

An Ordinance of the Haines Borough classifying for lease an area not-to-exceed 4 acres of a Haines Borough parcel (ATS 1464) located at 2112 Lutak Road in accordance with the associated land use plan.

WHEREAS, the Haines Borough Assembly on 7/10/18 adopted Resolution 18-07-764 endorsing a Memorandum of Understanding with Alaska Marine Lines, Inc. for the lease of tidelands and uplands to support construction of a marine freight transfer facility in Lutak Inlet; and

WHEREAS, the lease premises were professionally appraised in October 2018 to provide values per square foot for the tidelands and uplands; and

WHEREAS, Haines Borough Code ("HBC") 14.16.020 provides that, "Before accepting applications to lease lands, the borough shall, by ordinance, have classified the lands in question for leasing and designate particular land uses for the lands so classified"; and

WHEREAS, HBC 14.16.020 also requires a land use plan of the area be prepared and publicly posted in the office of the clerk for a period of not less than 10 calendar days; and

WHEREAS, the land use plan attached hereto shall be approved by the assembly by motion prior to posting; and

WHEREAS, the final lease terms are subject to approval by the assembly by ordinance,

NOW, THEREFORE, BE IT ENACTED, by the Haines Borough Assembly, that it is hereby determined to be for a public purpose and in the public interest of the Haines Borough to classify for lease an area not-to-exceed 4 acres of a Haines Borough parcel (ATS 1464) located at 2112 Lutak Road in accordance with the associated land use plan.

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held to be invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall become effective immediately upon adoption.

ADOPTED BY A DULY CONSTITUTED QUORUM OF THE HAINES BOROUGH ASSEMBLY THIS 26th DAY OF FEBRUARY, 2019.

ATTEST:


Alekka Fullerton, CMC, Borough Clerk




Janice Hill, Mayor

Date Introduced: 01/22/19
Date of First Public Hearing: 02/12/19
Date of Second Public Hearing: 02/26/19 - Adopted