

Presented by: The Manager  
Introduced: 01/05/84  
Drafted by: G.L.S.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1003 (Lands Comm. Sub. 1-14-84)

A RESOLUTION AUTHORIZING THE MANAGER TO EXECUTE AN AMENDMENT TO THE DEED TO LOTS 3, 4, 5, and 6, BLOCK 7, OF U.S. SURVEY 7-A TO EXTEND THE REPURCHASE PROVISION TO AUGUST 1, 1984 TO PERMIT ALASKA TRAMS, INC., THE OWNER OF SAID LOTS, AN ADDITIONAL OPPORTUNITY TO GET CONSTRUCTION UNDERWAY ON A PROPOSED LOWER TRAMWAY TERMINAL OR HOTEL, OR BOTH, FOR SAID SITE; AND FURTHER AUTHORIZING THE MANAGER TO RELEASE THE REPURCHASE PROVISION FROM THE DEED UPON A DETERMINATION THAT A SUBSTANTIAL START OF CONSTRUCTION ON THE SITE HAS BEEN MADE.

WHEREAS, in October of 1978, the city and borough of Juneau, by quitclaim deed, conveyed to Alaska Trams, Inc., Lots 3, 4, 5, and 6 of Block 7 in U.S. Survey No. 7-A, and

WHEREAS, at the time of the sale, said property was valued by the city and borough assessor at \$11,400 and by an independent appraiser at \$15,500, and

WHEREAS, after a call for bids failed to produce a bid at or exceeding the market value as determined by the assessor, the city and borough negotiated for the sale of the property with Alaska Trams, Inc. at a price of \$5,500, and

WHEREAS, because the sale was at less than half the market value, the city and borough reserved the right to repurchase the property for the sale price plus 8 percent interest from the date of the deed if Alaska Trams, Inc., had not, by October 6, 1982 constructed a lower tramway terminal for a tram to the top of Mt. Juneau, and

WHEREAS, at the request of Alaska Trams, Inc., said date was extended by one year to October 6, 1983, and

WHEREAS, at the request of Alaska Trams, Inc., the company was permitted to construct either a tramway or a hotel prior to October 6, 1983, and

WHEREAS, there is still no evidence of any significant site development and no building permit has been applied for, and

WHEREAS, Chuck Keen, president of Alaska Trams, Inc., has requested another extension of the repurchase provision, and

WHEREAS, because neither a hotel nor a tramway has been constructed nor even commenced on the subject property, the city and borough now

has the right to purchase said property for \$5,500 plus interest at 8 percent from the date of the deed to Alaska Trams, Inc., and

WHEREAS, such right is a valuable right of the public, and

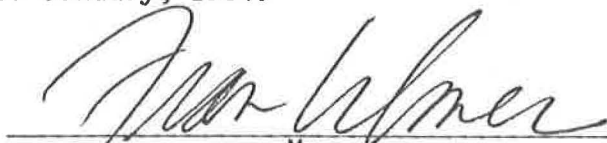
WHEREAS, it would be appropriate to grant the requested extension;

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


1. That the manager is authorized and directed to amend the repurchase clause contained in the deed dated October 6, 1978, from the city and borough of Juneau as grantor to Alaska Trams, Inc., as grantee such that the grantee shall have until no later than August 1, 1984 to make a substantial start on the development of the deeded property into a lower tramway terminal or a hotel, or both. "Substantial start on development" means that a building permit has been issued for the foundation for either structure and the forms and reinforcing steel for said foundation have been erected and approved by the city and borough building official. Upon approval of said foundation forms and reinforcing steel prior to August 1, 1984, the manager is authorized and directed to execute a release of the repurchase clause in the deed of the subject property from the city and borough to Alaska Trams, Inc.

2. That the manager is directed to offer to Alaska Trams an amendatory deed agreement incorporating the provision of section 1 of this resolution and, in addition, incorporating a clause making the extension authorized in section 1 null and void unless said deed is recorded in the Juneau Recording Office not later than the close of business on February 1, 1984. The manager shall offer an executed and acknowledged deed containing the provisions set forth in sections 1 and 2 of this resolution by not later than noon, January 24, 1984. If the manager is unable to make personal contact with an officer of Alaska Trams, Inc., by noon, January 24, 1984, he shall deposit in the mail said deed addressed to Alaska Trams, Inc., at its most current address of record prior to 5:00 p.m. on January 24, 1984.

Adopted this 19th day of January, 1984.

  
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Mayor

Attest:

  
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Clerk