



LAWS OF ALASKA

1966

Source:

HB 418 am by Senate

Chapter No.:

122

AN ACT

Relating to the use of the declaration of taking for off-street parking facilities.

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

* Section 1. AS 29.55.030 is amended to read:

Sec. 29.55.030. ACQUISITION OF PROPERTY. A city may acquire real or personal property and property rights, above, at or below the surface of the earth, necessary or desirable for off-street automobile parking facilities, by purchase, condemnation including but not limited to use of a declaration of taking, gift, lease, bequest, devise, or grant, in the same manner as it may acquire property or property rights in connection with streets within the city; provided, however, that no declaration of taking for off-street parking purposes may be used unless there has been public notice by publication in a newspaper of general circulation in the area for not less than once a week for four consecutive weeks followed by a full and complete public hearing held thereafter before the governing body of the city or municipality.

* Sec. 2. AS 09.55.420 is amended to read:

Sec. 09.55.420. DECLARATION OF TAKING BY STATE OR FIRST CLASS CITY. Where a proceeding is instituted under secs. 240 - 460 of this chapter by the state, it may file a declaration of taking with the complaint or at any time after the filing of the complaint, but before judgment. Where a proceeding is instituted under secs. 240 - 460 of this chapter by a municipality in the exercise of eminent domain for street or highway, off-street automobile parking facilities, school, sewer, water, telephone, electric, other utility, and slum clearance purposes or use granted to cities of the first class, the governing body of the municipality may exercise the power through the filing of a declaration of taking with the complaint or at any time after the filing of the complaint, but before judgment. The declaration of taking procedure may not be used with relation to the property of rural electrification or telephone co-operatives or nonprofit associations receiving financial assistance from the federal government under the Rural Electrification Act; provided, however, that no declaration of taking for off-street parking purposes may be used unless there has been public notice by publication in a newspaper of general circulation in the area for not less than once a week for four consecutive weeks followed by a full and complete public hearing held thereafter before the governing body of the first class city or municipality.