

**PETERSBURG BOROUGH, ALASKA
RESOLUTION #2023-10 (Option B)**

**A RESOLUTION APPROVING THE DISPOSAL OF BOROUGH OWNED PROPERTY
LOCATED AT 10 N. 12TH STREET (PARCEL #01-006-431) BY DIRECT SALE TO
THE PETERSBURG INDIAN ASSOCIATION**

WHEREAS, the Borough owns property located at 10 N. 12th Street, more particularly described as follows ("the property"):

Parcel B, Block 302, Greenbelt Subdivision, Plat #2016-4, Petersburg Recording District, First Judicial District, State of Alaska (Borough parcel # 01-006-431)

;and

WHEREAS, the property has a 2023 assessed value of \$52,900; and

WHEREAS, the property has been determined not needed for a public use, and was rezoned from Open Space – Recreation to Commercial-1 by Borough Ordinance #2023-02 on February 6, 2023; and

WHEREAS, application has been made by the Petersburg Indian Association (PIA), a federally recognized tribe, to purchase the property and on March 14 ,2023, a noticed public hearing was held by the Petersburg Borough Planning Commission; and

WHEREAS, the Planning Commission considered and reviewed applicant materials, public comments and testimony, and staff comments, and have made recommendation to the Assembly to sell the property subject to the following conditions:

- Any development on the property shall connect to municipal sewer system. Cost of extending utilities (electricity, water, sewer) to the property will be the responsibility of the property owner. Cost of providing service from the property line to any structure is the responsibility of the property owner.
- Any plans to construct a driveway approach to Haugen Drive would need prior approval of the Utility Director to ensure the integrity of the waterline in addition to ADOT approval.
- Property conveyance is subject to an easement to the Petersburg School District for use and access to the existing informational sign and associated powerlines.

; and

WHEREAS, PIA requests the Assembly authorize Manager Giesbrecht to engage in direct negotiations with the tribe for the property sale.; and

WHEREAS, Borough Code Section 16.12.080(E) provides the Assembly the option of authorizing the Borough Manager to commence such negotiations, the final terms of which are subject to Assembly approval; and

WHEREAS, Borough Ordinance #2023-10, adopted by the Assembly on June 5, 2023, amended Borough Code Chapter 16.12.030(A) to add federally recognized tribes to the list of

entities that may purchase Borough property for less than assessed value if determined by the Assembly to be in the best interest of the Borough.

THEREFORE, BE IT RESOLVED by the Petersburg Borough Assembly as follows:

Section 1. The Assembly hereby authorizes the sale of the following property to the Petersburg Indian Association:

Parcel B, Block 302, Greenbelt Subdivision, Plat #2016-4, Petersburg Recording District, First Judicial District, State of Alaska (Borough parcel # 01-006-431)

Section 2. The Assembly finds that the property is not needed for a public purpose.

Section 3. The Assembly determines that exemption of this property from public sale is in the best interests of the Borough, and that the property shall be disposed of by direct negotiations with PIA.

Section 4. The Borough Manager is hereby authorized and directed to commence direct negotiations with PIA for disposal of the property, the final terms of which are subject to approval by the Assembly.

PASSED AND APPROVED by the Petersburg Borough Assembly on August 7, 2023.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk