

A RESOLUTION OF THE HAINES BOROUGH ASSEMBLY AUTHORIZING THE DISPOSAL OF BOROUGH-OWNED LAND DEDICATED TO PUBLIC USE BY VACATION OF RIGHT-OF-WAY TO THE CHILKOOT INDIAN ASSOCIATION.

WHEREAS, the Chilkoot Indian Association (CIA) has requested vacation of a borough right-of-way (ROW) to accommodate a planned Community Services Center on tribally-owned land that will serve a valuable public purpose; and

WHEREAS, the legal description of the property to be vacated is as follows: ROW Vacation of an alleyway between Lots 3 through 10, Block D Presbyterian Mission Subdivision 2nd Addition to Haines Townsite more described as follows: beginning at the southeast corner of Lot 2, Block D of said subdivision, thence S 9°05'00" W, 204.00 feet to the southeast corner of Lot 10, Block D, thence S 80°55'00" E, 20.00 feet to the southwest corner of Lot 9, Block D, thence N 9°05'00" E, 204.00 feet to the northwest corner of Lot 3, Block D, thence N 80°55'00" W, 20.00 feet to the point of beginning; contains 4,080 square feet; and

WHEREAS, per HBC 14.32.030(C), the planning commission held a duly-advertised public hearing on July 12, 2012, and unanimously recommended assembly approval of this vacation request; and

WHEREAS, HBC 14.32.030(E) states that "[a]n assembly resolution must be adopted to authorize the disposal of any vacated rights-of-way. The resolution shall contain a statement that the assembly found the property surplus to its needs as a right-of-way. It must give a legal description of the property to be vacated, the names of the applicants to whom the vacation is to be granted, and the market value of the land to be vacated;" and

WHEREAS, the assembly hereby finds this property to be surplus to its needs as a borough right-of-way; and

WHEREAS, HBC 14.32.030(F) states that "[a]pplicants granted a vacation of a public right-of-way shall pay to the borough an amount not less than the current assessed value of the vacated property as determined by the assessor or land manager;" and

WHEREAS, the borough assessor has determined the market value of the property to be \$5.00 per square foot and, therefore, the ROW has a total market value of \$20,400; and

WHEREAS, the terms of the purchase, to be negotiated by the borough manager, may include market value of other CIA-owned land in exchange for the ROW and/or cash, recognizing that the total payment shall in no case be less than the property value as determined by the assessor,

NOW, THEREFORE, BE IT RESOLVED that the Haines Borough Assembly,

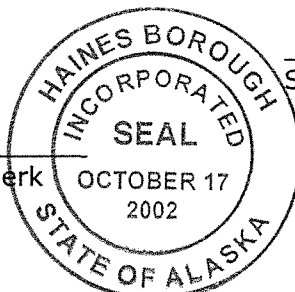
Section 1: Authorizes the vacation and sale of the aforementioned 4,080 sq. ft. borough right-of-way to the Chilkoot Indian Association at \$5.00 per sq. ft. (\$20,400 value); and


Section 2: Authorizes the borough manager to negotiate the terms of the purchase.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on the 31st day of July, 2012.

Attest:


Julie Cozzi, MMC, Borough Clerk




Stephanie Scott, Mayor