

Presented by: The Manager
Introduced: 11/26/2018
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2018-50

An Ordinance Approving a Land Trade between the City and Borough and Alan and Ellen Rogers for Properties Located on the Southern End of the Mendenhall Peninsula.

WHEREAS, CBJ 53.04.040 authorizes the City and Borough of Juneau ("CBJ") to acquire real property through a land exchange; and

WHEREAS, the CBJ owns a 90 acre parcel on the southern Mendenhall Peninsula known as Alaska State Land Survey 78-171, Fraction Lot 3A, USS 3816, that the CBJ is managing as a Natural Area Park; and

WHEREAS, Alan and Ellen Rogers ("Rogers") own a 1.67 acre parcel known as Alaska State Land Survey 70-3, USS 3816, located adjacent to the 90 acre parcel owned by the CBJ; and

WHEREAS, in 2005, the CBJ approved construction of a perpetual driveway and utility easement to the Rogers' property through the Smuggler's Cove Pioneers Association; and

WHEREAS, the Rogers and the CBJ Lands Division have discussed the concept of a land exchange such that the CBJ would exchange equal value parcels of land so that the Rogers could build an accessible home and the CBJ would receive beach front property of equal value; and

WHEREAS, the beach front property was determined by appraisal to be two and one-half times more valuable than the upland property, and therefore approximately 14,225 square feet of CBJ upland property would be traded for approximately 6,164 square feet of waterfront property owned by the Rogers; and

WHEREAS, the portions of real property being contemplated for exchange are of similar value as determined by appraisal; and

WHEREAS, the proposed land exchange would benefit the CBJ by increasing the most desirable part of the park for the public to enjoy; and

WHEREAS, the proposed land exchange would benefit the Rogers by providing a relatively level area to accommodate future development of an accessible home; and

WHEREAS, the Parks and Recreation Advisory Committee at its meeting on May 1, 2018, passed a motion of support for the land exchange; and

WHEREAS, the Lands Committee at its meeting on May 21, 2018, passed a motion of support for the land exchange; and

WHEREAS, the Planning Commission at its meeting on November 13, 2018, reviewed and recommended approval of the land exchange; and

WHEREAS, the Lands Committee at its meeting on November 19, 2018, passed a motion by unanimous consent in support of the land exchange, and included a condition that the land exchange be completed within two years from the date of adoption of this ordinance.

THEREFORE BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is a non-code ordinance.

Section 2. Authorization. The Manager is authorized to:

(a) Convey approximately 14,225 square feet of Alaska State Land Survey 78-171, Fraction Lot 3A to the Rogers by quitclaim deed in exchange for the Rogers conveying approximately 6,164 square feet of Alaska State Land Survey 70-3, USS 3816 as generally shown on Exhibit A.


(b) Execute the land exchange without an exchange of money.

(c) At the Rogers sole expense, perform all necessary requirements—including subdividing and recording—to execute this land exchange.

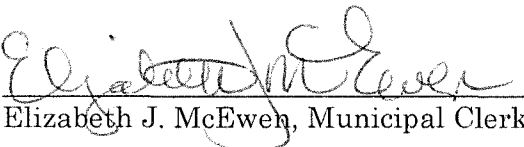
(d) Impose such additional terms and conditions for the land exchange as the Manager determines are in the interest of the public.

Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 17th day of December, 2018.


Beth A. Weldon, Mayor

Attest:


Elizabeth J. McEwen, Municipal Clerk

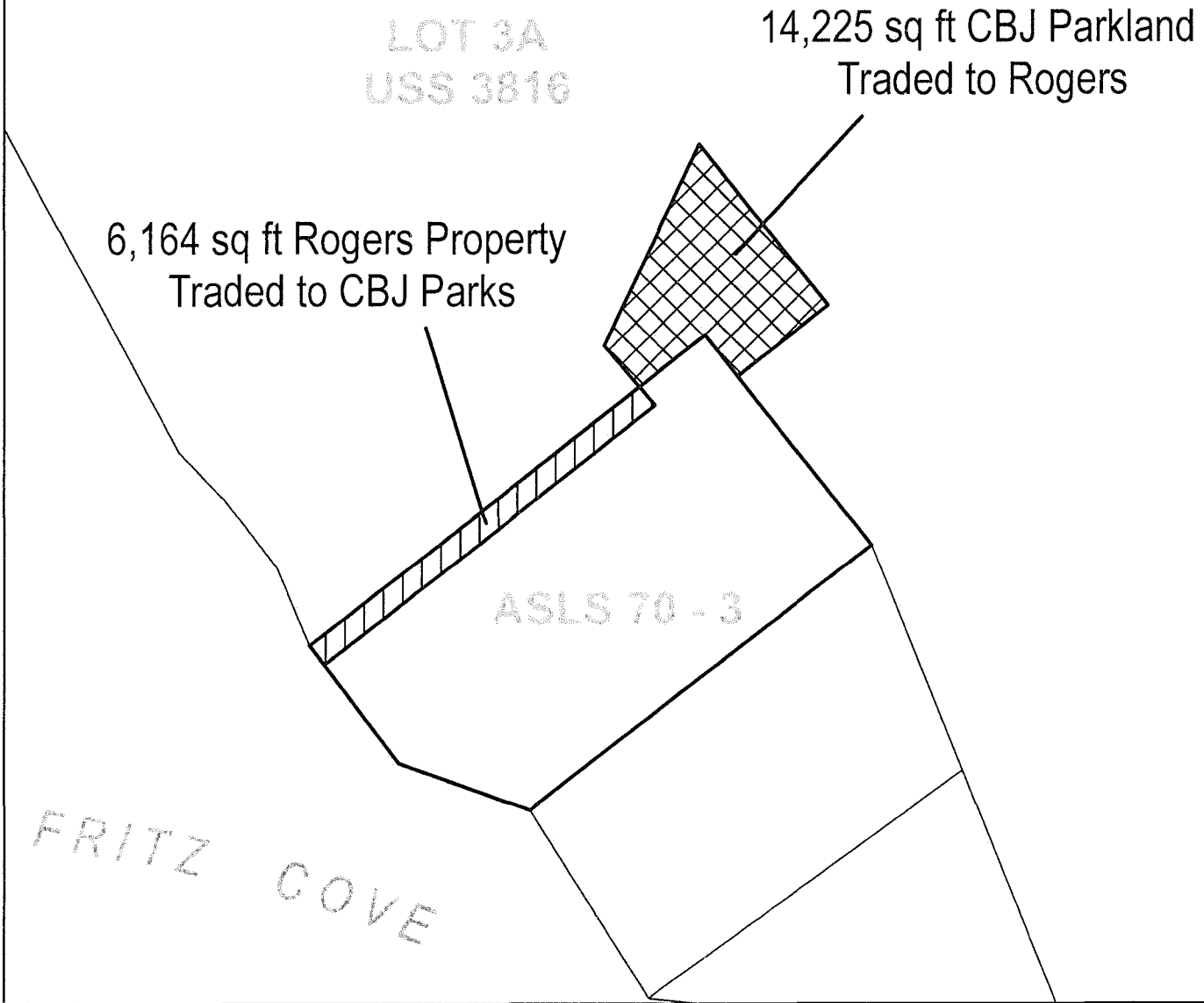
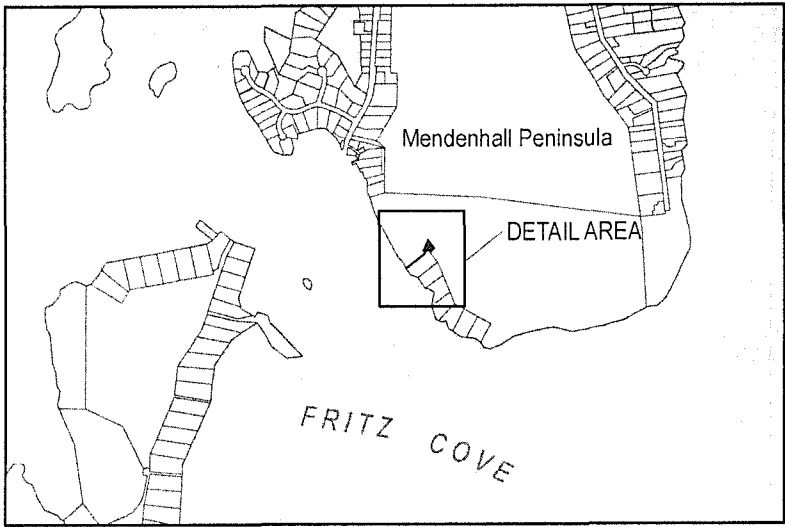


EXHIBIT A
Ord. No. 2018-50

