

**NORTHWEST ARCTIC BOROUGH ASSEMBLY
RESOLUTION 16- 17**

**A RESOLUTION OF THE NORTHWEST ARCTIC
BOROUGH ASSEMBLY RECOMMENDING
APPROVAL OF AN EASEMENT ACROSS BOROUGH
PROPERTY IN NOORVIK TO THE CITY OF NOORVIK
FOR PUBLIC UTILITIES, AND FOR RELATED
PURPOSES**

WHEREAS: The Northwest Arctic Borough Planning Department received notice in March 2016, from the City of Noorvik that a public utility easement is needed across Borough property in Noorvik and is identified as being located on the Grantor's property within Lot 11, Block 26, U.S. Survey 5069, State of Alaska and is fully described in Easement ORV-14-P8, Noorvik, Alaska; and

WHEREAS: The easement is for the construction, maintenance, and ongoing management of an above ground waste heat line and appurtenances for a waste heat recovery system; and

WHEREAS: The easement contains 0.10 acres(s), more or less; and

WHEREAS: The City of Noorvik would like to be granted the utility easement and the easement is to be granted to a municipal agency for the public purpose of public utilities, namely an above ground waste heat line and appurtenances for a waste heat recovery project in Noorvik; and

WHEREAS: The City of Noorvik has offered \$1.00 for the easement; and

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WHEREAS: The easement will serve a public purpose beneficial to the Borough and residents of Noorvik; and

WHEREAS: The waste heat recovery system will reduce the cost of energy to the community which is one of the Assembly's goals; and

WHEREAS: Pursuant to N.A.B .C. 2.48.090 (C), the Northwest Arctic Borough Planning Commission has the authority to recommend conveyance of real property requests to the Borough Assembly; and

WHEREAS: The Northwest Arctic Borough Planning Commission met on March 17, 2016 and reviewed the easement request and recommends conveyance of the easement to the City of Noorvik through Resolution 16-01; and

NOW THEREFORE BE IT RESOLVED: by the Northwest Arctic Borough Assembly, for and on behalf of the Northwest Arctic Borough:

1. The Northwest Arctic Borough Assembly approves the conveyance of the easement across Borough property in Noorvik that is identified as being located on the Grantor's property within Lot 11, Block 26, U.S. Survey 5069, State of Alaska and is fully described in Easement ORV-14-P8, Noorvik, Alaska to the City of Noorvik for \$1.00; and
2. The Northwest Arctic Borough Planning Commission hereby recommends to the Borough Assembly that the easement agreement shall include a condition requiring that the conveyance of the real property reverts to the Borough in the event the assembly, by resolution, finds that the real property is not being used for the public purpose stated in this resolution authorizing the conveyance as required by N.A.B.C. 2.48.090 (E).

[Type text]


3. The Mayor is authorized to negotiate and execute any documents required to convey the easement described in this resolution to the City of Noorvik.

PASSED AND ADOPTED THIS 22nd DAY OF MARCH 2016.



Carl Weisner, Assembly President

APPROVED THIS 22nd DAY OF MARCH 2016.



Clement Richards, Mayor

ATTESTED THIS 22nd DAY OF MAY 2016.



Stella Atoruk, Borough Clerk

ATTEST:

