

CITY OF DILLINGHAM, ALASKA

**RESOLUTION NO. 2025-05**

**A RESOLUTION OF THE DILLINGHAM CITY COUNCIL MEMORIALIZING REVERSION OF A PORTION OF BLOCK 5, U.S. SURVEY 2732, DILLINGHAM TOWNSITE, FORMERLY KNOWN AS GRANDMA'S HOUSE**

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WHEREAS, Ordinance 98-14 authorized granting the Curyung Tribal Council (“Curyung”) fee simple determinable to a portion of Block 5, U.S. Survey 2732 (“the Property”) to be used for an assisted living facility; and

WHEREAS, in accordance with Ordinance 98-14, the City granted a deed for the Property (“Deed”) to Curyung; and

WHEREAS, the Deed specifies, “In the event the property is no longer used for the specific purpose justifying the disposal of city owned property, the title and structures thereon will revert to the municipality”; and

WHEREAS, Curyung conveyed the Property to Marrulut Eniit Assisted Living (MEAL) via a quitclaim deed, which recites the City’s reversionary interest; and

WHEREAS, on February 1, 2000 MEAL executed and caused to be recorded a Declaration of Covenants, Conditions, and Restrictions for the Property by as a condition of financing from the Alaska Housing Finance Corporation (AHFC);

WHEREAS, the Declaration of Covenants, Conditions and Restrictions requires that the Property only have households with at least one senior citizen and contains tenant income restrictions and rent limitations based on percentage of tenant income; and

WHEREAS, Ordinance 2019-05 modified the restriction to permit using the property for senior low income housing as well as assisted living; and

WHEREAS, since 2019, MEAL has had inadequate funding to use the Property for its intended purpose; and

WHEREAS, residents in the facility were relocated and the building on the Property was vacated in August of 2019; and

WHEREAS, the City has paid for improvements to maintain the building on the Property since MEAL vacated it in 2019; and

WHEREAS, the Property has ceased to be used as an assisted living facility or senior low income housing; and

WHEREAS, upon the Property ceasing to be used for the specific purpose of granting the fee simple determinable estate granted by the City terminates;

WHEREAS, the City has reentered the Property; and

WHEREAS, the City has provided AHFC a copy of this proposed resolution;

NOW, THEREFORE, BE IT RESOLVED:

1. The Property has ceased to be used for the specific purpose justifying the disposal.
2. The estate in the Property granted by the Deed has terminated.
3. Reversion of the City's title to a portion of BLOCK 5, U.S. SURVEY 2732 is in the public interest.
4. The City manager is authorized to take any additional actions that may be necessary or prudent to establish that the City holds clear and accurate record title.

PASSED and ADOPTED by the Dillingham City Council on May 1st, 2025.

ATTEST:

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Alice Ruby, Mayor  
[SEAL]

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Abigail Flynn, Acting City Clerk