

**Petersburg Borough, Alaska
RESOLUTION #2020-14(A)**

**A RESOLUTION OF THE ASSEMBLY OF THE PETERSBURG BOROUGH
APPROVING THE DISPOSAL OF BOROUGH LAND BY SALE TO TLINGIT HAIDA
REGIONAL HOUSING AUTHORITY**

WHEREAS, the Petersburg Borough lacks affordable residential units available for rent, and wishes to encourage construction of such units; and

WHEREAS, Tlingit Haida Regional Housing Authority ("THRHA") and the Petersburg Indian Association ("PIA") have received covid-19 grant funding to alleviate overcrowding and address housing insecurity, and wish to construct a duplex in Petersburg; and

WHEREAS, the Borough owns property located at 705 IRA II Street, more particularly described as follows ("the property"):

Lot 5A, Block 87, Southeast Addition, according to the plat filed on April 17, 1969 as Plat 69-202 and the Notice of Minor Lot Consolidation recorded on March 31, 2016 as Document #2016-000195-0, Petersburg Recording District, First Judicial District, State of Alaska (Borough parcel # 01-006-484);

and

WHEREAS, the property has a 2020 assessed value of \$36,000; and

WHEREAS, the property has previously been determined not needed for a public use, and was included in a public land sale authorized under Assembly Resolution #2016-14; and

WHEREAS, the property was not purchased in the land sale, nor over-the-counter for the one-year period thereafter as permitted under PMC 16.12.150; and

WHEREAS, THRHA and PIA have indicated potential interest in the property for placement of the duplex; and

WHEREAS, under the grant funding, the property would be purchased by THRHA, and ownership would then be transferred to PIA upon completion of construction; and

WHEREAS, due to funding requirements, construction must be commenced in the immediate future; and

WHEREAS, the Assembly wishes to approve this disposal now so that a sale may proceed promptly in the event that THRHA and PIA determine that the property is suitable for their needs; and

WHEREAS, notice of this disposal has been provided to the owners of real property located immediately adjacent to the property, by certified mail to the last known address of record, in accordance with PMC 16.12.060A.

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

Section 1. The Assembly hereby authorizes the sale of the following property to Tlingit Haida Regional Housing Authority:

Lot 5A, Block 87, Southeast Addition, according to the plat filed on April 17, 1969 as Plat 69-202, and the Notice of Minor Lot Consolidation recorded on March 31, 2016 as Document #2016-000195-0, Petersburg Recording District, First Judicial District, State of Alaska (Borough parcel # 01-006-484).

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

Section 3. Due to the time constraints of purchase and construction and the fact that the property was included in a prior land sale, the Assembly determines that referral of this disposal to the planning commission for review and recommendation is not necessary at this time.

Section 4. 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 THRHA and PIA.

Section 5. The Borough Manager is hereby authorized and directed to commence direct negotiations with THRHA and PIA for disposal of the property, and to execute disposal of the property with the minimum essential terms set out in Section 6 below.

Section 6. The minimum essential terms of such disposal are as follows:

Buyer(s):	THRHA
Purchase price:	\$36,500
Method of purchase:	Cash at closing; no earnest money required
Method of Title Transfer:	Quitclaim Deed
Date of Closing:	On or before December 31, 2020 (or earlier)
Closing Costs:	Buyer required to obtain title insurance, at its expense All other Closing costs to be paid by Buyer, except the parties shall bear their own attorney fees
Closing agent:	Ketchikan Title Agency, or other title company acceptable to buyer and the Borough Manager.
Construction:	No requirement for construction of improvements.
Warranties:	No warranties - property being sold by the Borough on an 'as-is, where-is" basis. THRHA and PIA may inspect property; no liens to be created by inspection
Cooperation Agmt:	Standard terms, with PILOT [option 1: to be paid/option 2: not required]
Environmental Review:	Per HUD requirements; Borough to have no liability
Default by either party:	Sale shall terminate, with neither party having further obligations or liability to the other

Section 7. The conveyance documents necessary to effectuate and complete the disposal, once completed, are incorporated herein by reference. The Borough Manager is hereby authorized to sign those conveyance documents, which shall contain the terms set out Section 6 above and other standard terms and conditions of such conveyances.

Passed and approved by the Petersburg Borough Assembly on August 17, 2020.

Mark Jensen, Mayor

ATTEST:

Debra K. Thompson, Borough Clerk