

1 IN THE SENATE BY COMMITTEE ON STATE AFFAIRS

2 SENATE BILL NO. 216

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 FIRST LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the exercise of the
7 right of eminent domain; amending Section
8 57-7-9, ACLA 1949; and providing for an
9 effective date."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

11 Section 1. Section 57-7-9, ACLA 1949 is amended to read as
12 follows:

13 Sec. 57-7-9. COMPLAINT: ALLEGATIONS. The complaint
14 must contain:

15 (1) The name of the corporation, association,
16 commission, or person in charge of, or to be benefited by,
17 the public use for which the property is sought, who must be
18 styled plaintiff.

19 (2) The names of all owners and claimants of the
20 property, if known, or a statement that they are unknown, who
21 must be styled defendants.

22 (3) A statement of the right of the plaintiff.

23 (4) If a right of way be sought, the complaint
24 must show the location, general route, and termini, and must
25 be accompanied with a map thereof, so far as the same is
26 involved in the action or proceeding.

27 (5) A description of each piece of land sought to
28 be taken, and whether the same includes the whole or only a
29 part of the entire parcel or tract. All parcels lying in the

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precinct and required for the same public use may be included in the same or separate proceedings, at the option of the plaintiff, but the court may consolidate or separate them to suit the convenience of parties. When application for the condemnation of a right of way for the purposes of sewerage is made on behalf of a precinct, town, or settlement, the chief executive officer of the same, or, if the same be unincorporated, any three citizens authorized thereunto by a written instrument, signed by not less than one-half of the whole number of male inhabitants of such precinct, town, or settlement over the age of twenty-one years, which fact shall be set forth in the complaint, may be named as plaintiff.

Sec. 2. This Act takes effect on the day after its passage and approval or on the day it becomes law without such approval.