

CITY OF VALDEZ, ALASKA

RESOLUTION #19-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, GRANTING A 15 FOOT WIDE AND 4,387.1 FOOT LONG PUBLIC UTILITY EASEMENT TO COPPER VALLEY TELECOM, ON CITY OF VALDEZ OWNED TRACT F AND F2 ASLS 79-116, AND TRACT B ASCS 98-23

WHEREAS, the City of Valdez is the owner of the real property known as Tract F2 ASLS 79-116, Tract F ASLS 79-116, and Tract B ASCS 98-23, Within T9S R6W Section 12, and T9S R5 W Section 7, Copper River Meridian, AK, Valdez Recording District; and

WHEREAS, Copper Valley Telecom Cooperative, dba Copper Valley Telecom has requested a utility easement for the purpose of installing and maintaining buried distribution and transmission lines; and

WHEREAS, buried conduit already exists within this easement and within established easements on either side of this location; and

WHEREAS, the recommendation to grant this easement was approved by the City of Valdez Planning and Zoning Commission on May 9th, 2019; and

WHEREAS, The City has the authority to establish such an easement as stated by VMC Section 13.5 Public Utility Franchises: "The city may grant a franchise to any person for the use of the streets, alleys, bridges, easements and other public places of the city for the furnishing of any public utility service to the city and its inhabitants"; and

WHEREAS, the granting of this easement is consistent with the goal of the City of Valdez Comprehensive Plan "to provide for the maximum range of community services and facilities in appropriate locations consistent with the community's desire and ability to fund these"; and

WHEREAS, the granting of this easement is consistent with the objective of the City of Valdez Comprehensive Plan "to maximize the community's investments in existing community facilities".

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, that

Section 1. The City Of Valdez hereby grants a 15 foot wide and 4,387.1 foot long public utility easement to Copper Valley Telecom, on City owned Tract F2 ASLS 79-116, Tract F ASLS 79-116, and Tract B ASCS 98-23.

Section 2. Upon the passing of this resolution, this easement will be recorded in the Valdez recording district at the sole expense of Copper Valley Telecom.

Section 3. This Public Utility Easement shall exist for the construction, reconstruction, repair, operation, and maintenance on the above-described lands, of telecommunication, transmission, and/or other types of distribution lines, which shall be buried.

Section 4. All wires and other facilities, including any main service entrance equipment, installed on the above-described lands at a utility company's expense shall remain the property of said utility company, removable at the option of the utility company at any time.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF VALDEZ, ALASKA, this _____ day of _____, 2019

CITY OF VALDEZ, ALASKA

Jeremy O'Neil, Mayor

ATTEST:

Sheri L. Pierce, MMC, City Clerk