

Presented by: The Manager
Presented: 07/11/2022
Drafted by: R. Palmer III

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2992

A Resolution Authorizing the Manager to Convey an Access Easement across City Property to Secon, Inc., the Owner of Hidden Valley Subdivision, Tract A, Near Lemon Creek, and Repealing Resolution 2978.

WHEREAS, the City and Borough of Juneau owns HDK Subdivision, Lot 4 and RSH Subdivision II, Lot 2B; and

WHEREAS, Secon, Inc. (Secon) has an existing easement across this City and Borough of Juneau (CBJ) property that provides access to Secon property known as Hidden Valley Subdivision, Tract A; and

WHEREAS, a new easement is necessary to improve the water quality of Lemon Creek by bypassing an area of Secon's existing easement that has been prone to slope failure and has been contributing to increased turbidity in Lemon Creek; 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 November 29, 2021 meeting and passed a motion of support to the Assembly for granting an access easement to Secon, Inc.

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 easement, across HDK Subdivision, Lot 4, as generally shown in Exhibit A, subject to the terms and conditions established herein.

Section 2. Terms and Conditions.

(a) Term. The easements granted herein shall be perpetual, non-exclusive, and irrevocable, except as otherwise provided herein.

(b) Use. Use of the easement shall be for the sole purpose of providing access to Hidden Valley Subdivision, Tract A.

(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 and any improvements.

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

(f) Purchase Price. The purchase price of this easement shall be the fair market value, which has been determined by the Manager to be \$9,500.00.

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

Section 3. Repeal of Resolution. Resolution No. 2978 is repealed.

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

Adopted this 11th day of July, 2022.



Beth A. Weldon, Mayor

Attest:



Elizabeth J. McEwen, Municipal Clerk

