

HAINES BOROUGH
RESOLUTION No. 12-09-403

Adopted

A resolution of the Haines Borough Assembly authorizing the borough manager to enter into a purchase and sale agreement between the Borough and Roger Beasley regarding the acquisition of Picture Point property described as follows: a portion of Lots 2 & 3, Nukdik Point Subdivision, according to Plat No. 2009-1, Haines Recording District, First Judicial District, State of Alaska containing approximately 3 acres.

WHEREAS, the Borough submitted a grant application to the Alaska Department of Transportation and Public Facilities (ADOT&PF) for the purchase three acres more or less of land referred to as "Picture Point"; and

WHEREAS, the U.S. Department of Transportation approved grant funding in the amount of \$495,840 to the ADOT&PF for the project; and

WHEREAS, the Borough has been working with the ADOT&PF to complete all of the tasks required by the Federal Highway Administration (FHWA) related to the project; and

WHEREAS, the required documentation has been completed; and

WHEREAS, the manager has been authorized to enter into a grant agreement and notice to proceed with the ADOT&PF for the Picture Point Land Acquisition project funded through the National Scenic Byways Grant Program pursuant to Alaska Statute (AS) 19.05.040 and any regulations promulgated hereunder; and

WHEREAS; the "Intermodal Surface Transportation Efficiency Act of 1991" (ISTEA), P.L. 102-240, Dec. 18, 1991, Title I, Part A, 105 Stat. 1996, section 1047, which appears as a note to 23 U.S.C. §101, instituted a program entitled the "National Scenic Byways Grant program," which offers Federal financial assistance for designated scenic byways through a grant program for carrying out eligible projects on highways which the state has designated as scenic byways; and

WHEREAS; the Alaska State Legislature authorized the ADOT&PF to receive and expend funds has been approved; and

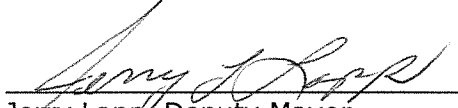
WHEREAS; Mr. Beasley has agreed to sell, subject to the terms and conditions set forth in the agreement, the unimproved real property described as follows: a portion of Lots 2 & 3, Nukdik Point Subdivision, according to Plat No. 2009-1, Haines Recording District, First Judicial District, State of Alaska containing approximately 3 acres; and

WHEREAS; the agreed upon purchase price is \$450,000, for which the FHWA funds are to be applied to; and

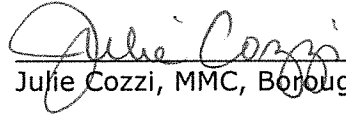
WHEREAS; the Borough Attorney prepared the Purchase and Sale agreement for the subject property,

NOW, THEREFORE, BE IT RESOLVED by the Haines Borough Assembly authorizing the borough manager to enter into a Purchase and Sale agreement with Roger Beasley for the acquisition of the above described property at Picture Point in the amount of \$450,000.

Adopted by a duly-constituted quorum of the Haines Borough Assembly on this 25th day of September, 2012.


Jerry Lapp, Deputy Mayor

Attest:


Julie Cozzi, MMC, Borough Clerk

