

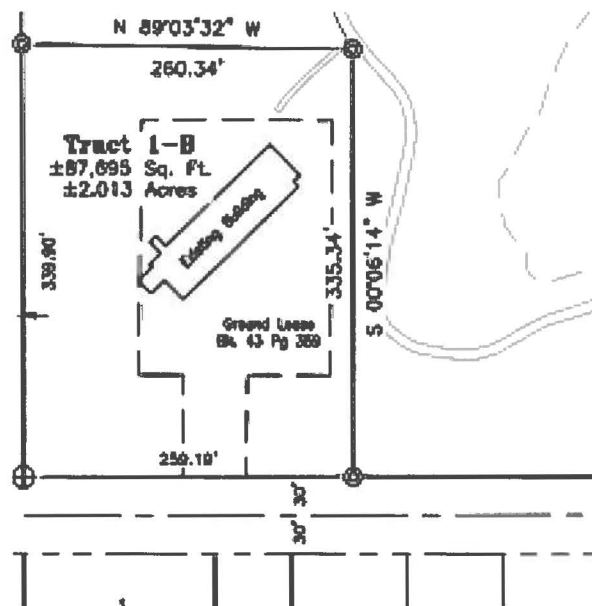
Introduced by: Council Member Springer
Introduction Date: September 28, 2021
Public Hearing Date: April 12, 2022
June 14, 2022
Action: Passed
Vote: 6-0

CITY OF BETHEL, ALASKA

Ordinance #21-45

AN ORDINANCE BY THE BETHEL CITY COUNCIL AUTHORIZING THE DISPOSAL OF PROPERTY THROUGH TRANSFER PURSUANT TO BMC 4.08.030 (f) DISPOSAL TO NATIVE TRIBAL COUNCIL UNDER FEE SIMPLE OWNERSHIP

WHEREAS, the City of Bethel owns a parcel of land situated in Tract A of Block 9, USS 3770 Northwest Addition, Bethel Townsite, 334 Akiachak Avenue, Bethel containing ~~87,695~~ 88,095 square feet, located in the Public Lands and Institutions District;



WHEREAS, the City of Bethel entered into a ground lease with Ortusararmiuit Traditional Native Council (ONC) in 1985, which expired on November 30, 2020;

WHEREAS, the City wishes to dispose of the property through transfer, in accordance with BMC 4.08.030(F), Disposal to Native Tribal Council, under fee simple ownership as outlined in this Ordinance;

WHEREAS, located on site is a one-story wood frame building containing 4,953 square feet of fully finished building area owned by ONC;

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WHEREAS, the fair market value of the land as of ~~December 1, 2020~~ was approximately ~~\$44.42~~ January 12, 2022 is \$190,000, just under \$2.16 per square foot excluding building improvements;

WHEREAS, the City wishes to transfer the above-described land to ONC under fee simple ownership exempting the transfer from the stated waived immunity from suit for the purpose of enforcing any conditions attached to the disposal of the City's interest and without compensation to the City;

WHEREAS, the City Council appreciates and respects our partnership with ONC and recognizes organizational collaboration between the entities is essential to the viability of our hosted public programs;

NOW, THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA, the City Council authorizes the disposal of property, as described under Section 2 of this Ordinance.

SECTION 1. Classification. This is a non-codified Ordinance and shall not become part of the Bethel Municipal Code.

SECTION 2. Terms of Disposal

Legal Description. The property that is the subject of the disposal is described as: a parcel of land situated in Tract A of Block 9, USS 3770 Northwest Addition, Bethel Townsite, 334 Akiachak Avenue.

Description of the City's Interest Being Disposed of: A parcel of property containing ~~87,695~~ 88,095 square feet of level to sloping land with about two-third filled with sand. Electricity, telephone, water, and sewer lines serve the site. The land is located within the Public Lands and Institutions District.

Method of Disposal: Gift deed transfer under fee simple ownership without reverter.

Value of the City's Interest: The appraised value of the property as of ~~December 1, 2020~~ was approximately ~~\$3,895,411~~ January 12, 2022 is \$190,000.

SECTION 3. Authority and Immunity Waiver. Pursuant to Bethel Municipal Code 4.08.030(F), Disposal to Native Tribal Council, the disposal made by the City to ONC shall include a requirement that ONC waive any immunity from suit for the purpose of

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enforcing any conditions attached to the disposal of the City's interest in the above-described real property to ONC.

SECTION 4. Effective date. This ordinance shall become effective immediately upon enactment by the City Council.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA
THIS 14th DAY OF JUNE 2021 BY A VOTE OF 6 IN FAVOR AND 0 OPPOSED.**


Mark Springer, Mayor

ATTEST:


Kevin Morgan, Deputy City Clerk