

Presented by: The Manager
Presented: 01/25/2021
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2938

A Resolution Authorizing the Manager to Convey a Utility Easement across Chicken Yard Park in Lots 5 and 6, Block 113, Juneau Townsite.

WHEREAS, the City and Borough of Juneau (CBJ) owns Lots 5 and 6, Block 113, Juneau Townsite, also known as Chicken Yard Park; and

WHEREAS, Michael Bucy is the owner of certain property located on Lot 3 and Lot 4, Block 113, Townsite of Juneau, Juneau Recording District, First Judicial District, State of Alaska (the "Property"); and

WHEREAS, the CBJ received an application from Michael Bucy requesting a utility easement in order to provide electricity from their home on 626 Fifth Street to an electric vehicle charger located on an easement the City granted to the prior owner for parking; and

WHEREAS, in 2019 the Assembly granted an easement to the benefit of 626 Fifth Street for two parking spaces within the park and pedestrian access from the parking spaces to the property; and

WHEREAS, on November 9, 2020, the Lands Committee passed a motion of support to grant this easement at fair market value.

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

Section 1. Authorization to Convey. The Manager is authorized to negotiate and execute an easement across a fraction of Lots 5 and 6, Block 113, Juneau Townsite in Juneau, Alaska, as shown in Exhibit A, subject to the terms and conditions established herein.

Section 2. Terms and Conditions.

(a) Term. The easement shall be perpetual.

(b) Use. Use of the easement shall be for the sole purpose of providing electricity to serve an electric car charging station located on the parking easement granted by the CBJ in 2019.

(c) Non-Exclusivity. The easement shall be non-exclusive. The CBJ may grant other overlapping easements.

(d) Construction and Maintenance. The grantee is responsible for construction and maintenance of any improvements.

(e) Purchase Price. Purchase price of the easement shall be fair market value, which has been determined by the Manager to be \$800.00.

Section 3. Rights Retained by the City and Borough of Juneau.

(a) Right-of-Entry. The CBJ reserves the right of public access along the easement.

(b) Public Pedestrian Use. The CBJ reserves the right of public pedestrian access along the easement.

(c) Relocation. The grantee may be required to relocate the driveway to a new location upon direction of the Assembly in accordance with CBJ 53.09.300(i).

(d) As-Built Survey. Grantee shall provide CBJ with an as-built survey of the driveway and any improvements, once constructed.

(e) Other Terms and Conditions. The CBJ Manager may include other terms and conditions deemed to be in the public interest.

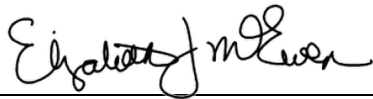
Section 4. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this 25th day of January, 2021.



Beth A. Weldon, Mayor

Attest:



Elizabeth J. McEwen, Municipal Clerk

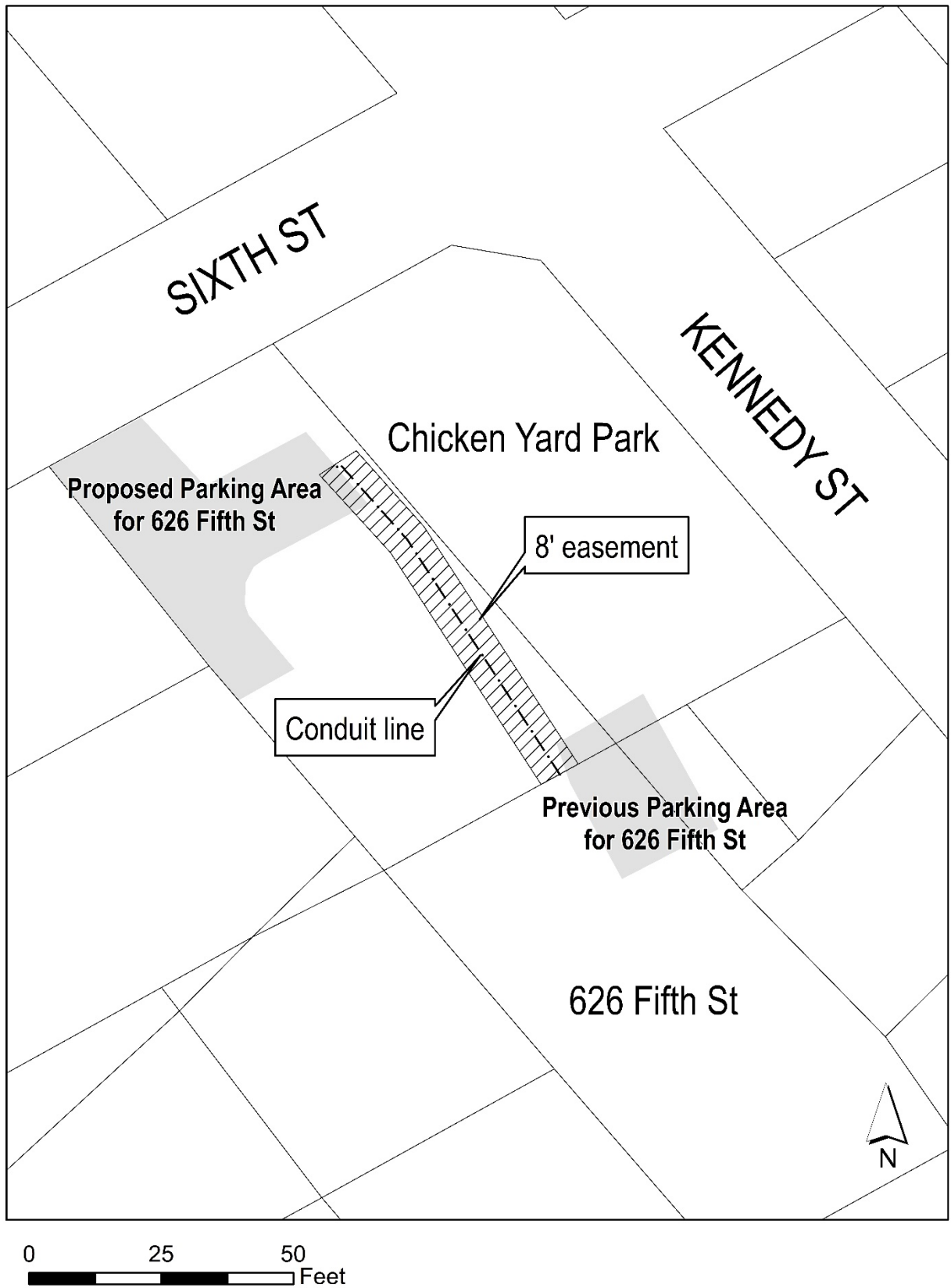


Exhibit A - Resolution No. 2938