

Presented by: The Manager
Introduced: 08/05/2002
Drafted by: J.R. Corso

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2167

A Resolution Authorizing the Manager to Grant an Easement to Ernest and Sunshine Hard for Construction of a Driveway and Utilities to Serve a Residence Located Along Fritz Cove Road.

WHEREAS, Ernest and Sunshine Hard own property along Fritz Cove Road described as Lots 1A and 2A, U.S.S 1510 which have no legal access, and

WHEREAS, the City and Borough is the owner of adjacent property, Lot 1, U.S.S. 3817, and

WHEREAS, Ernest and Sunshine Hard have applied for an easement across a portion of the City and Borough property in order to construct a driveway and utilities to their property, and

WHEREAS, the driveway will not have a significant impact on the City and Borough property, and

WHEREAS, the Planning Commission recommended approval of the driveway easement at its meeting of July 23, 2002, and

WHEREAS, CBJ 53.09.300 provides that the manager may convey or lease an easement over City and Borough owned land upon approval by the assembly by resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

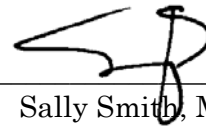
Section 1. Authorization. The Manager is authorized to convey to Ernest and Sunshine Hard and their successors in interest an easement 30 feet in width across City and Borough property at Lot 1, U.S.S. 3817 for access to the adjacent property at Lots 1A and 2A, U.S.S. 1510.

Section 2. Conditions. The conveyance of the easement shall include the following conditions:

- a. The easement shall be non-exclusive and allow for overlapping easements.
- b. The easement shall be for the purpose of installing and maintaining a driveway and utilities serving a residence or any lawfully permitted use on Lots 1A and 2A, U.S.S. 1510.
- c. The cost of the easement shall be \$1,155 based on fair market value as determined by the City Assessor.
- d. The easement shall terminate if the driveway is used for reasons other than specified in the easement document or if it is abandoned for a period in excess of five years.
- e. The grantee shall provide an as-built survey and legal description showing the location of the improvements once installed.

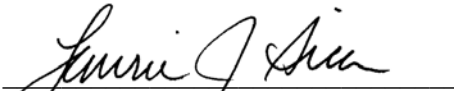
Section 3. Effective Date. This resolution shall be effective immediately upon adoption.

Adopted this 5th day of August, 2002.



Sally Smith, Mayor

Attest:



Laurie J. Sica, Clerk

Vote: Unanimous