

Introduced By: Mayor Jerry Cleworth
Date: November 19, 2012

ORDINANCE NO. 5906

**AN ORDINANCE AUTHORIZING RELEASE OF AN
EASEMENT IN PEGER LAKE DEVELOPMENT.**

WHEREAS, the City of Fairbanks acquired a certain easement on May 25, 1995, the same being recorded in Book 928 at Pages 603 through 607, records of the Fairbanks Recording District ("the easement"); and

WHEREAS, said easement comprises a twenty-foot strip of land centered on the lot lines common to Lots 48 and 49, Peger Lake Development Phase II, according to the plat filed July 13, 1993 as Plat No. 93-168, as shown on attached "Exhibit A"; and

WHEREAS, the intended purpose of the easement was to allow installation of pipe into Peger Lake as a water source for a "draft" fire hydrant, because at that time, there was no public water supply for this purpose; and

WHEREAS, since acquiring the easement, sufficient water mains have been installed such that water supply for fire hydrants is now available at this location; and

WHEREAS, the owners of Lots 48 and 49 have requested that the easement be released; and

WHEREAS, the City Fire Marshall has reviewed this easement and determined that it is no longer required for fire protection and can be released; and

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. DETERMINATION: That said easement is no longer necessary for municipal purposes and shall be released.

SECTION 2. MAYORS AUTHORIZATION: That the Mayor is hereby authorized and empowered to execute such documents as necessary to effect release of said easement after Council approval.

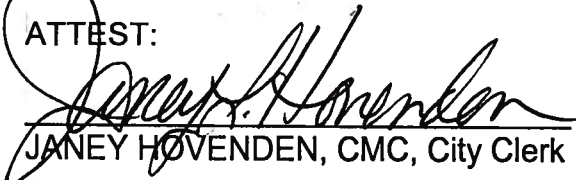
SECTION 3. That the effective date of this ordinance shall be the 8th day of December 2012.



JERRY CLEWORTH, Mayor


AYES: Staley, Matherly, Gatewood, Hilling, Eberhart, Walley
NAYS: None
ABSENT: None
ADOPTED: December 03, 2012

ATTEST:



JANEY HOVENDEN, CMC, City Clerk

APPROVED AS TO FORM:



PAUL EWERS, City Attorney

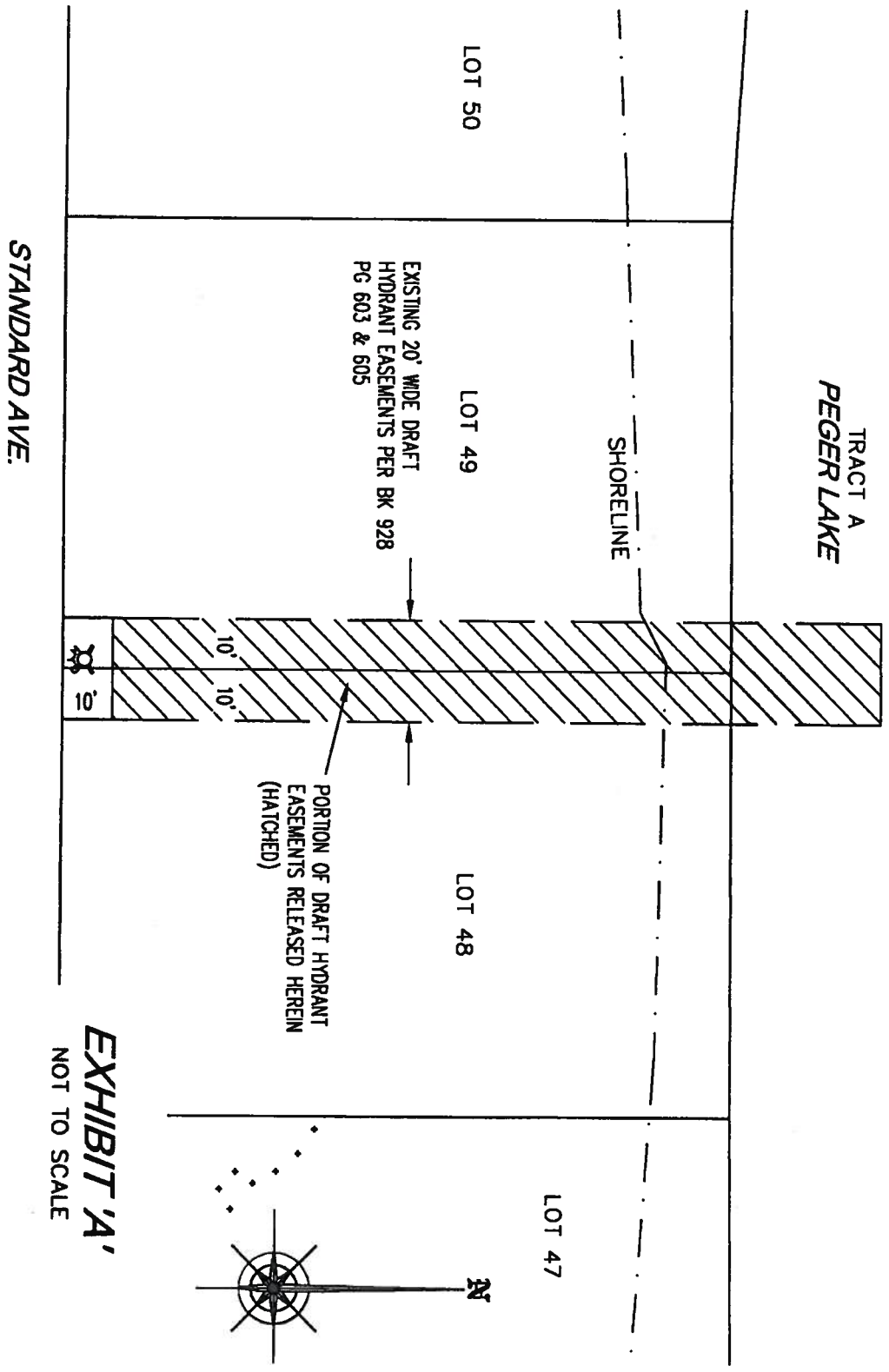


EXHIBIT 'A'
ORDINANCE No. 5806