

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2014-39

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AUTHORIZING A LONG TERM ENCROACHMENT INTO EMPEROR WAY SOUTH FOR INSTALLATION OF UTILITIES TO TRACT D MISSION SUBDIVISION FOR A NEW COURTHOUSE

WHEREAS, according to Dillingham Municipal Code 12.08.010 an encroachment is considered as any object above ground or below belonging to a private owner other than the municipality which has been or caused to be constructed or located within streets, public rights of way, or other property dedicated to a public use; and

WHEREAS, Nushagak Cooperatives wishes to install utilities along Emperor Way South to serve Tract D of Mission Subdivision; and

WHEREAS, the provision of utilities to the lot is considered a long term encroachment in the public right of way; and

WHEREAS, it is in the public interest to provide these utilities for the construction of the proposed new courthouse by Choggiung Limited;

WHEREAS, the proposed encroachment has been reviewed by the City Public Works Department, Public Safety Department, and Fire Department, as well as Nushagak Cooperatives, with no opposition or further requirements; and

WHEREAS, DMC 12.08 requires City Council and Planning Commission approval for any object belonging to a private owner other than the municipality that is placed in streets, public rights-of-way, or other property dedicated to a public use for longer than one year; and

WHEREAS, per Resolution 2014-10 the Dillingham Planning Commission recommends approval of this long term encroachment;

THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the long term encroachment of utilities on Emperor Way South between Airport Spur Road and Tract D Mission Subdivision, with the following conditions:

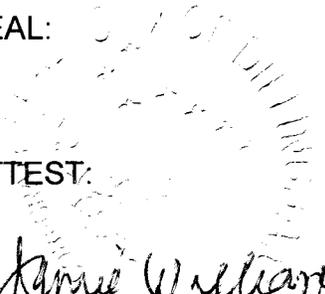
- That Nushagak Cooperatives notify the City of Dillingham Administration, Public Works Department, and the Public Safety Department 48 hours in advance of any work on public lands or in the public rights of way;
- That a new encroachment permit be obtained before the utilities are moved from this location;
- That Nushagak Cooperatives restore the public land or public right of way to this former condition or better after completing the utility installations; and

- That Nushagak Cooperatives provide documentation in the form of as-builts or GPS coordinates, or other reliable information, of the actual location of the installation within one month after construction.

ADOPTED by the Dillingham City Council June 19, 2014.

SEAL:

ATTEST:


Kecia Ruby
Alice Ruby, Mayor

Jarice Williams
Jarice Williams, City Clerk

City of Dillingham Information Memorandum No. R2014-39

Subject: A resolution authorizing a Long Term Encroachment Permit to Nushagak Cooperatives for the installation of utilities on Emperor Way South to Tract D Mission Subdivision

Agenda of: June 19, 2014

Council Action:

Manager: Recommend approval.

City Manager:


Rose Loera

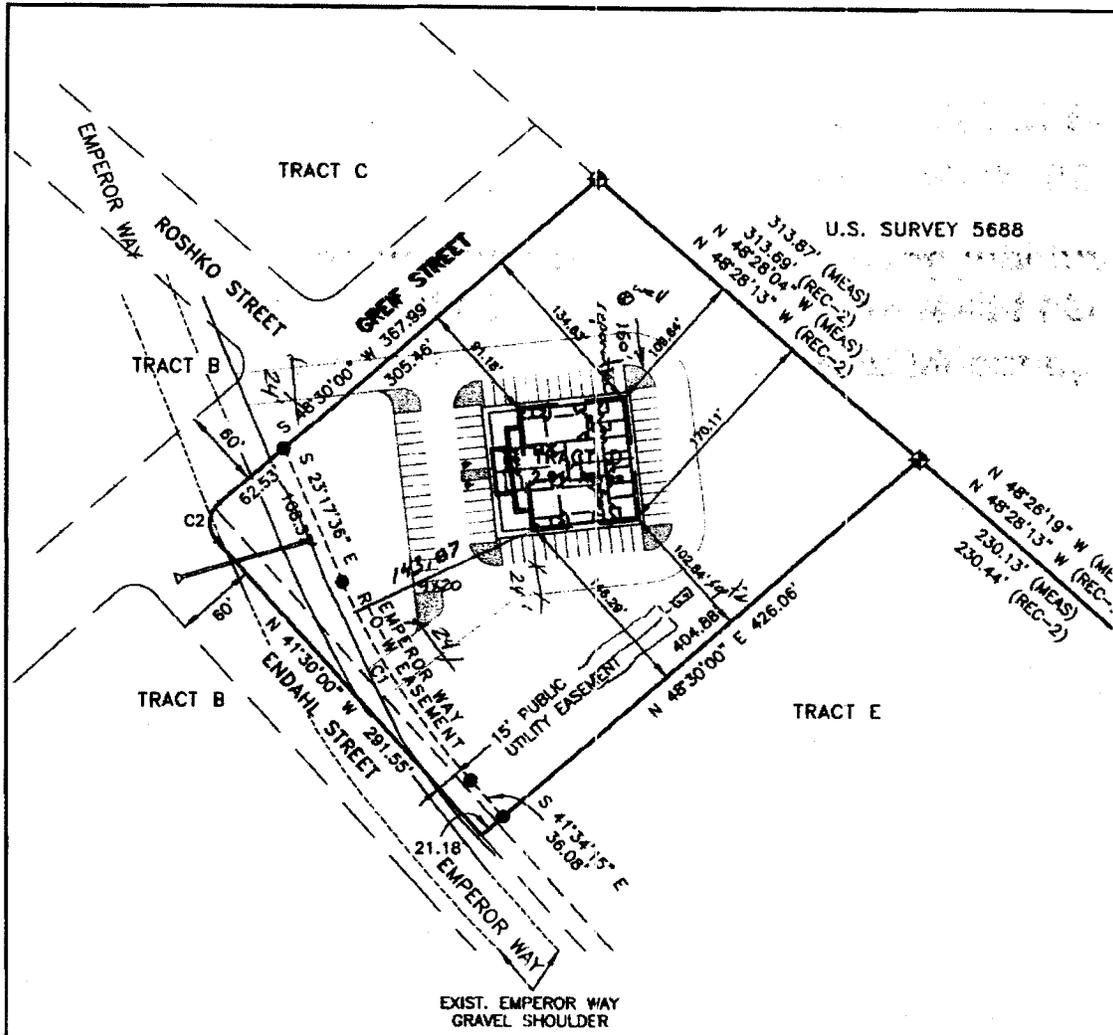
Route To:	Department / Individual	Initials	Remarks
X	Public Works/ Francisco Garcia	TFG	
X	Planning/Jody Seitz	JS	
X	Acting City Clerk / Bernadette Packa	BP	

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

Other Attachment(s): Map

Summary Statement.

This resolution is to allow utility installation within the utility easements on Emperor Way South and Tract D Mission Subdivision to serve the proposed new Courthouse building. Emperor Way South overlies Endahl Street for much of the way from Airport Spur Road to Tract D. Endahl St. also had a utility easement that was not constructed and never vacated.



EXIST. EMPEROR WAY
GRAVEL SHOULDER

U.S. SURVEY 5688

313.87' (MEAS)
N 48°28'04\" W (MEAS)
N 48°28'13\" W (REC-2)

N 48°26'19\" W (MEAS)
N 48°28'13\" W (REC-2)
230.13' (MEAS)
230.44' (REC-2)



12501 OLD SEWARD, D ANCHORAGE, AK 99515
Phone (907) 344-5990 Fax (907) 344-7794

**BUILDING TO LOT LINE DIMENSIONS
TRACT D, MISSION SUBDIVISION**

DRAWN BY: RS	DATE: 4-22-14	FIELD BOOK: N/A
CHECKED BY: TW	SCALE: 1"=100'	SHEET: 1 OF 1

