

1st Reading: May 22, 2023
2nd Reading: June 12, 2023

Presented By:
City Manager

Action Taken:
Yes ___
No ___
Abstain ___

CITY OF NOME, ALASKA

ORDINANCE NO. O-23-05-02

**AN ORDINANCE AUTHORIZING SALE TO AK DOT&PF OF PARCELS ADJACENT TO
STEADMAN STREET FOR ROAD PROJECTS**

WHEREAS, the State of Alaska, Department of Transportation and Public Facilities (“DOT&PF”), in cooperation with the Federal Highway Administration, is preparing a project to reconstruct Steadman Street in downtown Nome (“Project”); and

WHEREAS, the purpose of the Project is to improve safety and pedestrian access by constructing American with Disabilities Act compliant sidewalks with curb ramps and driveways on both sides of Steadman Street;

WHEREAS, the Project requires certain parcels of city-owned land, more specifically described below (“Property”); and

WHEREAS, DOT&PF has determined that the fair market value of the land is \$4.00 per square foot, for a total of \$10,400 for acquisition of the Property; and

WHEREAS, NCO 2.10.030(b) provides that city council may, by ordinance, provide for the disposal of any interest in real property to a municipal, borough, state or federal entity, or to any other entity providing a necessary public service without seeking bids and for less than the current assessed value or current appraised value of that interest in real property; and

WHEREAS, NCO 2.10.030(b) further provides that **WHEREAS**, NCO 2.10.030(b) provides that city council may, by ordinance, provide for the disposal of any interest in real property to a municipal, borough, state or federal entity, or to any other entity providing a necessary public service without seeking bids and for less than the current assessed value or current appraised value of that interest in real property;

IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF NOME:

Section 1. **Authority.** This ordinance is adopted pursuant to authority granted by NCO 2.10.030(b).

Section 2. **Classification.** This is a non-Code ordinance.

Section 3. Findings. DOT&PF seeks to acquire the property for public transportation use, a necessary public service.

Section 4. Authorization to Convey Real Property. The below-described real property may be conveyed by quitclaim deed to DOT&PF, provided that such quitclaim deed shall specify that the interest of the city being disposed of reverts to the city in the event the real property disposed of is not being used to provide public transportation:

Lot 17A, Block 51A of a replat of Nome Townsite, according to the plat filed October 27, 1983 as Plat No. 83-32; Records of the Nome Recording District, Second Judicial District, State of Alaska;

AND

A portion of Lot 30A, Block 65A, Nome Townsite, according to the plat filed October 21, 1983 as Plat No. 83-29; Records of the Nome Recording District, Second Judicial District, State of Alaska, more particularly described as follows:

Commencing at the northeastern corner of Lot 28A, Block 65A; thence along the easterly boundary of Block 65A South 21°47'18" West a distance of 70.01 feet along said boundary to the TRUE POINT OF BEGINNING; thence South 21°47'18" West a distance of 39.18 feet along same boundary; thence South 22°14'49" West a distance of 27.42 feet; thence away from said boundary North 69°28'21" West a distance of 18.56 feet; thence North 24°53'10" East a distance of 67.86 feet; thence South 65°21'56" East a distance of 15.13 feet to the Eastern most boundary of Block 65A and the TRUE POINT OF BEGINNING;

AND

A portion of Lot 29A, Block 65A, Nome Townsite, according to the plat filed October 21, 1983 as Plat No. 83-29; Records of the Nome Recording District, Second Judicial District, State of Alaska, more particularly described as follows:

Commencing at the northeastern most corner of Lot 28A, Block 65A; thence along the easterly boundary of Block 65A South 21°47'18" West a distance of 45.00 feet to the TRUE POINT OF BEGINNING; thence along same boundary South 21°47'18" West a distance of 25.00 feet; thence away from said boundary North 65°21'56" West a distance of 15.13 feet; thence North 24°53'10" East a distance of 24.92 feet; thence South 65°35'30" East a distance of 13.77 feet to the Eastern most boundary of Block 65A and the TRUE POINT OF BEGINNING;

AND

A portion of Lot 28A, Block 65A, Nome Townsite, according to the plat filed October 21, 1983 as Plat No. 83-29; Records of the Nome Recording District, Second Judicial District, State of Alaska, more particularly described as follows:

Commencing at the northeastern most corner of Lot 28A, Block 65A, the TRUE

POINT OF BEGINNING; thence along the easterly boundary South 21°47'18" West a distance of 45.00 feet; thence away from said boundary North 69°35'30" West a distance of 13.77 feet; thence North 24°53'10" East a distance of 44.73 feet to a brass cap on the northerly boundary of Block 65A; thence South 65°18'30" East a distance of 11.34 feet to the TRUE POINT OF BEGINNING.

Section 5. Selling Price & Costs. The above-described real property may be conveyed by quitclaim deed to DOT&PF for \$10,400 plus the city's actual publication cost of the notice required by NCO 2.10.040. DOT&PF shall be responsible for recording any instrument and any platting or re-platting that may be necessary.

Section 6. Temporary Construction Permit. The city manager is hereby authorized to grant to DOT&PF such temporary construction permits as may be reasonably necessary for completion of the Project.

Section 7. Effective Date. This ordinance is effective upon adoption.

APPROVED and SIGNED this 12th day of June, 2023.

JOHN K. HANDELAND,
Mayor

ATTEST:

BRYANT HAMMOND,
Clerk