Presented by: The Manager Presented: 07/12/2021 Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2959

A Resolution Authorizing the Manager to Convey an Access and Drainage Easement across City Property to the Owner of 101 and 747 Goldbelt Avenue.

WHEREAS, the City and Borough of Juneau owns U.S. Mineral Surveys 761, U.S. Mineral Survey 926, and U.S. Survey 2348 collectively known as Cope Park; and

WHEREAS, in the fall of 2019, there was a mass wasting event that initiated from private property above Cope Park, and the owner of 101 and 747 Goldbelt Ave has been designing a slope stabilization project; and

WHEREAS, this easement is necessary for the purpose of repairing and stabilizing the slope at and below 101 and 747 Goldbelt Ave, as well as access to connect to the CBJ stormwater system; and

WHEREAS, CBJ 53.09.300 authorizes the Manager to convey easements across CBJ land, upon approval of the Assembly by resolution; and

WHEREAS, the Lands Housing and Economic Development Committee reviewed this request at the June 7, 2021, meeting and passed a motion of support to the Assembly for granting a drainage easement to the owners of 101 and 747 Goldbelt Avenue; and

WHEREAS, the Parks and Recreation Advisory Committee reviewed this request at the June 1, 2021 meeting and recommended approval to the Assembly of the Cope Park slope stabilization easement and Memorandum of Understanding.

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 an access and drainage easement, across Cope Park property, as generally 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 access and drainage to stabilize and repair the slope on the perimeter of Cope Park.

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

(d) Permits. The grantee shall obtain all authorizations and permits necessary to construct utilities.

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

(f) Purchase Price. This easement will be granted at no cost because this easement resolves prior property damage and minimizes future property damage to the CBJ and the private landowner. In the fall of 2019, there was a mass wasting event that initiated from private property above Cope Park. Since that event, the landowner of 101 and 747 Goldbelt Avenue has been working with the City Risk Manager, the Parks and Recreation Department, and the Engineering and Public Works Department on a design concept to repair the drainage and stabilize the slope. The outcome of this process is this easement.

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

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

Adopted this 12th day of July, 2021.

Beth A. Weldon, Mayor

Attest:

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Elizabeth J. McEwen, Municipal Clerk







