

Presented by: The Manager
Introduced: 11/10/83
Drafted by: GLS

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 992

A RESOLUTION AUTHORIZING AN AMENDMENT TO THE TIDELANDS LEASE AUTHORIZED UNDER RESOLUTION SERIAL NO. 504 BY ALLOWING A DRIVEWAY AS A PERMITTED USE ON LAND LEASED TO BARRETT AND GALLAGHER ON A PORTION OF TRACT B OF ALASKA TIDELAND SURVEY NO. 556.

WHEREAS, the assembly by Resolution 504 authorized the manager to lease 2.115 acres of city and borough tidelands in ATS 556, and

WHEREAS, Barrett and Gallagher entered into such a lease agreement on April 2, 1979 for the purpose of constructing a boat ramp, dock, float, and recreational building, none of which have been constructed, and

WHEREAS, Barrett and Gallagher have requested that their lease be amended to permit a driveway to their third phase of condominium units at Gastineau Villa, and

WHEREAS, the amendment of the lease provides the city and borough with the opportunity to include deadlines for planned improvements or receive compensation for materials extracted from the leased property for the purposes of making the planned improvements, and

WHEREAS, the Planning Commission had the opportunity to review the proposed amendments and had no comments, and

WHEREAS, it is in the best interest of the public to enter into the amendment requested by Barrett and Gallagher;

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

1. That the manager is hereby authorized to amend the lease with Barrett and Gallagher for a portion of Tract B, Alaska Tidelands Survey No. 556 as follows:

a. A driveway shall become a permitted use under paragraph 7 of the lease along with a boat ramp, dock, float, and recreation building.

b. In the event that a permanent dock and float are not completed by November 30, 1988, as determined by the manager or his designee, the Lessee must compensate the city and borough for all fill removed from Tract B, Alaska Tidelands Survey No. 556, at the current market rate of comparable

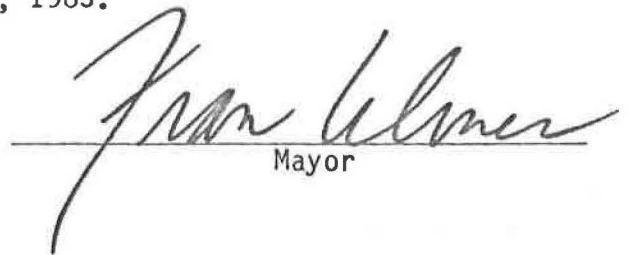
fill. A mutually agreed upon professional engineer will evaluate the site to determine the quantity of fill removed from the leased property. The Lessee and Lessor shall share equally the cost of the engineer's services.

2. That the lessee shall provide a modified development plan showing the following items on a map showing the leased and associated upland property and development:

- a. Location of proposed driveway, including dimensions,
- b. Location of water-related facilities, including the docking facility.
- c. Location of the recreation building.

The modified development plan shall be included as a part of the amended lease.

Adopted this 14th day of November, 1983.



Mayor

ATTEST:



Clerk