

1st Reading: November 13, 2023
2nd Reading: January 8, 2024

Presented by:
City Manager

Action Taken:
Yes ___
No ___
Abstain ___

CITY OF NOME, ALASKA

ORDINANCE NO. O-23-11-03

AN ORDINANCE AUTHORIZING THE DISPOSAL OF MUNICIPAL PROPERTY
BY LEASE TO ATLAS TOWER 1, LLC.

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

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

Section 3. **Authorization of Lease to ATLAS TOWER 1, LLC.** The City Council hereby authorizes the disposal of its interest in Parcel 198.2.095 for approximately 2,500 square feet of real property located within the property commonly known as the “Nome-Beltz School Site”, a 40.82 acre parcel within in Township 11S, Range 34W, Kateel River Meridian, Second Judicial District, State of Alaska, City of Nome Tax Lot 198.2.095, to Atlas Towers 1, LLC substantially upon the terms and conditions that certain lease attached hereto as exhibit 1 and exhibit 2. A more defined location will be determined after signal tests are conducted on the property for best location of the final tower site

Section 4. **Legal Description.** A portion of parcel 198.2.095 adjacent to Nome-Teller Highway located on Nome-Beltz High School and adjacent to NACTEC as shown on exhibits (“the Property”).

Section 5. **Findings.** The City Council hereby finds that the use of the Property is for the furtherance of the development of local trade or industry, specifically, the development of expanded wireless communication and general communications (telephone and internet services) industry and that such conveyance is authorized by Nome Code of Ordinances 2.10.030(c).

Section 6. **Interest Conveyed and Identification of Disposal Instrument.** A possessory interest by a written lease for a term of 360 months with four (4) five-year extensions at tenant's option.

Section 7. **Value of City's Interest.** Based on the current assessment of the value of the Property, the city estimates the fair market rental value of the Property for the term of the proposed lease equals \$9,000 per annum with a 2% COLA plus additional revenue from additional antennas. Atlas Tower 1, LLC will pay real and personal property taxes.

Section 8. **Time Place and Manner in Which Disposal Shall Occur.** Immediately upon approval of this ordinance at the regularly scheduled City Council meeting of January 8, 2024.

Section 9. **Effective Date.** This ordinance is effective upon adoption.

APPROVED and SIGNED this 8th day of January, 2024.

JOHN K. HANDELAND, Mayor

ATTEST:

JEREMY JACOBSON, Deputy City Clerk