve Cropsey:

The values of the easements are determined to be of equal value to the parties needing the easement from the other party. The City needs the easement from Choggiung LTD. for the construction of the relocated force main. Choggiung needs an easement to the City's sewer system in order to run a sewerage disposal line. Neither easement includes surface rights as each line will be HDPE welded line. By Choggiung LTD. installing this line will eliminate the current courthouse-holding tank and the truck haul of wastewater to the City's wastewater treatment plant. The Municipal Code allows such an exchange when it is in the "Public interest" DMC 5.30.040 (D). It is in the City's interest and therefore the public interest to relocate the force main avoiding the danger of continued use of the exposed force main on the beach at Snag Point. Choggiung wants to deal with sewerage disposal in a more efficient way than it is now done. The City also prefers to have wastewater conveyed to the treatment plant through a piped conveyance system, which makes Choggiung LTD's desire also in the public interest.

Dillingham School District Administration has been included in the planning for the routing of the Choggiung LTD. sewer line and agrees with the location.