

Presented by: The Manager  
Introduced: 04/11/2011  
Drafted by: J.W. Hartle

## RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2573

**A Resolution Designating Tract A, U.S. Survey 2337, Located at 5785 Montana Creek Road, As Greenbelt and Natural Area Park Land, Effective When the Property is Acquired by the City and Borough.**

WHEREAS, Tract A, U.S. Survey 2337 is located at 5785 Montana Creek Road, as shown on the attached Exhibit "A"; and

WHEREAS, this residential property is entirely within an active floodplain, is developed over an anadromous stream, lacks municipal sewer and water, and shows signs of advanced structural deterioration; and

WHEREAS, the City and Borough, through negotiations with the land owner and potential funding partners proposes to make an offer to purchase Tract A, U.S. Survey 2337, with the condition that the land be preserved as greenbelt and natural area park land; and

WHEREAS, acquisition of the property would enlarge and enhance adjoining property currently owned by the City and Borough; and

WHEREAS, acquiring the property would eliminate any potential risk of contamination to the anadromous stream and to the adjoining City and Borough property; and

WHEREAS, if this designation is approved by the Assembly, Trout Unlimited has agreed to fund \$35,000 of the purchase price; and

WHEREAS, if approved by the Assembly, upon acquisition, the U.S. Fish and Wildlife Service intends to provide a \$20,000 grant for demolition and remediation of the property; and

WHEREAS, this resolution is companion legislation to Ordinance No. 2010-11(AK), which authorizes the City and Borough to contribute \$ 85,000 for the purchase of the property; and

WHEREAS, the Assembly Lands Committee, at its February 28, 2011, regular meeting, recommended approval of this designation.

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

**Section 1.** Upon acquisition by the City and Borough, the land located at 5785 Montana Creek Road, more particularly described as Tract A, U.S. Survey 2337, is hereby designated as greenbelt and natural area park land, for the purposes referenced above.

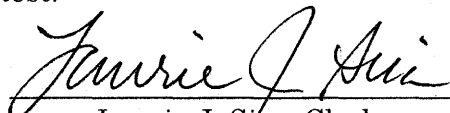
**Section 2.** Trout Unlimited's generous gift of \$35,000 towards acquisition of this property is acknowledged, and this resolution is deemed to meet the requirements of Assembly approval set forth in CBJ 53.04.030.

**Section 3. Effective Date.** This resolution shall be effective immediately upon adoption.

Adopted this 11<sup>th</sup> day of April, 2011.

  
Bruce Botelho, Mayor

Attest:

  
Laurie J. Sica, Clerk