

Introduced by: Mayor Matherly
Date: October 22, 2018

ORDINANCE NO. 6088

**AN ORDINANCE AUTHORIZING CONVEYANCE OF EASEMENT
REQUESTED BY THE ALASKA DEPARTMENT OF TRANSPORTATION
AND PUBLIC FACILITIES FOR THE FAIRBANKS CUSHMAN STREET
BRIDGE PROJECT**

WHEREAS, the Alaska Department of Transportation and Public Facilities (ADOT&PF) has funding for the construction of the Fairbanks Cushman Street Bridge Federal-aid Project #0663012, AKSAS #62207; and

WHEREAS, the Fairbanks Cushman Bridge project will provide for widened 10-foot sidewalks, 6-foot shoulders, and new driving lanes; and

WHEREAS, this reconstruction will complete the gap left between the Illinois Street project and the Cushman Complete Streets project; and

WHEREAS, the construction of the Fairbanks Cushman Street Bridge project will require ADOT&PF acquisition of a portion of Lot 1, Block 4, Fairbanks Townsite for bridge abutment improvements; and

WHEREAS, that portion of Lot 1, Block 4 measures approximately 427 square feet, is a remnant with little development potential for the City, and is described and exhibited as Parcel E91 in the easement documents which are attached to this Ordinance as Exhibit A; and

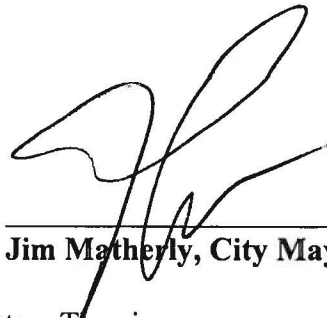
WHEREAS, it is the sense of the Fairbanks City Council that a conveyance of the easements over the specified City-owned real property to the ADOT&PF for the purposes mentioned above is in the best interest of the public and that granting the easement is of mutual benefit to the City and the ADOT&PF.

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

SECTION 1. That the Mayor is hereby authorized to execute the easement documents attached, and the City Clerk is hereby authorized and directed to attest and affix the City Seal to said instruments.

SECTION 2. That conveyance of property shall be subject to a thirty-day permissive referendum period as required under Fairbanks General Code of Ordinances Section 70-42 and in accordance with the City Charter.

SECTION 3. That the effective date of the ordinance shall be the 10th Day of November 2018.

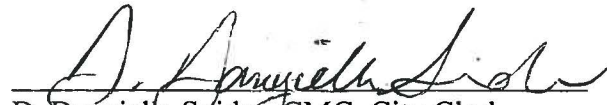


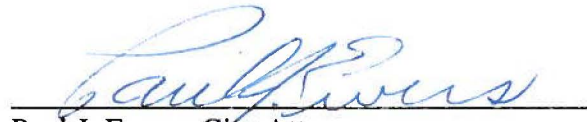
Jim Matherly, City Mayor

AYES: Cleworth, Pruhs, Rogers, Kun, Ottersten, Therrien
NAYS: None
ABSENT: None
ADOPTED: November 5, 2018

ATTEST:


APPROVED AS TO FORM:



D. Danyielle Snider, CMC, City Clerk

Paul J. Ewers, City Attorney

EXHIBIT A

	STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES	PROJECT NAME: FAIRBANKS CUSHMAN STREET BRIDGE
	EASEMENT	STATE PROJECT #: Z622070000
		FEDERAL-AID PROJECT #: 0663012
		PARCEL #: E-91

The GRANTOR, the City of Fairbanks, whose mailing address is 800 Cushman Street, Fairbanks, Alaska 99701, for and in consideration of ONE DOLLAR (\$1.00) and mutual benefit of the parties, and other valuable consideration, in hand paid, conveys and warrants to the GRANTEE, STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION & PUBLIC FACILITIES, whose mailing address is 2301 Peger Road, Fairbanks, Alaska 99709, its successors or assignees, a perpetual, full and unrestricted easement and right-of-way along, over, and across the following-described tract of land located in the State of Alaska: All that part of the following-described land:

A portion of a parcel of land identified as Lot 1, Block 4, Fairbanks Townsite as depicted on the L.S. Robe Map of 1909 and conveyed to the City of Fairbanks in Book 730 Page 713 and dated October 25, 1991 in the records of the Fairbanks Recording District, Fourth Judicial District, State of Alaska, more particularly described as follows:

Commencing at a point, said point being the northeast intersection of the right of ways of First Avenue and Cushman Street, said point being located 32.22 feet right of Station "C"82+35.69 of the "C" Alignment of Cushman Street of the Record of Survey--Illinois St. Reconstruction (STP-F-M-0663(4)/Z631020000), recorded as Plat 2018-40 in the records of the Fairbanks Recording District.

Thence proceeding along the eastern highway right of way of Cushman Street on a bearing of N 09°19'40" W and on a distance of 15.71 feet to a point, said point being located 32.24 feet right of Station "C"82+51.40 and also being the **True Point of Beginning**;

Thence proceeding on a bearing along the eastern highway right of way of Cushman St. on a bearing of N 09°19'40" W and on a distance of 23.57 feet to the Chena River, said point being located 32.26 feet right of Station "C"82+74.97.

Thence proceeding along the Chena River on a bearing of N 80°38'34" E and on a distance of 5.57 feet to a point, said point being located 37.83 feet right of Station "C"82+74.97;

Thence proceeding along the Chena River on a bearing of N 68°14'45" E and on a distance of 12.46 feet to a point, said point being located 50.00 feet right of Station "C"82+77.

Thence proceeding on a bearing of S07°59'54" E, and on a distance of 26.28 feet to a point located at the northeast corner of a previously acquired easement by the State of Alaska from the City of Fairbanks, identified as Parcel E90, said point being located 49.36 feet right of Station "C"82+51.37;

Thence proceeding along the northern boundary of said Parcel E90 on a bearing of S 80°43'37" W and on a distance of 17.13 feet to the **True Point of Beginning**.

Said easement to contain 427 square feet of land, which lies within the easement of right-of-way lines of Alaska Project No. Z622070000 / 0663012, delineated as to said tract of land on the plat attached hereto and made a part hereof as pages 4-6 of this instrument and designated as Parcel No. E-91. In addition to existing right-of-way, this easement is hereby granted to the State of Alaska for the purpose of roadway improvements which include bridge improvements and its abutment.

The Grantor hereby covenants with the State of Alaska that the Grantor has good title to the above-described tract of land and covenants that the State of Alaska shall have quiet and peaceable possession thereof; and shall have a free and unrestricted right to maintain said facilities as long as the right-of-way of which this easement area is a part, remains a public way.

Dated this _____ day of _____, 2_____.

GRANTOR:

By: James Matherly, Mayor

APPROVED AS TO FORM

ATTEST:

D. Danyielle Snider, CMC
City Clerk

Paul Ewers, Attorney
City Attorney

CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, Grantee herein, acting by and through its Commissioner, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____,
2____.

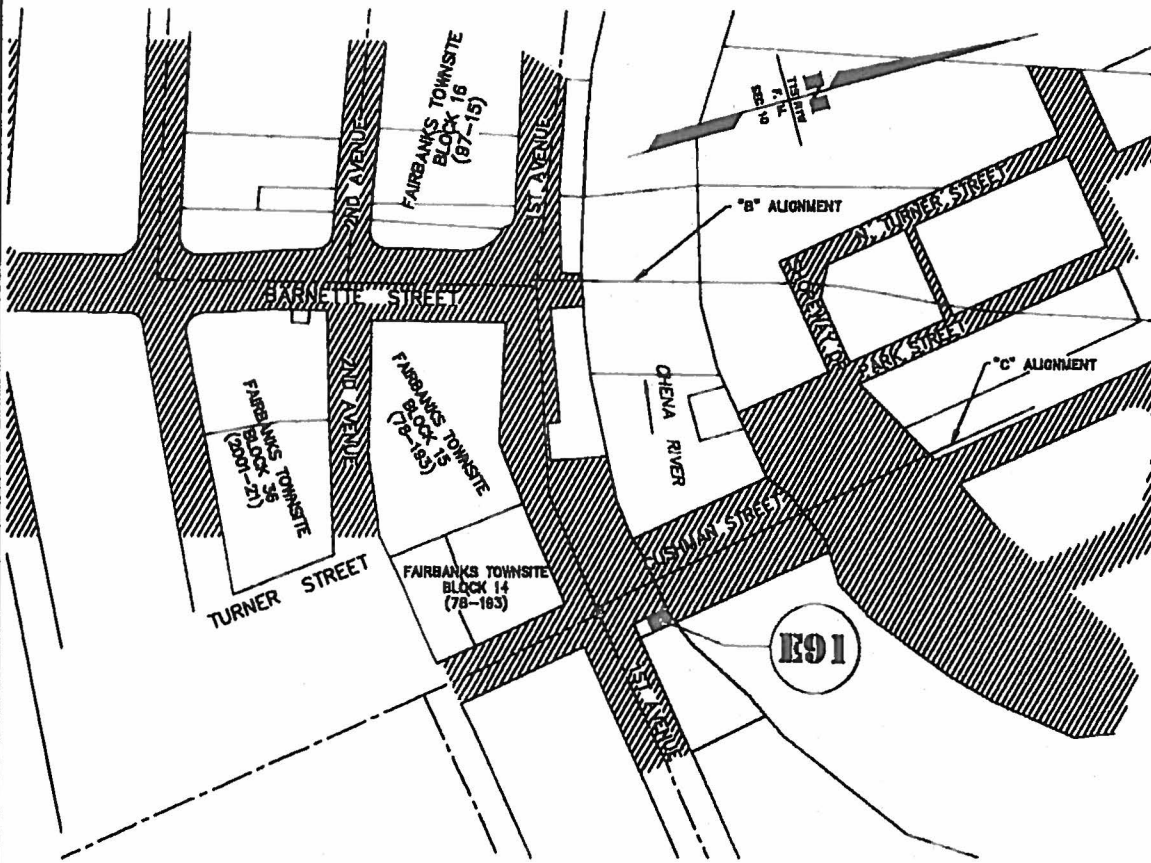
DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

By: _____
For the Commissioner

Filed for Record at the Request of and Return to:
State of Alaska
DOT&PF – Right of Way Dept.
2301 Peger Road, MS 2553
Fairbanks, AK 99709-5399
State Business-No Charge

STATE OF ALASKA
 DEPARTMENT OF TRANSPORTATION
 &
 PUBLIC FACILITIES

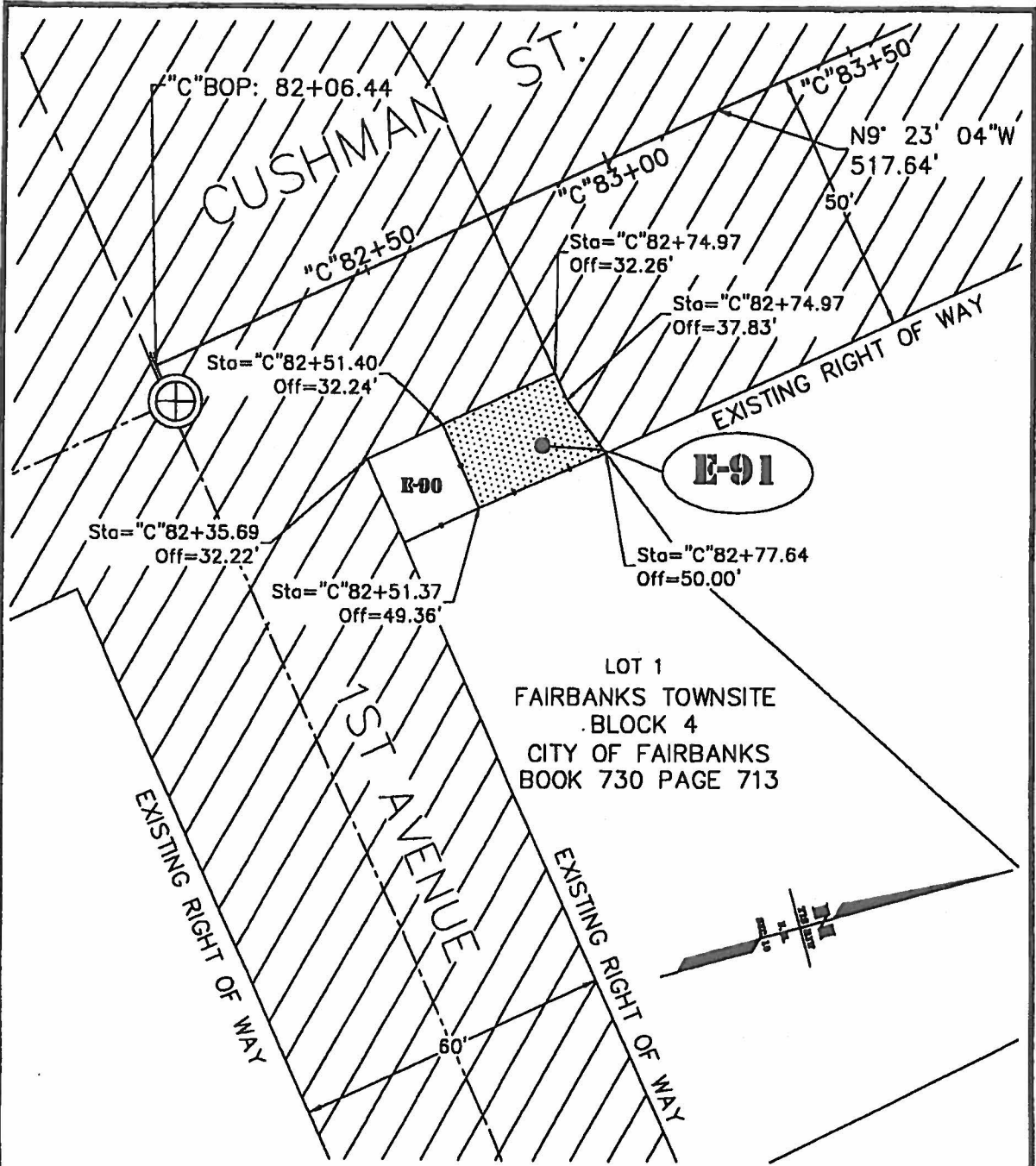
RIGHT OF WAY REQUIRED
 Z622070000
 FAIRBANKS CUSHMAN STREET
 BRIDGE



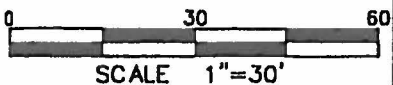
E:\AROW\B\Eng\B\W\62207-Cushman St. Bridge replacement\August 2018 easement from city\Parcel E-91.dwg Oct 10, 2018 - 12:20pm

STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES		RIGHT OF WAY EASEMENT REQUIRED FOR FAIRBANKS CUSHMAN STREET BRIDGE	
_____	DRAWING	PROJECT NO. _____	Z622070000
_____	1 OF 3	AREA _____	427 S.F. PARCEL NO. E91
INITIAL	DATE	SCALE _____	1" = 200' DATE 10/01/2018

E:\BROWNE\Eng\Drawings\2018\August 2018\assessment from city\Parcel E-91.dwg Oct 10, 2018 - 12:20pm

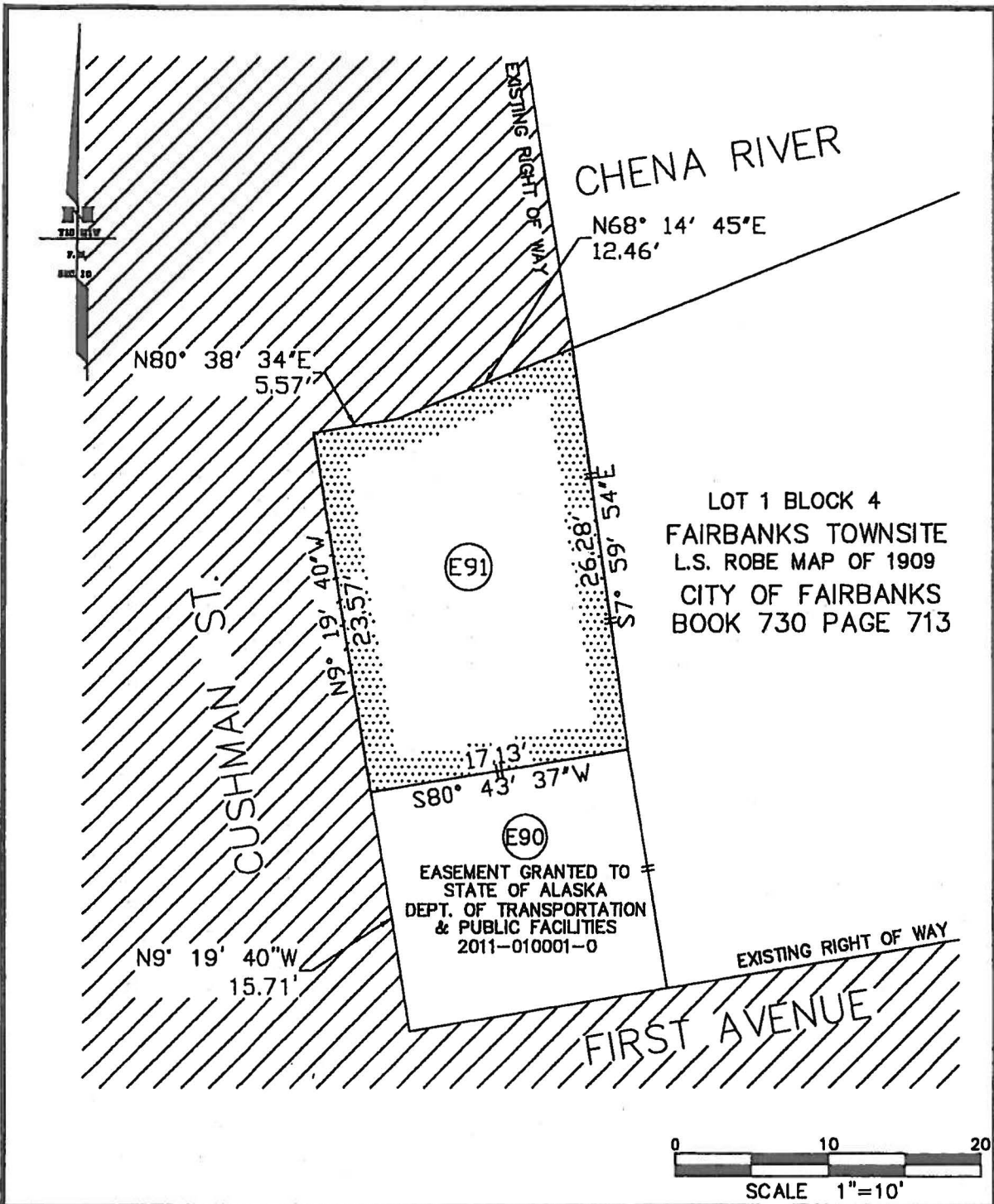


NOTE: CENTERLINE ALIGNMENT OF CUSHMAN STREET ("C" LINE)
 TAKEN FROM ILLINOIS ST. RECONSTRUCTION PROJECT
 (STP-F-M-0663(4)/Z632020000 Plat 2018-40)



STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES		RIGHT OF WAY EASEMENT REQUIRED FOR FAIRBANKS CUSHMAN STREET BRIDGE	
_____	DRAWING	PROJECT NO. _____	Z622070000
_____	2 OF 3	AREA _____	427 S.F. PARCEL NO. _____
INITIAL	DATE	SCALE _____	1" = 30' DATE _____
			10/01/2018

E:\BLO\W\B\Eng\W\62207-Cushman St. Bridge replacement\August 2018 easement from city\Parcel E-91.dwg Oct 10, 2018 - 12:20pm



STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES		RIGHT OF WAY EASEMENT REQUIRED FOR FAIRBANKS CUSHMAN STREET BRIDGE	
DRAWING		PROJECT NO. <u>Z622070000</u>	
INITIAL		AREA <u>427 S.F.</u>	PARCEL NO. <u>E91</u>
DATE		SCALE <u>1" = 10'</u>	DATE <u>10/01/2018</u>
<u>3 OF 3</u>			