

Introduced By: Mayor John Eberhart
Date: April 20, 2015

ORDINANCE NO. 5975

**AN ORDINANCE AUTHORIZING RELEASE OF AN
EASEMENT IN LEMETA SUBDIVISION**

WHEREAS, the City of Fairbanks acquired a certain easement on September 11, 1979, the same being recorded in Book 156 at Page 42, records of the Fairbanks Recording District ("the easement"); and

WHEREAS, the easement comprises a fifteen-foot strip of land adjoining the northerly property line of Lot 17, Block 15, Lemeta Subdivision, according to the plat filed October 13, 1948, as Instrument Number 110,341 records of the Fairbanks Recording District, as shown on attached "Exhibit A"; and

WHEREAS, the intended purpose of the 1979 easement was to allow installation of storm drain piping as part of a former City drainage project; and

WHEREAS, in 2014, the City constructed the Lemeta Subdivision Street Improvement Project which included a new, re-designed storm drain system; and

WHEREAS, the current owners of Lot 17 have granted a new easement across the property for new storm drain piping, rendering the 1979 easement obsolete; and

WHEREAS, the current owners have requested that the 1979 easement be released; and

WHEREAS, the 1979 easement serves no further public purpose and should be released.

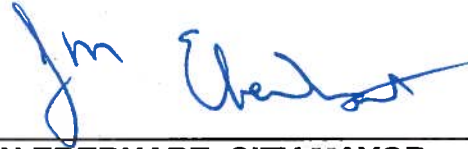
NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. DETERMINATION: That the easement described above and depicted in Exhibit A is no longer necessary for municipal purposes and shall be released.

SECTION 2. MAYOR'S AUTHORIZATION: That the Mayor is hereby authorized and empowered to execute such documents as necessary to effect release of the easement.

SECTION 3. PERMISSIVE REFERENDUM: Any conveyance of real property is subject to the right of the voters, within thirty-days of sale, to reject a sale by permissive referendum under F.G.C. 70-42 and the City Charter.

SECTION 4. That the effective date of this ordinance shall be the 16th day of May 2015.



JOHN EBERHART, CITY MAYOR

AYES: Cleworth, Pruhs, Walley, Staley, Matherly, Gatewood
NAYS: None
ABSENT: None
ADOPTED: May 11, 2015

ATTEST:

APPROVED AS TO FORM:



D. Danyielle Snider, CMC, City Clerk



Paul Ewers, City Attorney