

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-12

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING A LONG TERM ENCROACHMENT OF A ROOF AND A FENCE INTO THE UTILITY EASEMENT ON LOT 6 BLOCK 18 USS 2732AB ON ALASKA STREET**

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WHEREAS, a citizen would like to sell a house he owns on Lot 6, Block 18, USS 2732AB at 306 Alaska Street; and

WHEREAS, the Dillingham City Council approved the vacation of the alley on this lot at its January 10<sup>th</sup> meeting; and

WHEREAS, the City is retaining an easement to service utilities in the easement; and

WHEREAS, there is a fence and a portion of the house's roof which encroach into the easement; and

WHEREAS, neither structure is expected to interfere with City operations; and

WHEREAS, the City Public Works Department and Volunteer Fire and Public Safety Departments do not object to these encroachments; and

WHEREAS, there is no cost to the City for this encroachment permit; and

WHEREAS, in order to sell the property the homeowner requires evidence of assurance that the City will allow these encroachments into its easement;

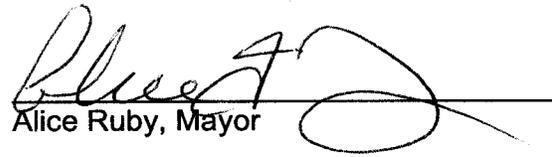
NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the long term encroachment of into the easement on Lot 6 Block 18 USS 2732AB with the following condition, per DMC 12.08.05:

1. The landowner agrees to indemnify the City against any and all claims to persons or property which may grow out of or arise from servicing utilities located within the easement.

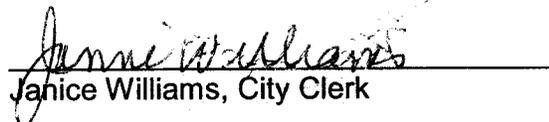
PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on April 11, 2013:

SEAL:



  
Alice Ruby, Mayor

ATTEST:

  
Janice Williams, City Clerk

City of Dillingham Information Memorandum No. R2013-12

**Subject:** A resolution of the Dillingham City Council authorizing a long term encroachment permit for a utility easement located in Lot 6 Block 18 of USS 2732AB, on Alaska Street

Agenda of: April 11, 2013

Council Action:

Manager: Recommend approval.

City Manager: Carol Shade, Acting  
Rose Loera

Route To:	Department / Individual	Initials	Remarks
X	Public Works /		
X	Planning /Jody Seitz	<i>JS</i>	
X	City Clerk / Janice Williams	<i>JW</i>	

Fiscal Note: Yes \_\_\_\_\_ No X Funds Available: Yes \_\_\_\_\_ No \_\_\_\_\_

Other Attachment(s): None

**Summary Statement.**

This resolution is to allow a citizen to maintain a roof which encroaches into the City's utility easement on Alaska Street as well as a fence, which crosses the easement.

The utilities in the area include a sewer line and manhole buried in the easement itself as well as overhead power lines and a utility pole.