

ORDINANCE NO. 6333

**AN ORDINANCE PARTIALLY RELEASING A RESTRICTIVE
COVENANT FOR THE NOEL WIEN LIBRARY LOT**

WHEREAS, On December 13, 1974, the City of Fairbanks conveyed approximately 18 acres, whereupon the Noel Wien Library is situated, to the Fairbanks North Star Borough; and

WHEREAS, the deed used to convey the property was recorded in the Fairbanks District of the State Recorder's Office in Book 0283 at Page 323 as instrument 401-1974-024549-0 (recorded deed attached for reference); and

WHEREAS, the deed included a revisionary interest whereby the City of Fairbanks has a possibility of reverter if the property ceased to be used solely for library and park purposes, facilities for organized athletics were ever constructed, or the Borough exceeded a certain portion of the total acreage allowable for library purposes; and

WHEREAS, the restrictive covenants originally included in the December 1974 deed have been updated, most recently in the Substitute Deed dated June 12, 1996 and filed with the Fairbanks District of the State Recorder's Office in Book 0957 at Page 085 as instrument 401-1996-011059-0 (recorded deed attached for reference); and

WHEREAS, the State of Alaska, Department of Transportation and Public Facilities requires approximately 187 square feet of the property for the Cowles Street Reconstruction Project (detail attached as Exhibit A, Alaska Project 0641003); and

WHEREAS, the Fairbanks North Star Borough is interested in conveying the approximately 187 square foot portion of the property required to the State of Alaska for the Cowles Street Reconstruction Project; and

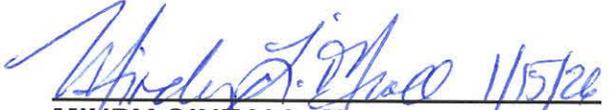
WHEREAS, Fairbanks General Code Sec. 70-42(b) provides that the disposition of the City's interest requires the approval of the City Council by ordinance.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF FAIRBANKS, ALASKA, as follows:

SECTION 1. The restrictive covenants originally included in the December 13, 1974 deed, updated most recently in the Substitute Deed dated June 12, 1996, between the City of Fairbanks and Fairbanks North Star Borough, are released, but only to the extent necessary for the Fairbanks North Star Borough to convey the portion of property required by the State of Alaska for the described Cowles Street Reconstruction Project and for the State to complete the Project.

SECTION 2. The Mayor is authorized to execute any and all instruments, approved as to form by the City Attorney, necessary to execute this release.

SECTION 3. The effective date of this Ordinance is six days after adoption.


MINDY O'NEALL, Mayor

AYES: Ringstad, Tidwell, Therrien, Sprinkle, Marney, Cleworth
NAYS: None
ABSENT: None
ADOPTED: January 12, 2026

ATTEST:


D. Danyielle Snider, MMC, City Clerk

APPROVED AS TO FORM:


Thomas A. Chard II, City Attorney